

CITY OF AUGRES
ORDINANCE #40

AN ORDINANCE TO REGULATE THE REMOVAL OF SNOW ON THE CITY OF
AUGRES' SIDEWALKS.

THE CITY OF AU GRES ORDAINS:

ARTICLE 1. SIDEWALK SNOW REMOVAL IN CERTAIN ZONING
DISTRICTS

Section 1. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL
APPLY IN THE INTERPRETATION AND ENFORCEMENT OF THIS
ARTICLE.

- a. "Street" or "highway" means the entire width between
the boundary lines of every way publicly maintained
when any part thereof is open to the use of the public
for purposes of vehicular travel.
- b. "Roadway" means that portion of a street or highway
improved, designed, or ordinarily used for vehicular
travel, exclusive of the berm or shoulder.
- c. "Sidewalk" means that portion of a street between the
curb lines, or the lateral lines of a roadway, and the
adjacent property lines intended for the use of
pedestrians.
- d. "Business day" is any day not a Sunday or a national
holiday.
- e. "Business hours" are the hours between 8:00 a.m. and
5:00 p.m. on any business day.
- f. The City Department of Public Works shall be the
employees of the City or Independent Contractors as
designated by the City Manager or City Council.

Section 2. SNOW TO BE REMOVED FROM SIDEWALKS BY PRIVATE
PERSONS.

- a. The occupant, owner, or person in charge or control
of any building or lot of land adjoining any street in
C-1 or C-2, CR Zoning Districts along US-23 within the
City fronting or abutting on a sidewalk, whether as
owner, tenant, occupant, lessee, or otherwise, shall
remove and clean away, or cause to be removed and
shall be cleared of, snow from the sidewalk as
constructed.
 1. Except as provided in subsection (b) hereof, snow
shall be removed from sidewalks in all business
districts within the City within eight (8) business
hours after the cessation of any fall of snow,
sleet, or freezing rain or by the beginning of
business hours of the next business day following
such fall of snow, sleet or freezing rain,
whichever period is shorter.
 2. Except as provided in subsection (b) hereof, snow
shall be so removed from all other sidewalks within
the City on the same day of the cessation of any
fall of snow, sleet, or freezing rain or with the
first eight (8) hours of daylight after the
cessation of any such fall, whichever period is
longer.
- b. However, in the event snow and on a sidewalk has become
so hard that it cannot be removed without likelihood of
damage to the sidewalk, the person or entity charged
with its removal shall, within the time mentioned in
subsection (a) hereof, cause enough sand or other
abrasive to be put on the sidewalk to make travel
thereon reasonably safe; and shall then as soon
thereafter as weather permits, cause a path in said
sidewalk as constructed to be thoroughly cleaned.

Section 3. DEPOSITING OF SNOW AND ICE RESTRICTED

No occupant, owner or persons shall deposit or cause to
be deposited any snow on or against a fire hydrant or
an any sidewalk, roadway, except that snow may be
windrowed on public roadways incident to the cleaning
thereof or windrowed on curbs incident to the cleaning
of sidewalks in Business District.

Section 4. VIOLATIONS; WORK DONE, LIABILITY THEREFORE;
PENALTY

- a. In the event of the failure of any occupant, owner, or person in charge of any buildings lot or property to clean away and subsequently clear away any snow from any sidewalk as provided or cause this to be done, the Public Works Department may as soon as practicable after such failure, cause such work to be done.
- b. The Public Works Department shall ascertain and keep a record of the exact cost of all work caused to be done in accordance with this section.
- c. Occupant, owner, or person whose act or omission makes it necessary that the Public Works Department cause work to be done in accordance with this section shall be charged by the City for the cost of such work plus a penalty of twenty-five (25%) percent of such cost. These costs shall be placed on tax bill as a special assessment, or otherwise collected by law, if not paid within thirty (30) days of billing.

ORDINANCE IN FORCE:

Section 5 This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Section 6 Passed and adopted by the Council of the City of Au Gres, State of Michigan on the 4th day of January by the following vote:

Ayes 3: namely Dittenber, Holden, Dawson

Nayes 1: namely Nelson

Approved this 4th day of January 1996.

LaVern Dittenber
LaVern Dittenber, Mayor

Mary Fresolger, Clerk 1/5/96
Mary Fresolger, City Clerk