

## **Sec. 6-2-8            Snow and Ice Removal.**

- (a) **Removal From Sidewalks.** Within twenty-four (24) hours after the cessation of any fall of sleet or snow, it shall be the duty of the owners and/or the occupants of any lot or parcel of land abutting any street right-of-way containing a sidewalk in the Village of Fall River to remove, or cause to be removed, the snow or sleet from any and all sidewalks and the nearest cross-side-walks adjacent to the premises of such owner or occupant, and to keep the same free and clear of snow and ice for the full width of the sidewalk.
- (b) **Failure to Remove.** In case of failure or neglect of any owner or occupant of any land or parcel of land to remove the snow from sidewalks as specified in Subsection (a) within the time set forth in said Subsection and, after twenty-four (24) hours after the cessation of any fall of snow, the owner or occupant has failed to remove such snow from sidewalks as specified in Subsection (a), the Village Board or its designee shall remove or cause the snow to be removed from any and all sidewalks and cross-sidewalks that may be so neglected by the owner or occupant, and a fee established by the Village Board shall be assessed against the owner or occupant for the cost and expense of moving such snow. The fee will be charged against the respective lots and parcels of land adjacent to which said work shall be done, as a special charge, and such sum or sums shall be collected in the same manner as other special taxes.
- (c) **Snow and Ice Not to Encroach.**
  - (1) **Streets and Sidewalks.** No person shall push, shove or in any way deposit any snow or ice onto any public streets, alley, sidewalk or public lands dedicated to public use except for parcels or lots located where existing buildings are constructed within five (5) feet of the street right-of-way and the sidewalks exist from the Village right-of-way to the curb line. In such instances, the owners, occupants and/or employees of parcels or lots shall be permitted to deposit snow and ice from their sidewalks onto the public streets. Failure to remove snow and ice within twenty-four (24) hours shall also constitute a public nuisance and subject responsible persons to the penalties applicable for violation of Village public nuisance ordinances.
  - (2) **Handicapped Parking Spaces.** No person, firm, corporation or partnership or the owner, tenant, lessee or occupant of any premises having parking spaces reserved for handicapped drivers or any contractor employed for the removal of snow and ice shall block access to parking spaces reserved for handicapped drivers by the plowing, piling or placement of snow and ice in such reserved spaces.
  - (3) **Fire Hydrants.** It shall be unlawful to cover a fire hydrant with snow or ice. The property owner adjacent to a hydrant shall keep the hydrant free of snow accumulations.
  - (4) **Improper Disposal on Private Property Without Authorization.** No person, firm, corporation, property owner or occupant shall remove snow or ice from any parcel of real estate and place it upon another parcel of real estate without the express permission of the owner of the parcel of real estate upon which the snow or ice is to be placed.
- (d) **Depositing and Plowing Snow Upon Public Rights-of-Way.**
  - (1) **Improper Deposit Across Roadways.** No person, firm or corporation shall plow,

shovel, push or blow across and deposit upon any public roadway, street, or right-of-way in the Village of Fall River significant quantities of snow and/or ice taken or removed from property privately owned or occupied, or cause said actions to occur.

- (2) **Improper Deposit Upon Roadways.** No person, firm or corporation shall deposit, or cause to be deposited, in or upon the traveled portion of any public roadway or street in the Village of Fall River significant quantities of snow and/or ice taken or removed from property privately owned or occupied.
- (3) **Deposit of Snow/Ice Near Corners.** No person, firm or corporation shall deposit or store, or cause to be deposited or stored, in or upon any portion of a public right-of-way in the Village of Fall River that lies within twenty-five (25) feet of the corner of any public roadway or street snow and/or ice taken or removed from property privately owned or occupied. The adjoining property owner shall keep fire hydrants free of snow and ice.
- (4) **Prima Facie Violations.** The existence of any significant quantities of snow and/or ice deposited by mechanical, blowing or other artificial means in violation of Subsection (d)(1)-(3) above on any public roadway, street or right-of-way shall be prima facie evidence that the owner or occupant of the abutting or adjacent property with closest roadway access thereto placed or deposited said snow and/or ice across or upon said public roadway, street or right-of-way.
- (5) **Definitions.** For purposes of this Subsection:
  - a. **Significant Quantities of Snow and/or Ice** means snow and/or ice in quantities such that public safety, traffic visibility, structural integrity of roadways, snow storage capacity for Village snow removal activities, or drainage capabilities of ditches in public rights-of-way are impaired, as determined by the Village of Fall River.
- (e) **Continued Violations.** Each twenty-four (24) hour period where a violation occurs shall constitute a separate offense under this Section for enforcement purposes. Repeated violations or subsequent additional accumulations of snow and/or ice shall not nullify any pending notice issued under this Section. Failure to remove snow and ice within twenty-four (24) hours shall also constitute a public nuisance and subject responsible persons to the penalties applicable for violation of Village public nuisance ordinances per Sec. 1-1-6.
- (f) **Abatement After Notice.** Failure of the owner, occupant or person in charge of any parcel or lot to cause the removal of snow and/or ice within the time established under Subsection (a) shall result in a citation being issued to violators and/or the Village causing the removal of said snow and/or ice and billing the cost thereof pursuant to Subsection (g) below.
- (g) **Expense.** An account of the expenses incurred by the Village of Fall River to abate the snow and/or ice hazard shall be kept and such expenses shall be charged to and paid by the parcel or lot owner; such charge shall be based on a minimum Village charge in addition to removal and administrative expenses. Said expenses shall be not less than as prescribed in Section 1-3-1. Notice of the bill for the removal of snow and/or ice shall be mailed to the last-known address of the owner of the parcel or lot and shall be payable within ten (10) calendar days from the receipt thereof. Within thirty (30) days after such costs and expenses are incurred and remain unpaid, the Village Clerk-Treasurer shall enter those charges onto the tax roll as

a special charge as provided by Sec. 66.0627, Wis. Stats.

- (h) **Penalty.** In addition to, or as an alternative to, the provisions set forth in this Section for special removal charges, any person, firm or corporation which violates the provisions of this Section shall be subject to a forfeiture as provided in Section 1-1-6 of this Code of Ordinances. Each day in violation of this Section shall be considered a separate offense.

*State Law Reference: Sec. 66.0627, Wis. Stats.*