

# ***DRAFT Addition to City of Urbana Code***

## ***\*\* For Discussion Purposes Only!\*\****

### **CHAPTER 11 HEALTH AND SANITATION**

#### **ARTICLE IV. NUISANCES**

#### **DIVISION 4. SIDEWALK SNOW AND ICE**

##### **Sec 11-65. Removing snow from sidewalks and other areas.**

- (a) Every owner of a lot within the City's corporate limits, which lot contains, abuts or fronts on a paved public sidewalk, shall remove and clear away, or cause to be removed and cleared away, snow, after at least two (2) inches of snow has accumulated, and also accumulations of ice, sleet, or freezing rain. After initial clearance, the responsible person shall maintain the sidewalk in a reasonably clear condition.
- (b) When snow, ice, or freezing rain is required to be removed, it shall be removed from the full width of the sidewalk, or at least **thirty six(36) inches in width**, whichever is less in width, along the entire length of the public sidewalk which is upon, fronts or abuts the property. For owners of property most closely abutting sidewalk ramps, owners shall clear the ramps in the same fashion as the sidewalk.
- (c) Except as provided in subsection (d) of this section, snow, ice, sleet, or freezing rain shall be removed as provided in subsection (a) and (b) of this section within **twenty four (24)** hours after the public announcement of the Director of Public Works set forth in section (f).
- (d) In the event snow, ice, sleet or freezing rain on a sidewalk has become so hard that it cannot be reasonably removed without damage to the sidewalk, or is otherwise largely impractical to remove, the person responsible for said removal shall cause enough sand or other abrasive material to be put on the sidewalk to make travel thereon reasonably safe, and shall maintain the sidewalk in such condition until weather permits the owner to comply with subsection (a) and (b) of this section.
- (e) The person responsible for removal of accumulations of snow, ice, sleet, or freezing rain from a sidewalk abutting a lot containing a building occupied by more than four (4) dwelling units, shall remove all snow, ice, sleet or freezing rain from the driveways and parking lots of the premises and from the walkways between the public sidewalks, parking lots, or driveways, and entrances to the dwelling units within the same time limit as specified in subsection (c) of this section.
- (f) Enforcement declaration.
  - (1) The declaration by the Director of Public Works that accumulations of snow have reached two (2) inches, or that there exists accumulations of ice, sleet, or freezing rain shall be determinative of the amount of accumulation or event causing subsections (a) through (c) to be effective.
  - (2) The declaration by the Director of Public Works of the time frame for removal or cleaning of accumulations of snow, ice, sleet or freezing rain shall be determinative of the time for removal set forth in subsection (c). Before making the announcement, the Public Works Director shall be guided by the following standards:

- i. The announcement shall be timed to roughly coincide with the substantial cessation of the precipitation event.
- ii. The announcement shall be made so that the time frame for beginning enforcement takes place Monday after 6:00 a.m. through 5:00 p.m. Friday, and not on recognized federal or state holidays.
- iii. The announcement shall take into account the progress in snow removal **by the City on arterial streets and be timed to** coincide with the substantial completion of such operations in the area affected.

- (3) The Director of Public Works shall take practical steps to notify the **Mayor and City Council**, the public, and news media of any such declarations provided for in this subsection. A copy of such declaration or notification shall be filed with the City Clerk.

## **Sec 11-66. Abatement.**

- (a) If the person responsible fails to clear snow, ice, sleet or freezing rain as provided for in this Division, such person consents impliedly to the creation of a contract with the City to perform such snow, ice, sleet or freezing rain removal on behalf of such person, consistent with the terms set forth in this Division. Situations resulting from failure to comply with this Division shall be considered imminent hazards which allow the City to follow summary abatement procedures as detailed in this Article.
- (b) Violations of this Division may result in fines levied according to the Class 1 offense schedule as detailed in this Article.
- (c) After the City or its contractor clears such accumulation, the person responsible for snow removal under subsection (a) of this Division shall pay to the City, all the costs incurred by the City or its contractor as the result of such removal including, but not limited to, all costs incurred by the City as administrative costs, as well as applicable fines.
- (d) This section is intended to be penal in nature and is not intended to create a civil duty or right in other parties.