

1020.06. Snow and ice.

(a)

No person shall permit any snow or ice to remain on any public sidewalk adjacent to any house, building or lot owned or occupied by that person, or on the public sidewalk adjacent to any multifamily dwelling or unoccupied house, building or lot owned by that person, for more than 24 hours after the same has fallen or formed. The property owner, as used in this section, shall be the owner of record whose name appears on the City's property assessment records.

(b)

No person shall place or cause to be placed ice or snow upon a right-of-way so as to impair vehicular or pedestrian traffic.

(c)

If a property owner fails to remove snow or ice from a public sidewalk as required in subsection (a), or places or causes to be placed ice or snow upon a right-of-way as prohibited in subsection (b), pursuant to standards to be promulgated by the Public Service Department prior to enforcement under this section, including provisions for notice and snow accumulation, for review by City Council, the City may do the following:

(1)

Notify any property owner in violation of these sections by written notice sent by first-class mail to the property owner at the address shown on the assessor's records and by notice posted on the property. The notice of violation shall state that if the snow or ice is not removed within 24 hours of the time notice is deemed received by mail, the City may remove the snow or ice at the owner's expense. Notices given by mail will be deemed received at 5:00 p.m. one day following the day the notice is deposited in the United States mail or at 5:00 p.m. on the next mail delivery day, whichever is later unless the United States Postal Service ceases operations at its processing and distribution center located at 4800 Collins Road in Lansing, in which case and at which time notices given by mail will be deemed received at 5:00 p.m. two days following the day the notice is deposited in the United States mail or at 5:00 p.m. the day following the next mail delivery day, whichever is later. The failure of any person to receive the notice shall not affect the validity of any action taken under this section.

(2)

If the property owner fails to abate the violation within 24 hours after a notice is deemed received by mail, the City may remove the snow or ice and the property owner will be assessed the City's removal cost, including an administrative fee, as established by resolution from time to time.

(3)

The City Assessor, upon receipt of snow or ice removal data from the Public Service Department, shall make an assessment roll for the properties and the assessment roll shall be processed in accordance with the assessment procedure contained in [Section 1026.06](#)(b) and (c) of this Code of Ordinance. After confirmation of the assessment roll, the Assessor's Office shall process and mail by first-class mail the snow or ice removal assessment to each property owner. If the assessment is not paid within 60 days, it shall be placed as a lien against the property as permitted by law. Any unpaid portion of the snow or ice removal assessment will be subject to a five (5) percent additional administrative fee if not paid within 60 days.

(d)

Any person in violation of subsection (a) or (b) of this section shall also be responsible for a municipal civil infraction and may be fined in accordance with [Section 203.06](#) of this Code. For purposes of establishing civil fines, all public sidewalks and rights-of-way shall be divided into two tiers, as follows:

(1)

Tier one shall be every public sidewalk adjacent to a roadway with a speed limit of 30 mph or more.

(2)

Tier two shall be all public sidewalks which are not tier one.

(e)

A police officer or duly authorized agent of the City shall issue a snow violation citation to the occupant or owner of any property in violation of this section.

The Director of Public Service shall designate personnel to be authorized by Council to enforce this section. After such authorization, each designated person shall subscribe to an oath and place the same on file with the City Clerk. The oath shall be in substantially the following form:

"I do solemnly swear (to uphold the Constitution of the United States, and) that I will faithfully discharge my duties in enforcing the provisions of [Section 1020.06](#) of the Codified Ordinances of the City of Lansing."

(Ord. No. 1078, § 2, 10-11-04; Ord. No. 1161, § 1, 9-27-10; Ord. No. 1179, § 1, 6-11-12)