

CITY OF MUNISING

SNOW REMOVAL ORDINANCE

ORDINANCE NO. 14

An ordinance to regulate the removal of snow from private property and city streets and sidewalks.

To promote the safety and general welfare of the people of the City of Munising, by the elimination of pedestrian and traffic safety hazards caused by the removal of snow from private property adjacent to public streets, highways, alleys and thoroughfares of the City.

THE CITY OF MUNISING ORDAINS:

SECTION 1. GENERAL

(A) No person, firm, corporation, owner or occupant shall take or remove or cause to be taken or removed, any snow, ice or other material from any property owned, occupied or controlled by him and pile or dump the same within the lines of any City street or alley within the city limits of Munising, or pile, remove, or dump any snow, ice, or other material except as herein provided.

(B) The occupant of any property has the responsibility of removing or have removed all snow and ice as herein provided. If the property is unoccupied, the owner has the responsibility of snow and ice removal from that property.

(C) Snow accumulations on private property resulting from snow removal by the property owner or occupant are not the responsibility of the City, but may be removed or caused to be removed by the City if any pedestrian or traffic safety hazards are caused by the same, and the actual cost of such removal shall be billed to the property owner or occupant.

(D) Snow, ice, or other materials shall not be removed across any City street or into or across any alley unless it can be completely deposited upon private property beyond the curb line, or when there is no curb, two feet beyond the bank created by the City plowing, or beyond the alley right-of-way, provided that the permission of the owner or occupant of the private property where the snow, ice, or other material is deposited has first been obtained.

(E) In no event shall snow or ice be placed so as to extend more than two feet, six inches (2'6") into the roadway than the existing curb line.

(F) Snow, ice, or other material shall not be

deposited in any street area after snow has been windrowed or the street has been cleaned of snow.

(G) Snow, ice, or other materials shall not be placed in piles at any intersection of the City streets or alleys either on or off private property, if such piling results in piles more than three and one-half (3 1/2) feet high, measuring from street level, or in any way impedes vision for motorists or traffic safety. In addition, said height restriction shall apply to any private property, driveway, or access point to City streets which would normally be used by the general public.

(H) Private haulers and private snow removers must make prior arrangements for the dumping of snow or ice upon City property, and shall not place said materials on City dumping areas unless permission is given by the City Manager.

(I) These provisions shall effect both residential and business, and Municipal Services Districts. Specific regulations for these individual areas are as follows:

SECTION 2. BUSINESS AND MUNICIPAL SERVICE DISTRICTS

(A) Business and Municipal Service Districts are defined as per attached map. All other areas are considered residential. The map shall be kept up to date by the City of Munising City Manager.

(B) For all business locations where snow is picked up and hauled away, the City will, conditions and equipment permitting, attempt to remove all snow removed from private properties and placed in street area between the curb and street along the curb line before 10:00 a.m., providing the owner or occupant spreads the snow along his own property frontage and does not pile it in one spot or area and conforms with the other sections of this Ordinance. The placing of snow, ice, or other materials in the street area after 10:00 a.m. shall be a violation of this Ordinance, the cost of removing said snow or ice may be charged to the occupant, owner or hired contractor, except during continued snow.

(C) Whenever ice or snow shall form on any sidewalk or any public place in the business and Municipal Service District, the occupant or owner shall remove said ice or snow as soon as practically possible. When removal is impractical the owner or occupant shall spread salt, sand or other abrasive material in such quantity to prevent the area from becoming slippery and dangerous to pedestrians using the same. The same shall be removed at the earliest possible moment thereafter. If the owner or occupant fails to remove the ice or snow or other material, then the City will have it removed and the costs shall be billed to the property owner or occupant.

(D) As an accommodation, snow or ice accumulation on private property used by the general public such as gas stations, parking lots, hospitals or other such privately owned areas may be hauled away by the City only in the event that private haulers are not available, and then only as the City wide snow removal schedule permits, and the actual cost of such removal may be billed to the property owner or occupant, as deemed necessary by the City Manager.

SECTION 3. RESIDENTIAL DISTRICTS

(A) In areas other than business areas as defined by the attached map, snow removal from private driveways, or sidewalks shall be deposited on, or removed to private property. In case of necessity such snow may be spread in a way not to impede traffic, and in conformity with other sections of this Ordinance, and provided that this is done before the City plows clean the street.

SECTION 4. PENALTIES AND ENFORCEMENT

(A) This Ordinance shall be enforced by the City Police Department, and all Officers are empowered to make an arrest on their own complaint.

