

## Ask The Advocate: Who's responsible for Repairing Sidewalks?

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### [Who's Responsible for Repairing Sidewalks? The Advocate Article](#)



**I live in a subdivision old enough for tree roots to be pushing sidewalks up and causing breaks. Who has the responsibility to repair these sidewalks and who is liable for injuries caused by broken sidewalks: the homeowner or the city? Are sidewalks along streets considered part of the easement?**

Fred Raiford, the city-parish transportation and drainage director, notes that any issues about sidewalks may vary depending on the inspection of the site.

"When dealing with tree roots, we would make an inspection to determine what type of damage has been caused," he said.

If the tree is considered a public nuisance or a danger, the city is required to give 10 days' notice to the property owner to have the tree removed, Raiford said. If the owner refuses, the city-parish can remove the trees at the owner's expense.

As to who is responsible for repairs of the sidewalks, that would be determined after the city-parish inspection.

"If the sidewalk is damaged due to city work, then the city would be responsible," Raiford says. "If damage is caused by someone else — utility companies or contractors — then we would hold them responsible."

As for liability, Raiford says each situation is different and should be addressed by the Parish Attorney's Office.

Finally, are sidewalks along streets considered easements? "In some cases, yes," Raiford says.

"In many subdivisions the approved final plats state that sidewalks are located in easements or servitudes and that property owners are responsible for the maintenance of them. However if a city utility (sewer or storm drain) caused the sidewalk problem, then the city would fixed the sidewalk."

