

Chapter 156

STREETS AND SIDEWALKS

ARTICLE I Removal of Snow and Ice

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[HISTORY: Adopted by the Town Board of the Town of Westmoreland as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Notification of defects — See Ch. 122.

ARTICLE I Removal of Snow and Ice [Adopted 10-11-1999 by L.L. No. 3-1999]

§ 156-1. Purpose.

It is the purpose of this article to provide for the safety, health, protection and general welfare of persons in the Town of Westmoreland by requiring all persons to remove any accumulation of snow and ice from sidewalks in front of premises owned or occupied by them.

§ 156-2. Title.

This article shall be known as "Snow Removal Law" of the Town of Westmoreland.

§ 156-3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ENFORCEMENT OFFICER — The Zoning Enforcement Officer of the Town of Westmoreland or such other person appointed by the Town Board to enforce the provisions of this article.

SIDEWALK — Any sidewalk, easement or any other area dedicated or commonly used for pedestrian traffic.

§ 156-4. Responsibility of owner/occupier.

Each owner or occupier of property abutting or adjoining a sidewalk shall be responsible for keeping that portion of the sidewalk abutting or adjoining his or her property free and clear of any accumulation of snow and ice.

§ 156-5. Time limit for removal of snow and ice. ¹

Snow and ice shall be removed within 24 hours after the end of a snowfall. In addition, sidewalks in front of commercial establishments shall be kept free of snow and ice at all times.

§ 156-6. Requirements in case of severe icing. ²

In case snow and ice on any sidewalk shall be frozen so hard that it cannot be removed without injury to the sidewalk, it shall, within the time specified in § 156-5, be strewn and kept with ashes, sand, sawdust or other suitable material, so as to be no longer dangerous to life and limb. As soon as practical thereafter, the sidewalk shall be completely cleared of snow, ice and other materials strewn thereon, as provided in this article.

§ 156-7. Investigation and report.

When in his own opinion or upon receipt of information that a sidewalk is dangerous or unsafe to the general public due to an accumulation of snow or ice, the enforcement officer shall cause or make an inspection thereof and report, in writing, to the Town Board of the Town of Westmoreland his findings and recommendations in regard to removal of said snow or ice accumulation.

§ 156-8. Town Board order.

The Town Board shall thereafter consider such report and by resolution determine, if in its opinion the report so warrants, that such sidewalk is unsafe and dangerous and order the removal of the snow or ice accumulation, and further order that a notice be served upon any adult person residing in or occupying said premises if such person can be reasonably found.

§ 156-9. Refusal to comply.

In the event of the refusal or neglect of the person so notified to comply with said order of the Town Board, the Town Board may provide for the removal of such snow or ice accumulation by Town employees.

1. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 156-10. Collection of costs for removal by Town. ³

The Town Clerk shall promptly present to the owner or occupant of each parcel a bill for the removal of snow and ice as certified by the Superintendent of Public Works. If not paid within 30 days, the cost thereof shall be assessed against the property, added to the property tax bill and become a lien thereon, collectible in the same manner as delinquent Town taxes.

§ 156-11. Penalties for offenses. ⁴

Upon conviction a violation of this article shall be deemed an offense and punishable by a fine not exceeding \$250, imprisonment for not more than 15 days, or both.

3. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).