

WORK SESSION TOPICS
AUGUST 13, 2018

1. Sidewalk Snow Removal Bids/Draft Ordinance:

(30 minutes)

Goal: Discuss bid results for residential sidewalk snow removal and draft of amended sidewalk snow removal ordinance

Attachments:

- ✓ DRAFT amended ordinance

Note:

- Bids were sent for snow removal on 44 miles of sidewalks in CD3 and CD3L districts when snow accumulation is greater than 4 inches
- No bid responses were received
- Conversations with potential bidders indicated concern regarding:
 - Significant capital investment required
 - Availability of sufficient “on call” staff
- DRAFT ordinance amendment is modeled after some of the tall grass ordinance provisions

Potential Questions:

1. Are there any changes/modifications desired for the draft ordinance amendment?
2. Are you ready to have the ordinance amendment introduced and set for public hearing?
3. Any other next steps?

**CITY COMMISSION
CITY OF MOUNT PLEASANT**

Isabella County, Michigan

Commissioner _____, supported by Commissioner _____, moved adoption of the following ordinance:

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTIONS 98.37 OF THE MOUNT PLEASANT CITY
CODE REGARDING SNOW AND ICE REMOVAL**

The City of Mount Pleasant Ordains:

Section 1. Amendment. Section 98.37 of the Mount Pleasant City Code is amended to read as follows:

§ 98.37 SNOW AND ICE REMOVAL FROM SIDEWALKS.

(A) (1) All building and land owners are responsible to remove and clear away or cause to be removed and cleared away, snow and ice from a patch of at least 48 inches in width from so much of said sidewalk as is in front of or abuts on the owner's building or lot of land.

(2) Except as provided in division (B) hereof, snow and ice shall be so removed from sidewalks within the city by 24 hours after the cessation of fall and accumulation of snow, sleet or freezing rain, with the exception of Sundays and holidays. Holidays to be defined as Thanksgiving Day, Christmas Day, and New Year's Day. The exclusion of Sundays and holidays applies only if the subsidence of snow storm occurs after 4:00 p.m. the previous day, in which case sidewalks must be cleaned by 12:00 p.m. (noon) the day following a Sunday or a holiday.

(B) In the event snow and ice on a sidewalk have become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person or entity charged with its removal shall, within the time mentioned in division (A) hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel thereon reasonably safe; and shall then, as soon thereafter as weather permits, cause a path in said sidewalk of at least 48 inches in width to be thoroughly cleaned.

(C) If the sidewalks covered in this section are not cleared within the time limits set above, a civil fraction shall be issued in accordance with Section 98.99 of the code.

(D) In addition to or in the alternative to pursuing a municipal civil infraction violation, the City Manager or the City Manager's designee is also authorized to notify, in writing, the owner of any premises to remove snow and ice so as to comply with this section, requiring compliance within 24 hours after issuance. Such notice shall be hand delivered or sent by first-class mail and posted upon the premises. Such notice shall be addressed and may be mailed to the last known owner as shown on the city's tax assessment records, and it shall be deemed received if service by first-class mail and posting three business days after mailing.

(E) If the snow and ice have still not been removed in compliance of this section after the 24-hour notice described in subsection (D), then the city may remove or may cause the snow and ice to be so removed at the owner's expense. The city shall send the owner an invoice for such work at an amount set by resolution of the Commission. The invoice shall inform the recipient of the right to request a hearing before the Department of Public Works Director (provided the Department of Public Works Director was not involved in issuing the notice) within 15 days of the issuance of the bill, to show cause as to why the person receiving the bill should not be held financially responsible for the cost of the work.

(F) Any unpaid invoices issued under subsection (E) shall be added to the owner's next regular tax bill from the city. Where the full amount due the city is not paid and the tax bill becomes delinquent, the City Manager shall cause to be recorded in the Treasurer's office of the city a sworn statement, showing the cost and expense incurred for the work, and the date, place, or property on which the work was done, and the recordation of such sworn statement shall constitute a lien on the property, and shall remain in full force and effect for the amount due in principal and interest in the amount of 1% per month since the work was performed, plus the costs of court, if any, for collection until final payment has been made. The costs and expenses shall be collected in the manner fixed by law for the collection of taxes.

Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done, and shall be full notice that the amount of the principal plus interest constitutes a charge against the property designated or described in the statement and is due and collectable as provided by law.

Section 2. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance shall take effect 30 days after its adoption.

YEAS: Commissioner(s) _____

NAYS: Commissioner(s) _____

ABSTAIN: Commissioner(s) _____

ABSENT: Commissioner(s) _____

CERTIFICATION

As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on _____, 2018.

Date: _____, 2018

Kathleen Ling, Mayor

Date: _____, 2018

Jeremy Howard, City Clerk

Introduced: _____, 2018
Adopted: _____, 2018
Published: _____, 2018
Effective: _____, 2018