



STAFF REPORT

DATE: 5/6/2025

Regular

TO: City Council
FROM: Marty Powers, Public Works Director
AGENDA ITEM: Sidewalk Snow Removal Ordinance Update
REVIEWED BY: Nicole Miller, City Administrator
Jason Stopa, Community Development Director

CORE STRATEGIES:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Vibrant, inclusive, connected community | <input checked="" type="checkbox"/> Efficient, reliable, innovative services |
| <input type="checkbox"/> Responsive, transparent, adaptive governance | <input type="checkbox"/> Balanced Finances now and future |
| <input type="checkbox"/> Managed Growth | <input type="checkbox"/> Resilient Infrastructure |

BACKGROUND: Due to increasing resident requests to clear trails in the winter, council and staff reviewed the sidewalk snow removal ordinance 9.16.120 at the March 11th, 2025, Council Workshop.

The council reviewed sections of city streets that did not have a concrete sidewalk, but did have an asphalt trail in the road right of way. Including these trail sections into the sidewalk snow removal ordinance would add safe pedestrian connectivity along a number of sections of roadways. The council also asked staff to improve the definition of a sidewalk for clarity.

ISSUE BEFORE COUNCIL: Should the City Council consider updating Ordinance 9.16.120 to include requiring snow removal on trail segments in the road right of way, where there is not a sidewalk on either side of that street segment? And also update the Chapter 1.08 Definitions section to include the definition of a sidewalk?

PROPOSAL DETAILS/ANALYSIS:

A sidewalk definition has been prepared to better identify the differences between a sidewalk and asphalt trail as we consider updating the sidewalk snow removal ordinance to improve pedestrian walkability throughout the city

Sections under review:

- Add a Sidewalk Definition and update the Trail Definition to Chapter 1.08.010

SECTION 1. Title 1 General Provisions; Chapter 1.08: Definitions, Section 010

Terms Defined is hereby amended by changing the following section (Proposed language is underlined, deleted language is ~~shown with strikethrough~~):

Sidewalk means a concrete surface separated from the street and used as a pedestrian walkway.

Trails means areas constructed within the city for a designated use, such as walking, non-motorized biking, rollerblading, skateboarding, equestrian trails, if appropriate.

Trails, paved, means an asphalt paved surface, not less than eight feet in width, separated from the street and motorized traffic dedicated to cycling, including electric bicycles, or shared with pedestrians or other non-motorized users.

- Consider adding language to Chapter 9.16.120 requiring snow removal of any public trail segments in a road right of way that do not have a sidewalk in that same street segment. The ordinance would require the abutting property owner to clear the abutting trail section within 48 hours after a snow event. Any trail sections abutting city property would be cleared by public works.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title 9 General Regulations; Chapter 9.16: Streets and Sidewalks is hereby amended by changing the following section (Proposed language is underlined; deleted language is ~~shown with strikethrough~~):

CHAPTER 9.16 STREETS, ~~AND~~ SIDEWALKS, AND TRAILS

9.16-IV SIDEWALKS

9.16.120 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 48 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 LEC 9.28.

9.16-V TRAILS

9.16.130 Trail Snow Removal

(a) *Removal of snow and ice from trails.* The owner or occupant of any property within the city's corporate limits that abuts any street that has an abutting hard-surface trail in the road right-of-way must remove any snow or ice from the trail within 48 hours following the termination of any snow or ice formation. The owner or occupant of the property abutting the trail must keep the abutting trail reasonably clear and free of any snow or ice. Exception: If a sidewalk is constructed on the opposite side of the street, the owner or occupant shall not be required to remove snow or ice from the trail.

(b) Nuisance. Failure by the owner or occupant of the property abutting the trail to comply with this section shall constitute a nuisance and the nuisance may be abated by the city in accordance with LEC 9.28.

FISCAL IMPACT:

- Approximately one additional hour per snow event (approximately 16 events per year) of PW time and equipment fuel to add several sections of Trail Segments to its current Sidewalk Snow Route
- Additional yearly lawn damage repair - labor, black dirt and seed

OPTIONS:

- Update Ordinance Definitions to include a Sidewalk Definition. Also add Trail Snow Removal Language in Ordinance 9.16.120 as outlined
- Edit Recommended Sidewalk Definition and/or Trail Snow Removal Language for an Ordinance Update
- Make no changes to the current sidewalk snow removal ordinance or definitions

RECOMMENDATION:

Motion to include a Sidewalk Definition in Ordinance 1.08.010, and include the Trail Snow Removal Language as outlined to be included in the sidewalk snow removal Ordinance 9.16.120

ATTACHMENTS:

- Definition Ordinance
- Sidewalk/Trail Ordinance 2025-10
- Resolution 2025-039

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2025-10

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE FOR
DEFINITIONS and STREETS AND SIDEWALKS SECTIONS

SECTION 1. Title 1 General Provisions; Chapter 1.08: Definitions, Section 010 Terms Defined is hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

Sidewalk means a concrete surface separated from the street and used as a pedestrian walkway.

Trails means areas constructed within the city for a designated use, such as walking, non-motorized biking, rollerblading, skateboarding, equestrian trails, if appropriate.

Trails, paved, means an asphalt paved surface, not less than eight feet in width, separated from the street and motorized traffic dedicated to cycling, including electric bicycles, or shared with pedestrians or other non-motorized users.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title 9 General Regulations; Chapter 9.16: Streets and Sidewalks is hereby amended by changing the following section (Proposed language is underlined; deleted language is shown with ~~strikethrough~~):

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(b) Nuisance. Failure by the owner or occupant of the property abutting the trail to comply with this section shall constitute a nuisance and the nuisance may be abated by the city in accordance with LEC 9.28.

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 2025-10 was adopted on this 6th day of May 2025, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 2025-10 was published on the ____ day of _____, 2025.

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

RESOLUTION NO. 2025-039

**RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE
2025-10**

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2025-10, an ordinance that amends Lake Elmo City Code Sections: 1.08.010 and 9.6

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo that the City Clerk shall cause the following summary of Ordinance No. 2025-10 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 2025-10, an ordinance that amends the City Code language in the Definitions and Streets & Sidewalks Section. The following is a summary of the adopted ordinance language:

This resolution addresses Ordinance No. 2025-10 which refines and adds language in city code. The ordinance revises Chapter 1.08, Section 010 Terms Defined by defining sidewalks and trails and Chapter 9.16 Streets and Sidewalks by addressing snow removal of sidewalks and trails.

The full text of Ordinance 2025-10 is available for inspection at Lake Elmo City Offices during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 6th 2025

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

(SEAL)