

ORDINANCE NO. 2468

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND THE LANGUAGE OF CHAPTER 12.10 SNOW AND ICE REMOVAL OF THE SALISBURY MUNICIPAL CODE TO PROHIBIT SNOW BEING MOVED INTO PUBLIC STREETS.

WHEREAS, the ongoing application, administration and enforcement of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation, and amendment; and

WHEREAS, the Salisbury Municipal Code section 12.10 currently requires property owners of any land or premises within the City limits to remove any snow or ice from sidewalks within 24 hours following a snow or ice event; and

WHEREAS, there have been occurrences of snow or ice being shoveled, plowed or dumped on public streets, thereby creating a hazard to travel; and

WHEREAS, the City seeks to add language to prohibit the dumping of snow or ice onto public streets; and

WHEREAS, the Director of Field Operations desires this change to more effectively maintain the City streets.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that Chapter 12.10 be amended as follows:

Chapter 12.10 – Snow and Ice Removal

12.10.010 - Removal of snow and ice ~~from sidewalks.~~

- A. All owners of any land or premises situated on any street within the city where sidewalks are laid shall remove the snow and ice therefrom for the entire length thereof for a width of at least four feet or, at a minimum, the entire width of the sidewalk if less than four feet and may deposit the same along the remaining portion of such sidewalks which is farthest from the street within twenty-four (24) hours after the snow or ice has stopped falling.
- B. Sand and/or de-icing agents may be used in the event removal is not practical. Removal of sand or other material used for this purpose must be performed within a reasonable time period following the weather event. Such material not removed in a timely manner shall be considered rubbish.
- C. Residential property owners who for the totality of their circumstances, considering such factors as age, physical handicap or disability, who are unable to comply with the twenty-four-hour requirement may submit a request for an exemption to the Housing Official by November 1 of each year. The property owner shall be responsible for the cost of removing the snow and ice and the fee for such work shall be collectable in the same

manner in which real estate taxes are collected. No administrative fees or penalties will be imposed provided the exemption was properly obtained.

- D. No property owner, person or commercial entity, other than an employee of the City of Salisbury or an individual acting with the express written permission of the City of Salisbury, shall pile, plow, push, or dump any ice, snow, or debris onto a public street.

12.10.020 – Notice of violation.

- A. When a violation of Section 12.10.010 of this chapter occurs, a notice of violation shall be posted on the property. This letter of violation shall:
1. Be in writing;
 2. State the nature of the violation and that such condition constitutes a violation;
 3. Describe the premises where the violation is alleged to exist;
 4. State that upon discovery the condition may be abated by the city;
 5. State that the cost of abatement shall be assessed against the property as a lien on the city tax records, and shall be collectible as a real property tax lien;
 6.
 - a. State that upon violation of subSection 12.10.010 A., B. or C. of this chapter, the owner shall be guilty of a municipal infraction and fined fifty dollars (\$50.00) for the first offense. For each day that the condition remains unabated, the owner shall be guilty of a municipal infraction and fined fifty dollars (\$50.00) per day for up to a maximum of five consecutive days; ~~and~~
 - b. Any property owner, person or commercial entity found to be in violation of subsection 12.10.010 D. shall be guilty of a municipal infraction and fined \$250 for the initial offense and \$500 for each subsequent offense; and
 7. Service by one of the following methods:
 - a. By posting a copy of the notice or order in a conspicuous place on the property subject to the order,
 - b. By hand-delivering the notice to the person to be notified, or
 - c. By leaving the notice at the usual residence or place of business of the person to be notified with a person of suitable age and discretion then resident or employed therein.


12.10.035 – Violation of dumping snow, ice, or debris onto a public street.

Any property owner, person, or commercial entity that violates Section 12.10.010 D. of this chapter, shall be guilty of a municipal infraction and fined two hundred fifty dollars (\$250.00) for the first offense. Each subsequent offense shall be assessed a fine of five hundred dollars (\$500.00)

BE IT FURTHER ORDAINED that this ordinance shall take effect on immediately upon adoption.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 13th day of November, 2017, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 27th day of November, 2017.

ATTEST

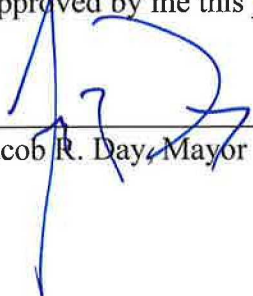


Diane K. Carter
Assistant City Clerk



John R. Heath, President
Salisbury City Council

Approved by me this 28 day of NOVEMBER, 2017



Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Julia Glanz, City Administrator
From: Tom Stevenson, Director of Field Operations
Subject: Snow Removal (Statutory Amendments)
Date: October 24, 2017

From time to time, the administration and enforcement of the Salisbury Municipal Code demonstrates the need for periodic review, evaluation and amendment.

It has come to my attention that there have been circumstances where snow and ice was placed on public streets. Doing this creates a public safety hazard. To address this; attached please find an ordinance that will have the effect of amending Chapter 12.10 *Snow and Ice Removal*. The revisions will prohibit such acts and establish a penalty for violations thereof.

Unless you have any questions or require additional information, please forward these changes to the Mayor and Council for consideration.