

Introduced: February 24, 2014

Adopted: March 10, 2014

Effective: October 1, 2014

CITY OF CHARLOTTE

ORDINANCE NO. 2014-03

AN ORDINANCE TO AMEND CHAPTER 58 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES - OF THE CODE OF THE CITY OF CHARLOTTE BY AMENDING SECTIONS 58-116 AND 58-117 TO REQUIRE THE REMOVAL OF SNOW OR ICE ON ANY SIDEWALK IN FRONT OF ANY HOUSE, BUILDING OR LOT WITHIN 48 HOURS, EXCEPT WHERE EXEMPTED BY THIS ORDINANCE, AND TO PROVIDE ENFORCEMENT FOR THREE YEARS WITHIN THE CITY OF CHARLOTTE.

Councilmember Conway moved the following:

THE CITY OF CHARLOTTE ORDAINS:

1. Section 58-116, Clearing of Sidewalks, of Chapter 58 - Streets, Sidewalks and Other Public Places - of the Code of the City of Charlotte, is hereby amended to read as follows:

§ 58-116 CLEARING OF SIDEWALKS.

- (A) Except as otherwise provided in the establishment of Special Assessment Districts by the City Council for the purpose of snow removal, no person having the care, either as owner or occupant, of any house, building or lot shall permit any snow or ice to remain on any sidewalk in front of any house, building or lot within the City of Charlotte.
- (B)
 - (1) Any person who is found to have violated Section 58-116(A) shall be deemed responsible for a municipal civil infraction as defined by Section 113(1) of the Revised Judicature Act [MCL 600.113(1)] and punished by a civil fine as provided by Section 32-6 of this Code.
 - (2) For purposes of this section, a prior offense means a prior or current resident of the property or prior or current owner of the property for which the current violation applies has had a judgment entered against them for a violation of Section 58-116 for that property within the same snow season.

- (3) For purposes of this section, a snow season shall mean from October 1 to April 30 of the following year.
 - (4) To charge a violation as a subsequent offense, the issuing officer shall note on the citation that it is a subsequent offense and all dates of the prior offenses and all of the names of all persons or entities to whom the prior citations were issued that make this a subsequent offense.
 - (5) The chief of police is charged with the enforcement of Section 58-116 and may for such purpose assign enforcement to limited duty parking and property maintenance officers who shall be authorized to issue and serve citations for municipal civil infractions as provided by Section 8707 of the Revised Judicature Act.
- (C) This section, as well as Sections 58-117 and 58-118 shall be null, void and of no force and effect three years from the effective date of this ordinance.

2. Section 58-117, Time Limits for Clearing, of Chapter 58 - Streets, Sidewalks and Other Public Places - of the Code of the City of Charlotte, is hereby amended to read as follows:

§ 58-117 TIME LIMITS FOR CLEARING.

No person shall permit any snow or ice to remain on the sidewalk in front of any house, building or lot occupied by him or, if unoccupied, owned by him longer than 48 hours after the snow or ice has fallen or formed in the area mentioned in §§ [58-116](#). When ice is formed on any sidewalk, such owner or occupant shall, within 12 hours after the ice has formed, cause salt, chloride or sand to be strewn on the sidewalk.

This ordinance shall become effective on October 1, 2014 after adoption and that the above ordinance be passed to a second reading.

Second, Dyer. Carried. (4) Yeas. (3) Nays. (Baker, Ridge, Cuttle)

Dated: March 10, 2014

Carrie Burch, Mayor

Ginger Terpstra, Clerk