

- (a) **REMOVAL FROM SIDEWALKS.** The owner, occupant or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall keep said sidewalk clear of all snow and ice. In the event of snow accumulating on said sidewalk due to natural means and/or by any other means, said sidewalks shall be cleared of all accumulated snow and/or ice within twenty-four (24) hours from the time the snow ceases to accumulate on said sidewalk. Sidewalks are to be kept clear of snow and ice to a minimum of four (4) feet in width. In the event that ice has formed on any sidewalk in such a manner that it cannot be removed, the owner, occupant or person in charge of the parcel or lot which fronts upon or adjoins said sidewalk shall keep the sidewalk sprinkled with sand and/or salt to permit safe travel by pedestrians.
- (b) **NOTICE AND REMOVAL OF SNOW FROM SIDEWALKS.** If the owner, occupant or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall fail to keep said sidewalk clear of snow and ice as set forth in Subsection (a), the Director of Public Works shall take the following action:
- (1) Hazardous Conditions. If the Director of Public Works determines that the failure to remove the snow and ice from the sidewalk creates an immediate danger to the public health and/or safety, he shall cause the issuance of a written notice to the owner, occupant or person in charge of any parcel or lot directing that the snow and ice be removed within two (2) hours from the delivery of the notice. In the event the property owner, occupant or person in charge of said parcel or lot is unavailable to receive a written notice, the Director of Public Works shall immediately cause the removal of the snow and/or ice. The Director of Public Works shall send a written notice to the last-known address of the property owner notifying him that a hazardous condition existed which required immediately abatement.
 - (2) Non-Hazardous Conditions. If the owner, occupant or person in charge of the subject parcel or lot fails to remove the snow within the time period established in Subsection (a), the Director of Public Works shall cause the issuance of a written notice to said owner, occupant or person in charge of the subject parcel or lot directing the responsible person (as defined) to remove said snow and ice no later than twenty-four (24) hours following the issuance of said notice. The written notice shall be hand delivered when possible or mailed to the last-known address of the owner of the subject property as identified on the records in the City Clerk's office.
 - (3) Snow and Ice Not to Encroach. No person shall push, shove or in any way deposit any snow or ice onto any public streets, alley, sidewalk or public lands dedicated to public use except for parcel or lots located where existing buildings are constructed within five (5) feet of the street right-of-way and the sidewalks exist from the City right-of-way to the curb line. In such instances, the owners, occupants and/or employees of parcels or lots shall be permitted to deposit snow and ice from their sidewalks onto the public streets.
- (c) **ENFORCEMENT.** The Director of Public Works, his designee and all sworn police officers are hereby authorized and directed to enforce the provisions of this Section.
- (d) **CONTINUED VIOLATIONS.** Each twenty-four (24) hour period where a violation occurs shall constitute a separate offense under this section for enforcement purposes. Repeated violations or subsequent additional accumulations of snow and/or ice shall not nullify any pending notice issued under this Section.
- (e) **ABATEMENT AFTER NOTICE.** Failure of the owner, occupant or person in charge of any parcel or lot to cause the removal of snow and/or ice within the time established under Subsection (b)(1) and (2) after receiving a written notice shall result in the Director of Public

Works causing the removal of said snow and/or ice.

- (f) **EXPENSE.** An account of the expenses incurred by the City to abate the snow and/or ice hazard shall be kept and such expenses shall be charged to and paid by the parcel or lot owner. Notice of the bill for the removal of snow and/or ice shall be mailed to the last-known address of the owner of the parcel or lot and shall be payable within thirty (30) calendar days from the receipt thereof. Within sixty (60) days after such costs and expenses are incurred and remain unpaid, the City Comptroller shall enter those charges onto the tax roll as a special tax as provided by Section 66.615(5), Wis. Stats.
- (g) **PENALTY.** In addition to the provisions set forth in this Section, any person, firm or corporation which violates the provisions of this Section shall be subject to a penalty as provided in Section 1-1-7 of this Code of Ordinances.

State Law Reference: Sections 66.60(16) and 66.615(3)(f) and (5), Wis. Stats.

SEC. 6-2-8 VAULTS.

All new vaults shall be prohibited and existing vaults shall be maintained in conformance with this Section. All vaults under sidewalks in the City shall be constructed of brick, concrete block, or poured concrete. The surface opening into the street shall be within three (3) feet of the outer edge of the sidewalk, or the curb. The slab over such vault shall be able to withstand a load of two hundred fifty (250) pounds per square foot of slab area. The owner of any lot or parcel of land adjoining such vault shall maintain such vault and slab over in a safe condition and at his own expense.

SEC. 6-2-9 BOARD OF PUBLIC WORKS HOME RULE PROVISIONS.

The City of Menasha hereby elects pursuant to Chapter 66 of the Statutes of Wisconsin to provide that the actions of the Board of Public Works shall be subject to Council approval and mayoral veto.

SEC. 6-2-10 PLACING OF NUMBERS ON RESIDENCES AND PLACES OF BUSINESS.

- (a) Each house or place of business shall be assigned a numerical number.
- (b) It shall be the duty of the property owner to place such assigned number on each residence and place of business in the City, observable and readable with the naked eye from the street right-of-way.
- (c) Nothing in this Section shall prohibit numbers to be in script form in addition to the numerical numbers if the property owner desires.
- (d) Upon certification to the City Clerk by the proper officials that residences and places of business are unnumbered, the City Clerk shall notify each property owner of the contents of this Section.

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AN ORDINANCE AMENDING SECTION 16-10 OF CHAPTER 16 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SNOW AND ICE REMOVAL.

(Municipal Services Committee – 10-6-10)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 16-10 of Chapter 16 of the Municipal Code of the City of Appleton, relating to snow and ice removal, is hereby amended to read as follows:

Sec. 16-10. Snow and ice removal.

(a) Every person shall, no later than 36 hours following cessation of a snowfall, remove all snow and/or ice from the entire width of the sidewalk in front of the premises owned or occupied by him; provided that, immediately after the accumulation of ice on such sidewalk, it shall be treated with sand, salt or other substance to prevent it from being slippery. The ice shall continue to be so treated in such a manner as to prevent the ice from being dangerous until it can be removed and shall then be promptly removed. If the owner or occupant of such premises shall fail to remove such snow and ice or to sprinkle a sidewalk as required, the work shall be done under the direction of the Common Council and the expenses thereof made a special tax upon the lot in front of which such work was done.

(b) No person shall remove or cause to be removed any snow or ice from his premises, residence, parking lot, parking area, business property or other area onto any public right-of-way or property. Snow removed from public sidewalks shall not be stored in any manner which will obstruct or limit vehicular or pedestrian vision, movement or access.

(c) The deposit of any snow or ice upon any sidewalk alley or street of the city contrary to the provisions of this section is a nuisance, and in addition to the penalty provided for violation of this chapter, the City may summarily remove any snow or ice so deposited and cause the cost of the removal to be charged to the owner of the property from which the snow or ice has been removed.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.