

## ORDINANCE NO. 268

AN ORDINANCE AMENDING TITLE III, "COMMUNITY PROTECTION," CHAPTER 8, "MAINTENANCE OF PARKING AREA AND SIDEWALKS," OF THE NORWAY MUNICIPAL CODE OF ORDINANCES BY AMENDING SECTION 3-8-2, "MAINTAINING PUBLIC PLACES," THEREIN TO PROHIBIT DEPOSITING SNOW ON NEIGHBORING PROPERTIES OR PUBLIC PLACES WITHIN THE CITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORWAY, IOWA:

SECTION 1. The purpose of this Ordinance is to control snow removal and depositing snow within the City limits of the City of Norway.

SECTION 2. That Title III, "Community Protection," Chapter 8, "Maintenance of Parking Area and Sidewalks," of the Norway Municipal Code of Ordinances be and the same is hereby amended by repealing Section 3-8-2, "Maintaining Public Places," and enacting in lieu thereof a new section to be codified the same to read as follows:

3-8-2 MAINTAINING PUBLIC PLACES. An abutting property owner shall:

(a) Maintain the parking area of a street, except the removal of a diseased tree or dead wood, in such manner as may be directed by the City Council.

(b) It is the responsibility of the abutting property owner to remove snow, ice and accumulations promptly from sidewalks. Snow and ice must be removed from the entire width of all sidewalks within twenty-four (24) hours after the last accumulation. It is unlawful for any person to throw, push, place or cause to be thrown, pushed or placed any snow or ice from private property, sidewalks or driveways onto the travel portion of a street, including alleys and other rights-of-way, or onto neighboring private or public property.

If a property owner does not remove or cause to be removed snow or ice accumulations as set forth herein, the owner may be subject to civil or criminal penalties and assessments. If the City clears the sidewalk, the City will assess the costs and any administrative fees against the property owner for collection in the same manner as a property tax. Persons found to be in violation of this Ordinance may be subject to assessments or fines.

(c) Repair, replace or reconstruct a sidewalk upon receipt of a notice by certified mail from the City requiring any such action.

If the abutting property owner does not perform an action required under this section, the City may perform the required action and assess the costs against the abutting property owner for collection in the same manner as a property tax. If the amount assessed will exceed \$100.00, the City may permit the assessment to be paid in up to ten (10) annual installments, in the same manner and with the same interest rate provided for assessments against benefited property under state law. In addition, violations of this chapter may cause a criminal citation or a municipal infraction to be filed against the offending party by the City.

SECTION 3. Repealer. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF NORWAY, IOWA

By: \_\_\_\_\_

Martin Schulte , Mayor

ATTEST: \_\_\_\_\_

Wendy Erger, City Clerk