

**VILLAGE OF LITTLE CHUTE
ORDINANCE NO. 7, SERIES OF 2011**

**AN ORDINANCE AMENDING VILLAGE OF LITTLE CHUTE CODE OF
ORDINANCES CHAPTER 40-65 SNOW AND ICE REMOVAL**

BE IT ORDAINED by the Village Board of Trustees, Village of Little Chute, Outagamie County, Wisconsin as follows:

Section I. Chapter 40-65 of the Village of Little Chute code of ordinances is hereby amended by additions and/or subtractions to the content within.

Sec. 40-65. Snow and ice removal.

(a) *Removal from sidewalks.* The owner, occupant or person in charge of any parcel or lot which fronts upon or abuts any sidewalk shall keep said sidewalk clear of all snow and ice. In the event of snow accumulating on 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 24 hours from the time the snow ceases to accumulate on said sidewalk. Sidewalks are to be kept clear of snow and ice to a minimum of five feet in width. In the event that 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 and ice as set forth in subsection (a) of this section, the director of public works or village law enforcement officers shall take the following action:

- (1) *Hazardous conditions.* If the director of public works or village law enforcement officer determines that the failure to remove the snow and ice from the sidewalk creates an immediate danger to the public health and/or safety, ~~he shall cause the issuance of a written notice to the owner, occupant or person in charge of any parcel or lot directing that the snow and ice be immediately removed. In the event the property owner, occupant or person in charge of said parcel or lot is unavailable to receive a written notice, the director of public works or police officer shall immediately cause the removal of the snow and/or ice. The director of public works or police officer shall send a written notice to the last known address of the property owner notifying him that a hazardous condition existed which required immediate abatement.~~
- (2) *Nonhazardous conditions.* If the owner, occupant or person in charge of the subject parcel or lot fails to remove the snow within the time period established in subsection (a) of this section, the director of public works or police officer shall cause the ~~issuance of a written notice to said owner, occupant or person in charge of the subject parcel or lot directing the responsible person (as defined) to remove said snow and ice no later than 12:00 noon of the day following the issuance of said notice. The written notice shall be hand delivered when possible or mailed to the last known address of the owner of the subject property as identified on the records in the assessor's office.~~ removal of the snow and ice.

(c) *Snow and ice not to encroach.* No person shall push, shove or in any way deposit any snow or ice from any private driveway, private sidewalk, or private property onto any public street or alley, public or private sidewalk, or public lands dedicated to public use either before or after the public streets have been plowed.

(d) *Enforcement.* The director of public works, his designees and all sworn police officers are hereby authorized and directed to enforce the provisions of this section.

(e) *Continued violations.* Each 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.

(f) *Abatement after notice; expense.* 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 subsections (b)(1) and (2) of this section ~~after receiving a written notice~~ shall result in the director of public works causing the removal of said snow and/or ice. If the owner, lessee, or occupant of any property does not comply within the stated period, the snow or ice shall be cleared by the village and billed to the owner, or lessee, or occupant. If the amount assessed hereunder is not paid within 30 days after it is billed to the owner, or occupant, or lessee, the village clerk shall place the amount due and all finance charges in the next succeeding tax roll as a special charge pursuant to state statutes and this Code.

(g) *Penalty.* In addition to the provisions set forth in this section, any person who violates the provisions of this section shall be subject to a penalty as provided in section 1-12. Prosecution under this section shall not bar the village from proceeding under this subsection and subsection (f) of this section. Each such charge submitted to the property owner shall notify the property owner of this provision.

Section II: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or its applications.

Section III. Effective Date. This Ordinance shall become effective on the date of passage and required posting or publication.

Date introduced: March 9, 2011

Approved and adopted: March 16, 2011

VILLAGE OF LITTLE CHUTE

By: _____
Charles Fischer, Village President

Attest: _____
Vicki Schneider, Village Clerk