

**ELLINGTON SIDEWALK SNOW AND ICE REMOVAL
ORDINANCE 2011-#3**

SNOW AND ICE REMOVAL:

- (A) **REMOVAL FROM SIDEWALKS:** The owner, occupant, or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall keep said sidewalk clear of snow, sleet, and ice. In the event of snow accumulating on the said sidewalk due to natural means and/or by any other means said sidewalks shall be cleared of all accumulated snow and/or ice within twenty-four (24) hours from the time the snow ceases to accumulate on said sidewalk. Sidewalks are to be kept clear of snow, sleet, and ice to minimum of four (4) feet in width. In the event the ice has formed on any sidewalk in such a manner that it cannot be removed, the owner, occupant, or person in charge of the parcel or lot which fronts upon or adjoins said sidewalk shall keep the sidewalk sprinkled with sand and/or salt to permit safe travel by pedestrians.
- (B) **NOTICE AND REMOVAL OF SNOW FROM SIDEWALKS:** If the owner, occupant, or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall fail to keep said sidewalk clear of snow, sleet, and ice as set forth in subsection (A), the following action will be taken:
- (1) Town residents have twenty-four (24) hours from the time snow ceases to accumulate on said sidewalk. Failure to do so, will result in the snow being removed by the Town employees and a bill in the amount of \$75.00 per hour (\$75.00 minimum) being assessed. Any portion beyond a full hour will be charged the full hourly rate. Each twenty-four (24) hour period shall be considered a separate offense and billed according to this ordinance. Repeated violations or subsequent additional accumulations of snow, sleet, or ice shall not nullify any pending action under this section. If payment of charges is not paid by the time of tax roll preparation the amount due for snow, sleet, or ice removal will be added the owner's tax statement as special assessment.
 - (2) Snow, Sleet, or Ice to Encroach: No person shall push, shovel or in any way deposit any snow or ice onto any public street, alley, sidewalk, or public lands dedicated to public use except for parcels or lots located in the Central Business District where existing buildings are constructed within five (5) feet of the street right-of-way and the sidewalks exist from the Town right-of-way to the curb line. In such instances the owner, occupants, and/or employees of parcels or lots located in the Central Business District shall be permitted to deposit snow and ice from their sidewalks onto the public streets.
- (C) **ENFORCEMENT:** The Outagamie Co. Sheriff Department upon notice from the Highway employees or elected officials will enforce the provision of this section.
- (D) **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, sleet, or ice shall not nullify any pending notice issued under this section.
- (E) **ABATEMENT AFTER NOTICE:** Failure of the owner, occupant, or person in charge of any parcel or lot to cause the removal of snow, sleet, or ice within the time established under (B-1) and (B-2) after receiving a written notice shall result in the Town

employees removing the snow, sleet, and/or ice and charging the owner as stated in this ordinance.

- (F) EXPENSE: An account of the expenses incurred by the Town to abate the snow, sleet, and/or ice hazard shall be kept and such expenses shall be charged to and paid by the parcel or lot owner. Notice of the bill for the removal of snow, sleet, 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 sixty (60) days after such costs and expenses are incurred and remain unpaid, the Town Clerk shall enter those charges into the tax roll as special tax as provided by Section 66.6615(5), Wis Stats.
- (G) PENALTY: In addition to the provisions set forth in this Section, any person, firm, or corporation which violates the provisions of this Section shall be subject to a penalty of twenty-five dollars (\$25.00) plus the cost of ice, sleet, or snow removal for each incident.

State Law Reference: Sections 66.60(16) and 66.615(f) and (5), Wis. Stats

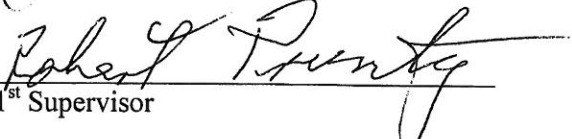
SECTION XII - EFFECTIVE DATE

This ordinance is effective on publication or posting.


The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 26 day of Oct, 2011


Chairperson


1st Supervisor


2nd Supervisor

Attest: 
Ellington Clerk