

SNOW CODE ENFORCEMENT

1) The following procedures are to be used when investigating complaints or referrals for violations of Section 104-11 of the Municipal Code, *"Responsibility for maintaining sidewalks free of obstructions AND snow and ice."*

2) What We Enforce

Section 104-11 sub-sections C and D. These two sections cover the following:

- a) Any snow plowed from private property into the street
- b) Any snow plowed from private property onto a sidewalk
- c) Any snow deposited against a fire hydrant
- d) The maintenance of public sidewalks

Sections C and D read as follows:

[C] The person occupying the ground floor of a building and the owner of a building or lot must keep the sidewalks adjoining such building or lot free and clear from snow and ice and must not suffer or permit snow or ice to collect or remain on such sidewalk later than 9:00 am if such snow shall have fallen or collected after 8:00 pm of the previous evening, or later than 8:00 pm if such snow shall have fallen and collected after 9:00 am. When the snow is removed from sidewalks by city contractors or city employees using plows, it shall be the duty of the occupant and owner to remove the snow and ices remaining after such plows have gone through. The portion of the sidewalk required to be kept free from snow and ice is the portion thereof which is paved, if any, and if no portion is paved, a space at least four (4) feet in width shall be kept free and clear as stated above.

[D] No person shall remove snow or ice from private property or structures and deposit it on the sidewalk or roadway of any street or against a fire hydrant or on the loading or unloading areas of a public transportation system, nor shall any person authorize or permit such removal and depositing. No person shall remove snow or ice from the sidewalks and deposit it on the roadway of any street, nor shall anyone authorize or permit such removal and depositing. These prohibitions shall apply to any means for removing and depositing snow or ice.

- 3) NSC offices will have the primary responsibility to follow up on complaints and or referrals from the DES Snow Office and or 311 for all snow violations to ensure compliance with the City Snow Code. In addition to the complaints and referrals, the Code Inspectors will also monitor the areas they are assigned for snow violations daily. Areas around schools as well as corners and intersections will be given priority consideration. The procedure for handling complaints and or referrals will be as follows:

A) Complaints

Complaints will be received by either direct contact with an NSC office or by referral from 311. In either case, the procedures for handling the complaint(s) will be:

- 1) Clerical support will record the complaint in the calls for service system.
- 2) The Code Inspector will be assigned to investigate the allegation.
- 3) If a violation is found, the Code Inspector will issue one of three types of Snow Notice and Orders: Warning, 48 Hour, or Immediate.
- 4) The hard copy of the notice and order is to be posted at the location. The remaining copy is handed to the clerical support, who will enter the appropriate information into the **RISN Code Violation System**, using the option "H" for all snow violations.
- 5) If the N&O is an Immediate, the Code Inspector will photograph the violation, complete a DES work order and fax a copy of the N&O and the work order to the DES Snow Dispatcher 428-7842.
- 6) If the N&O is a Warning, the clerical support will send a **Snow Warning Letter** (see attached copy). No follow-up inspection is required.
- 7) If the N&O is a 48 Hour notice, the clerical support will **Immediately** - (the same day the N&O is received) send a **Snow Violation Letter** (see attached copy), then schedule the Code Inspector to re-inspect the violation once the N&O has expired. Upon re-inspection, if the violation has been corrected, the N&O is abated. If the violation remains, the Code Inspector will follow the guidelines listed above under Immediate. In either case, the results are entered into the RISN Code Violation System by the clerical support.
- 8) Once a work order is returned from DES, the clerical support will request a bill for the work performed, using the fine amounts listed on the Snow N&O.
- 9) In addition to the Snow N&O's, Municipal Code Tickets can be issued for these violations to the property owner, the ground floor occupant, or the contractor plowing the snow. When necessary, MCT depositions can be used.

B) Snow Notice and Order Referrals

Snow N&O referrals that come from the DES Snow office are to be handled as follows:

- 1) DES Snow office will fax all N&O's issued by the snow inspectors to the appropriate NSC office and forward the original copies through interdepartmental mail.
- 2) If the N&O is an Immediate, the Code Inspector will be dispatched that day to re-inspect the violation and take whatever course of action is necessary, according to those listed on page two.
- 3) If the N&O is a Warning, the clerical support will follow the procedures listed on page two for warnings. No follow-up inspections are required.
- 4) If the N&O is a 48 Hour notice, the clerical support will follow the procedure for 48 Hour notices listed on page two, making sure to send the Snow Violation Letter out the same day the referral is received.
- 5) In situations where DES has issued and serviced an Immediate N&O, they will submit the complete billing package (including the photo) to the respective NSC office for them to bill the property owner.
- 6) No bill shall be issued when a photo is not part of the billing package.