

Introduced:
Adopted:
Effective:

CITY OF CHARLOTTE

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 58 - STREETS,
SIDEWALKS AND OTHER PUBLIC PLACES - OF THE CODE
OF THE CITY OF CHARLOTTE BY AMENDING SECTION
58-116, TO EXTEND THE SUNSET PROVISION UNTIL
OCTOBER 1, 2017 WITHIN THE CITY OF CHARLOTTE.

Councilmember _____ 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 § 58-116(A) shall be deemed responsible for a municipal civil infraction as defined by § 113(1) of the Revised Judicature Act [MCL 600.113(1)] and punished by a civil fine as provided by §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 §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 § 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 § 8707 of the Revised Judicature Act.
- (C) This section, as well as §§ 58-117 and 58-118 shall be null, void and of no force and effect on October 1, 2021, and thereafter.

This ordinance shall become effective 20 days after adoption and that the above ordinance be passed to a second reading.

Second, _____ () Yeas. () Nays.

Dated: _____, 2017.

Timothy M. Lewis, Mayor

Ginger Terpstra, Clerk