



STAFF REPORT

DATE: December 4, 2018

ITEM #: 20

AGENDA ITEM: Sidewalk Snow Removal Ordinance Amendment

SUBMITTED BY: Rob Weldon, Public Works Director

REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND:

The Council discussed changes to the current city ordinance relating to the timing of snow removal from public sidewalks during the November 7, 2018 City Council Meeting. Staff has included an amended ordinance which currently falls within Chapter 96, Nuisances affecting Peace and Safety section of the City Code and is proposing an additional language be added to the Streets and Sidewalks, Chapter 93, of the city code to further cover the intent of sidewalk snow removal.

ISSUE BEFORE COUNCIL:

Should the City Council amend the existing ordinances related to snow removal from public sidewalks?

PROPOSAL DETAILS/ANALYSIS:

Included in your packet is a redlined ordinance to show the proposed changes to Chapter 96, along with additional language to be included in Chapter 93 of the City Code. Both ordinances are consistent in language and directly address the removal of snow from public sidewalks abutting city streets.

OPTIONS:

- Approve amendment of City Code as it relates to sidewalk snow removal
- Amend and approve amendment of City Code as it relates to sidewalk snow removal
- Deny amendment of City Code as it relates to sidewalk snow removal

RECOMMENDATION:

“Motion to approve Ordinance Amendment 08-216 amending Chapters 96 and 93 regarding Snow Removal from Sidewalks.”

ATTACHMENTS:

- Ordinance Amendment

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-216

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING CHAPTERS 96 AND 93 REGARDING SNOW REMOVAL FROM
SIDEWALKS**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title IX, Chapter 96, Nuisances, Section 96.03, paragraph (A)(23) by deleting the ~~stricken~~ language and adding the underlined language as follows:

§ 96.03 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

(A) The following are declared to be nuisances affecting peace and safety.

(23) *Snow on streets and sidewalks.* All snow and ice not removed from public sidewalks ~~12 24~~ hours following after the termination of any snow ~~and or~~ ice formation has stopped precipitating. Snow plowed or shoveled into a public street shall also be ~~declared~~ a nuisance;

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title IX, Chapter 93, Streets and Sidewalks, by adding a new Section 93.50, Sidewalks which shall read as follows.

SIDEWALKS

§ 93.50 SIDEWALK SNOW REMOVAL.

(A) *Removal of snow and ice from sidewalks.* The owner or occupant of any property within the city's corporate limits that fronts upon any public street that has an abutting sidewalk must remove any snow or ice from the sidewalk within 24 hours following the termination of any snow or ice formation. The owner or occupant of the property abutting the sidewalk must keep the abutting sidewalk reasonably clear and free of any snow or ice.

(B) *Nuisance.* Failure by the owner or occupant of the property abutting the sidewalk to comply with this section shall constitute a nuisance and the nuisance may be abated by the city in accordance with Chapter 96 of the city code.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. Adoption Date. This Ordinance 08-216 was adopted on this _____ day of _____ 2018, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-216 was published on the ___ day of _____, 2018.