

VILLAGE OF DANSVILLE

ORDINANCE NO. 40
(ENACTED 12-13-99)

**AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF SNOW
AND ICE FROM PUBLIC SIDEWALKS; TO PROVIDE FOR THE
ASSESSMENT OF COSTS FOR DOING SO; AND PENALTIES
FOR FAILURE TO PERFORM**

THE VILLAGE OF DANSVILLE ORDAINS:

Section 1: Snow Removal Required:

The occupant of any premises in the Village, which includes any house, store, building or lot, upon which there is located a public sidewalk, shall remove or cause to be removed from the sidewalk ice and snow subject to the following requirements:

- 1.1 All snow and ice shall be removed within twenty-four (24) hours after it has ceased if the accumulation is less than four (4) inches.
- 1.2 All such snow and ice shall be removed within forty-eight (48) hours after it has ceased if the accumulation is more than four (4) inches.

Section 2: Neglect to Remove Snow: Procedure.

Should any owner or occupant of any premises subject to this Ordinance neglect or refuse to remove the snow and ice from the public sidewalk as provided in Section 1, the Village President or designee shall remove, or cause to be removed all such snow and ice at the owner's expense, which charge shall constitute a special assessment and payable as provide in Section 3.

Section 3: Failure to Pay; Special Assessment; Lien

Should the owner or occupant of any premises subject to this Act fail or refuse to pay the charges incurred by the Village for the removal of the snow and ice from the public sidewalk, within thirty (30) days from the date of invoicing, the amount due, together with a penalty of ten percent (10%), shall constitute and be levied as a special assessment on the benefitted premises and collected by the Village Treasurer in the same manner as other property taxes and assessments are collected in the Village.

Section 4: Costs for Removal of Snow and Ice.

The Village Council shall establish the rate charged for the removal of snow and ice from premises subject to this Ordinance by Resolution, which shall be used to formulate the charges subject to an assessment under Section 3.

Section 5: Hardship Clause.

A property owner or occupant of any premises subject to this Ordinance, unable to remove snow or ice due to a disability, physical illness, or age, may avoid the assessment under Section 3 by submitting to the Village Clerk evidence that a contract for the removal of snow or ice has been obtained and is in place. Under these circumstances, any contractor providing the service automatically consents to the payment of any charges subject to the assessment under Section 3 in the event the contractor fails to remove the snow and ice in the manner.

Section 6: Repealer.

All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

Section 7: Severability.

A declaration that any section, subdivision, clause or phrase of this Ordinance is invalid, shall not affect the validity of the Ordinance as a whole or any Part other than the part so invalidated.

Section 8: Municipal Civil Infraction.

Any person failing to remove any snow and ice as provided in Section 1, including any contractor assuming such responsibility under Section 5, shall also be responsible for a municipal civil infraction, which shall be issued, processed by the Village President or designee. The violator shall be subject to the following fines:

- | | | |
|-----|-------------------------------|----------------------------------|
| 8.1 | First Offense | \$50.00 fine plus actual costs; |
| 8.2 | Second Offense | \$100.00 fine plus actual costs; |
| 8.3 | Third and Subsequent Offenses | \$200.00 fine plus actual costs; |


Section 9: Effective Date.

This Ordinance shall take effect immediately upon publication, except the penalty provision, which shall take effect 20 days after publication.

YEAS: Murrell, Ruest, Colburn, Speck, Young

NAYS: None

ABSENT: Butler



Melanie Murrell, Village President

I certify that the above is a true and complete copy of Ordinance No. 40 adopted by the Village Council at a meeting held on the 13th day of December, 1999 and published in the Community News Newspaper on 19th day of December, 1999.



Cheri Foster, Village Clerk

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