



**COUNCIL ORDINANCE NO. 20618**

**COUNCIL BILL 5211**

**AN ORDINANCE CONCERNING PERSONS IN CHARGE OF  
PLANTING STRIPS AND AMENDING SECTIN 7.370 OF THE  
EUGENE CODE, 1971.**

**ADOPTED: June 24, 2019**

**SIGNED: June 25, 2019**

**PASSED: 6:0**

**REJECTED:**

**OPPOSED:**

**ABSENT: Taylor, Evans**

**EFFECTIVE: IMMEDIATE**



ORDINANCE NO. 20618

AN ORDINANCE CONCERNING PERSONS IN CHARGE OF PLANTING STRIPS AND AMENDING SECTION 7.370 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 7.370 of the Eugene Code, 1971, is amended to provide as follows:

**7.370 Sidewalks - Owners to Fill Ground Between Curb and Sidewalk.** It shall be the duty of all property owners to fill and maintain with earth, soil, brick, gravel, clay, loam, cinders, mulching material or Portland cement concrete, but not asphaltic concrete, the space between the curb and sidewalk in front of their property and to the curb line of the street at the intersections to a level and grade with the curb and sidewalk unless an approved stormwater facility is constructed between the curb and sidewalk. Subject to sections 4.832 and 4.833 of this code, and sections 7.635 to 7.650, a ground cover or tree may be used. When the planting strip (i.e., the space between the curb and the sidewalk) is a different surface-type than the sidewalk and is clearly separate and distinct from the sidewalk, the property owner responsible pursuant to this section for maintaining the planting strip in front of their property is the person in charge of those premises for purposes of EC 4.807.

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Section 3. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary to provide property owners responsible for maintaining planting strips the authority to resolve and prevent unsafe and unsanitary behaviors currently occurring in some planting strips.

Passed by the City Council this  
24<sup>th</sup> day of June, 2019

Approved by the Mayor this  
25<sup>th</sup> day of June, 2019

  
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City Recorder

  
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Mayor