(B) Any person, firm, corporation, occupant, or hired contractor responsible for activity that violates Section 1 shall be guilty of a civil infraction or a misdemeanor, as provided below. If the person responsible for an activity which violates Section 1 cannot be determined, the owner, lessee or occupant of the property on which the activity is located shall be deemed responsible for the violation.

A person found responsible hereunder shall be guilty of a civil infraction as defined in RJA Section 113, MCLA 600.113, punishable by civil fine according to the following schedule:

First offense within one year \$50.00;

Second offense within one year \$100.00.

Any person who commits three or more violations of Section 1 shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than \$500.00, and/or imprisoned for not more than 90 days.

For purposes of computing the one year period, time shall run from the date the first ticket was issued.

(C) If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held

invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portion.

SECTION 5. NOTICE TO BE PUBLISHED. The City Clerk shall publish this ordinance in the manner required by law.

SECTION 6. WHEN EFFECTIVE. This ordinance shall be in full force and effect in this governmental unit ten (10) days after the date of publication.

ADOPTED: March 15, 1993.



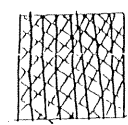
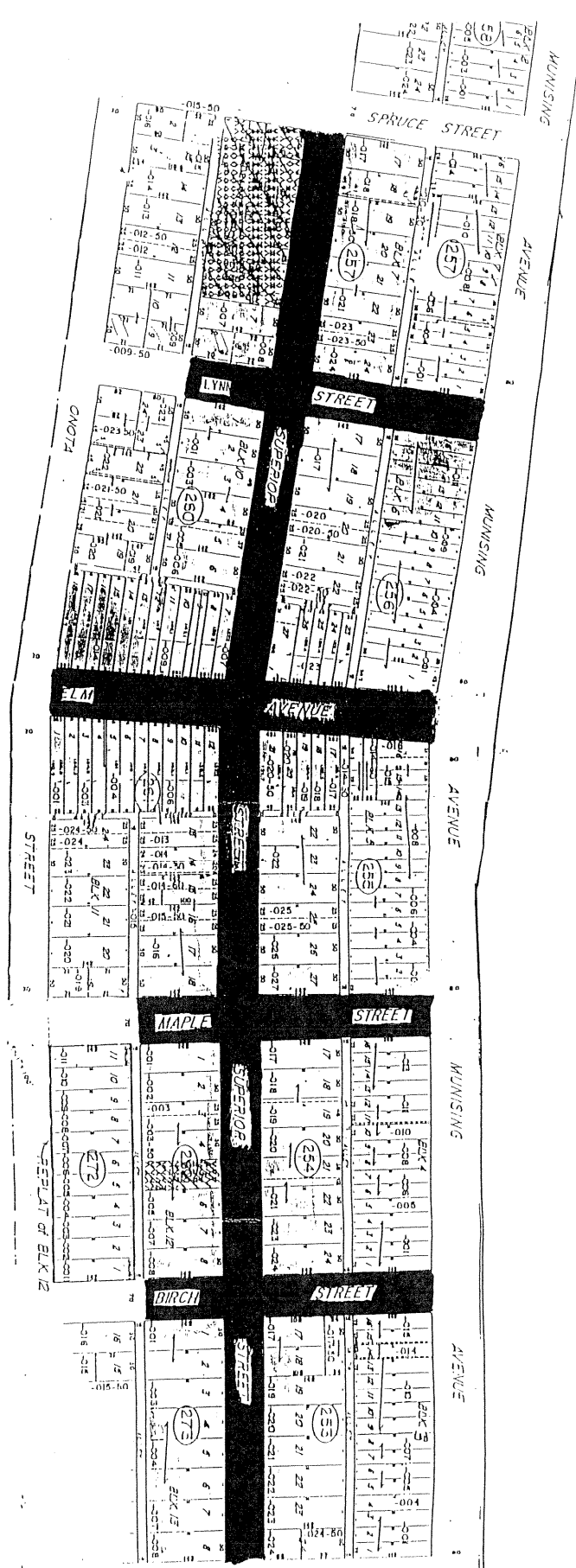
GLENN CHAMPAGNE, Mayor



ELIZABETH ANN WILLIAMS, City Clerk

Date Introduced: November 23, 1992
Date Adopted: March 15, 1993
Date Published: April 14, 1993
Date Effective: April 25, 1993

SNOW REMOVAL DISTRICT



EXEMPT RESIDENTIAL



SNOW REMOVAL DISTRICT

MAP UPDATED BY CITY COMMISSION ON 11/20/95