

CITY OF ROSE CITY  
OGEMAW COUNTY  
STATE OF MICHIGAN

An Ordinance to secure public health, safety and general welfare of the residents and property owners of the City of Rose City and to establish the responsibility and regulation of the removal of ice, snow and slush and to provide enforcement thereof; and to provide penalties for the violation hereof.

CITY OF ROSE CITY OF OGEMAW COUNTY, MICHIGAN ORDAINS:

This ordinance shall be known and cited as the City of Rose City Snow Removal Ordinance #19-11-05

The owner/occupant of every lot, owner or proprietor of any business establishment in the downtown area known as one block East, West, North and South of the light shall clear all ice, snow and slush from public sidewalks at least 42 inches wide or where sidewalks would normally be for those who do not have sidewalks a path of at least 42 inches must be cleared for children walking to school as well as their driveways. In addition, ice, snow and slush shall be removed from a minimum three-foot area surrounding all fire hydrants to within six inches from the ground or to the surface of the sidewalk. Further, the person to whom a license is issued for a multiple-family dwelling shall clear all ice, snow and slush from all public sidewalks of at least 42" in width. Adjoining the lot and all pedestrian walkways leading from a public sidewalk to an entrance of the multiple-family dwelling within the time required an owner/occupant which is 12 hours after the cessation of any snow or ice shall have ceased to fall or form. Subsequent drifting of snow on sidewalks must also be removed.

Ice, snow and slush shall be removed from the front of any business establishment to the street, including from the side of any building to the street for those buildings located on a street corner. Snow removal shall also include those areas around any private parking such that clear and unimpeded access from the parking areas to the sidewalks is maintained.

For all properties where the sidewalk abuts the street, snow shall be removed from the entire sidewalk to the street. For all properties where the sidewalk does not directly abut the street because of a grass strip separating the sidewalk from the road, snow removed from the sidewalk may be stored on the grass strip so long as the storage of snow in the location is no more than 3 feet in height.

Ice, snow and slush shall not remove or cause to be moved, onto or across a roadway in a manner which obstruct the safety vision of a driver of a motor vehicle; or deposit, any snow, ice or slush on a public highway, street or alley that will obstruct any intersection or vehicle traffic

or onto property other than your own. The DPW or his designee will take whatever action necessary to remove such hazard. All related costs of the above of the above will be billed to the property owner/occupant. Notwithstanding the above provision, if the ice, snow or slush accumulation shall be such that, in the sole discretions of the DPW it becomes necessary to immediately remove the accumulations for the health, safety and/or welfare of the public, the DPW shall be authorized to deploy city employees and/or contractor to remove the snow as it deems necessary. The expenses of such commission shall become a debt to the city from the owner/occupant of such lot and shall be collected as any other debt of the city. If payment is not received by the City within 60 days after such billing, a special assessment roll shall be created.

No person shall park or abandon any vehicle, trailer or object, or occupy the city parking lots and street rights-of-way between the hours of 3 a.m. and 7 a.m.

All snow removal must be piled far enough off the road to prevent the road from narrowing and/or creating a safety hazard.

During snow clearing operations by the City of Rose City there may be damage to mailboxes and post. All damaged mailboxes and posts will be repaired and/or replaced with standard (regularly and widely used; available at local supply stores) mailboxes and post which will be reset in dirt. The City will not replace ornate elaborately decorated or custom-made mailboxes or posts. If possible, the DPW will repair the box. If that is not possible, the DPW will put up a temporary box and post. In the spring, permanent boxes will be installed.

Trash cans, bags and any other trash to be picked up shall either be placed in the driveway or on an area that has ben cleared of ice, snow and slush. Trash cans, bags and any trash to be picked up shall be placed behind the curb in a secure location and never on the street.

*Reference Ordinance #04-17-01, Trash Receptacle Ordinance.*

Stay back at least 50 to 100 feet from any and all salt and plow trucks clearing the city streets to avoid any mishaps or accidents.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine of \$25.00 for the first offense, \$50.00 for the second repeat offense and \$100.00 for a third offense. In addition, the City may clear sidewalks or other areas and the property owner will be charged for the work performed. The minimum fee for the City to remove ice, snow or slush is \$75.00 per visit and \$30.00 per visit to treat ice. Costs to clear sidewalks of ice, snow or slush are in addition to the civil infraction violation fine. Property owners and occupants may not be notified in advance of the City clearing their sidewalks. Each day this ordinance is violated shall be considered a separate new violation If

any section, provision or clause of the Ordinance of the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of the Ordinance which can be given effect without the invalid portion or application.

A motion made by Ms. Bentley and seconded by Mr. Hinkley to adopt the City of Rose City Snow Removal Ordinance # 19-11-05


Yeas: Mr. Wiltse, Mr. Hinkley, Ms. Killackey, Ms. Bentley, Mr. Card.

Nays: None

The Mayor and the Council declared the Ordinance adopted on November 5, 2019. This Ordinance takes effect November 26, 2019.

#### **CERTIFICATION**

I, Cindy Rosebrugh, City Clerk for the City of Rose City, County of Ogemaw, State of Michigan, do hereby certify that the attached is a full, true, and correct copy of an Ordinance duly made, passed and adopted by the Mayor and City Council of the City of Rose City, Michigan, at a regular meeting of the Council held on  
The 5<sup>th</sup> day of November, 2019.

  
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Cindy Rosebrugh, City Clerk