

**ORDINANCE NO. 1494**

**AN ORDINANCE REGULATING THE REMOVAL OF SNOW, ICE, DIRT, AND RUBBISH FROM PUBLIC SIDEWALKS AND PRIVATE STREETS**

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 13, STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY. Chapter 13, Article III – Sidewalks, of the Willmar Municipal Code is hereby amended as follows:

**Sec. 13-70. Removal of snow, ice, dirt, and rubbish on public sidewalks and private streets.**

- (a) *Declaration of a hazard.* All snow, ice, dirt, or rubbish remaining on a public sidewalk or private street more than twenty-four (24) hours after its deposit thereon is hereby declared to constitute a public health and safety hazard.
- (b) *Removal by owner.* The owner(s) of any property abutting or surrounding public sidewalks or private streets must abate all snow, ice, dirt, or rubbish within 24 hours after any of the aforementioned items have ceased to fall or been deposited.
  - (1) *Private Streets.* Private streets within the city of Willmar must provide a minimum 16-foot clear drivable path on the street.
  - (2) *Public Sidewalks.* No such owner shall allow snow, ice, dirt, or rubbish to remain on a public sidewalk longer than twenty-four (24) hours after its deposit thereon.
- (c) *City to remove.* The city may cause to be removed, or otherwise abated, from all public sidewalks and private streets, all snow, ice, dirt, or rubbish which may be discovered thereon, beginning twenty-four (24) hours after snow, ice, dirt, or rubbish has ceased to fall or is deposited. The city shall keep a record of the cost of such removal, or abatement, and the private property adjacent to, or surrounded by, which such accumulations were found and removed or otherwise abated.
- (d) *Deposit on boulevards, public streets.* It shall be a misdemeanor for any person, not acting under a specific contract with the city, to move, transport, carry or otherwise cause to be moved any snow, ice, dirt, or rubbish accumulations from private property to or upon the boulevards, public streets, crosswalks or sidewalks of the city. This section shall not, however, prohibit the cleaning of public sidewalks of ice and snow accumulations only, and the placing of such accumulations only, upon the boulevards of the city, and for areas within the central business district, from placing snow accumulations on sidewalks onto the public streets.
- (e) *Cost of Removal.* The cost incurred by the city in removing the snow, ice, dirt, or rubbish shall be billed to the owner of the abutting or surrounding property. If such bill is not paid within 30 days, the City Administrator shall, upon the direction of the council after a public hearing, and on receipt of the information provided for in subsection (c) of this section, extend the cost of such removal or abatement of snow, ice, dirt, or rubbish as a special assessment against the property abutting public sidewalks, or surrounding private streets, which were cleared. Such special assessments shall, at the time of certifying taxes to the county auditor, be certified for collection as other special assessments are certified and collected in accordance with applicable state statutes.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this 5th day of December, 2022.

ATTEST:

/s/ Judy Thompson

Judy Thompson, City Clerk

/s/ Marv Calvin

Marvin Calvin, Mayor

VOTE:

X PLOWMAN X O'BRIEN X DAVIS X ASMUS

X FAGERLIE X ASK X BUTTERFIELD X NELSEN

This Ordinance introduced by Council Member: Plowman

This Ordinance introduced on: November 21, 2022

This Ordinance published on: November 26, 2022

This Ordinance given a hearing on: December 5, 2022

This Ordinance adopted on: December 5, 2022

This Ordinance published on: December 10, 2022