

Sec. 38-150. Snow and ice.

(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 such sidewalk clear of all snow and ice. If snow accumulates on such sidewalk due to natural means and/or by any other means, such sidewalk shall be cleared of all accumulated snow and/or ice within 24 hours from the time the snow ceases to accumulate on the sidewalk. Sidewalks are to be kept clear of snow and ice to a minimum of four feet in width. If ice has formed on any sidewalk in such a manner that it cannot be removed, the owner, occupant or person in charge of parcel or lot which fronts upon or adjoins any sidewalk shall keep the sidewalk sprinkled with sand and/or salt to permit safe travel by pedestrians.

(b) *Action upon nonremoval 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 such sidewalk clear of snow and ice as set forth in subsection (a) of this section, the director of public or village law enforcement officers shall take the following action:

- (1) *Hazardous conditions.* If the director of public or village law enforcement officer 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 hours from the delivery of the notice. If the property owner, occupant or person in charge of the parcel or lot is unavailable to receive the written notice, the director of public works or police officer shall immediately cause the removal of the snow and/or ice. The director of public works or police officer shall send a written notice to the last known address of the property owner notifying him that a hazardous condition existed which required immediate abatement.
 - (2) *Nonhazardous 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) of this section, the director of public works or police officer shall cause the issuance of a written notice to such owner, occupant or person in charge of the subject parcel or lot directing the responsible person to remove the snow and ice no later than 12:00 noon of the day following the issuance of the 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 village administrator's office.
 - (3) *Deposit on public streets, alleys, sidewalks and public lands dedicated to public use.* No person shall push, shove or in any way deposit any snow or ice onto any public street, alley, sidewalk or public land dedicated to public use, except parcels or lots located where existing buildings are constructed within five feet of the street right-of-way and the sidewalks exist from the village 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 designees and all sworn police officers are authorized and directed to enforce the provisions of this section.
- (d) *Continued violations.* Each 24-hour period where a violation of this section 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) *Failure to abate after notice.* After receiving a written 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 in subsection (b)(1) and (2) of this section shall result in the director of public works causing the removal of such snow and/or ice.

(f) *Abatement expenses.* An account of the expenses incurred by the village to abate a 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 ten calendar days from the receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the village administrator shall enter the charges onto the tax roll as a special tax as provided by statute.

(g) *Violations; penalties.* In addition to the provisions set forth in this section, any person who violates the provisions of this section shall be subject to a penalty as provided in section 1-27.
(Code 1988, § 4-2-7)