

ORDINANCE NO. 02-11

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 70 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE II. STREETS, SECTION 70-45. CLEARING ICE AND SNOW, THEREOF.

THE CITY OF CORUNNA, MICHIGAN ORDAINS:

SECTION I. AMENDMENT TO SECTION 70-45. CLEARING ICE AND SNOW, OF THE CITY CODE OF THE CITY OF CORUNNA, MICHIGAN, shall be as follows:

Sec. 70-45 Clearing ice, and snow, dirt and debris.

a. Prohibited Deposits of Snow, Ice, Dirt & Debris. Property owners shall deposit snow, ice, dirt, debris or other obstructions from their parking lot and/or driveway within their own property. No person shall shovel or push by means of a plow or otherwise cause to be placed or deposited in or upon the traveled portion of any street or sidewalk or within any ditch or gutter in any public street or obstructing any fire hydrant any snow, ~~or~~ ice, dirt or debris removed by him/her, or under his/her direction, from any private property or from any public property abutting any private property owned or occupied by him/her without first obtaining a permit to do so. The existence of any deposit of snow, ~~or~~ ice, dirt or debris deposited by artificial means in the traveled portion of any street or sidewalk or within any ditch or gutter in any public street shall be prima facie evidence that the occupant of the abutting property closest thereto placed or deposited the ice, ~~or~~ snow, dirt or debris there.

b. Duty of Owner to Clear Sidewalks. The owner of property abutting upon public sidewalks shall clear and keep the full width of such sidewalks clear of snow, ice, dirt, debris or obstructions of all kinds within 24 hours of the accumulation or placement of snow, ice, dirt, debris or other obstruction. For property owners within the DDA Boundary Limits with sidewalks extending from the property line to the curb, the property owner shall clear the inner five feet of the sidewalk closest to the property line and extending to the curb of any adjacent crosswalks, as well as maintaining a 30' clear walkway to the curb in front of the property. If the owner fails to remove such snow, ice, dirt, debris or obstruction from the sidewalk within the time limited in this division for the removal of the same, the city may, given 24 hours warning notice, remove or contract for the removal of such ice, snow, dirt, debris or obstruction. Said warning notice may be either presented to the occupant of the premises or posted on the premises. The cost of removal shall be assessed against the owner of the property.

c. Clearing by city upon failure of owner to comply. Report of snow, ice, dirt or debris removals shall be made promptly to the clerk by the superintendent of public works, setting forth the names of the owner of each lot or parcel from the sidewalks of which snow, ice, dirt or debris has been removed, together with the expense thereof. Upon receiving such report the clerk shall give notice of such expense to the owner of the premises and demand payment thereof to include an additional \$100.00 to cover the costs of publication, overhead and other expenses to the

treasurer within 35 days. Such notice shall be given by first class mail sent to the last known address of the owner (as shown on the assessment roll of the city) or by publication. Where payment is not made within such time limit the clerk shall report this fact to the assessor who shall spread such amounts charged against the several persons or descriptions of real property chargeable therewith on the next tax roll for the collection of city taxes. The special assessment is subject to review after proper notice has been given as in all other cases of special assessments provided for by law. When confirmed, the assessment shall be a lien upon the lot, lots or premises the same as other special assessments, and the council shall order the treasurer of the city to spread the amount, together with the penalty, upon the roll as a special assessment upon the lot, lots or premises. The assessment shall be collected in the same manner as other city taxes.

d. Notice of Requirements. The City Clerk shall on or before November 1 of each year give notice of requirements and provisions of this article by publishing a notice once a week for two successive weeks in a newspaper of general circulation in the city.

SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 3. Conflicting Ordinances Repealed.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

SECTION 4. Copies Available.

This Ordinance may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 5. Effective Date.

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE:	09-16-02
DATE OF PUBLICATION:	09-23-02
EFFECTIVE DATE:	09-23-02

CITY OF CORUNNA

BY: _____
Steve Corey

ITS: MAYOR

BY: _____
Yvonne F. Long

ITS: CLERK

STATE OF MICHIGAN }
 }ss.
COUNTY OF SHIAWASSEE}

I, Yvonne F. Long, being Clerk of the City of Corunna, do hereby certify that the foregoing is a true and accurate copy of the City of Corunna **ORDINANCE NO. 02-11 passed on the 16th day of September, A.D., 2002.** Further, I certify that I caused the same to be published in the Argus Press newspaper, Owosso, MI, within seven (7) days after adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 16th day of September, A.D., 2002.

Yvonne F. Long
Corunna City Clerk