

## Chapter 4

# SNOW, ICE AND DEBRIS REMOVAL

### SECTIONS:

- 5-4-1: Duty to Clear All Public Sidewalks and Walkways**
- 5-4-2: Enforcement and Fines**
- 5-4-3: Public Hearing**
- 5-4-4: Adoption**
- 5-4-5: Servability**

### **5-4-1: Duty to Clear All Public Sidewalks and Walkways**

It shall be unlawful for any “responsible person”, meaning any owner, manager, lessee or agent of any building, real property or vacant lot ("Property"), or any adult occupant of any single-family dwelling within the Town, to fail to keep all public sidewalks and walkways within or abutting the Property or dwelling clear of snow, ice, sleet, hail or any other debris. These responsible persons are jointly and severally liable for this responsibility. These responsible persons shall remove or have removed any accumulation of snow, ice, sleet, hail or debris after any accumulation, whether by snowfall or as an action of the wind, as promptly as reasonably possible, and no later than 12:00 noon of the day following the accumulation. Such persons shall remove the snow, ice, sleet, hail or debris from the full width of all sidewalks and walkways. No person shall deposit snow, ice, sleet, hail or other material in or upon any street, sidewalk, alley, public way or public right-of-way in a manner which obstructs or creates a hazard for vehicle or pedestrian traffic, or interferes with the maintenance of the public right-of-way, or access to trash receptacles or fire hydrants. (Ord. 1-2009, eff. 2/5/09)

### **5-4-2: Enforcement and Fines**

If the Town Manager or his designee finds that a violation of this Chapter exists, the Manager or his designee shall notify a responsible person that the violation must be immediately corrected, or the person or the owner of the Property or dwelling will be subject to fines and costs as provided in this Section. Notice under this Section is sufficient if in writing and hand-delivered to the responsible person or left in a conspicuous place at the Property or dwelling at which the violation exists, or given by telephone followed by mailed confirmation to the responsible person.

If the responsible person so notified fails to correct the violation in accordance with the notice, a fine not to exceed fifty dollars (\$50.00) may be imposed. The Town Manager may take action to correct the violation and charge the costs of such corrective action and the fine amount, and collect the same, as set forth herein.

Any fine or charge imposed under this Chapter, if not paid when due, may be collected in any manner authorized by law and shall constitute a perpetual priority lien upon

the Property or dwelling responsible for the violation. The Town Clerk may certify such fines and charges to the County Treasurer of Custer County, Colorado to be collected, together with the costs of collection, against the Property or dwelling in the same manner as though they were part of the taxes assessed against the Property or dwelling. (Ord. 1-2009, eff. 2/5/09)

**5-4-3: Public Hearing**

A public hearing on this Ordinance shall be held on the 6th day of January, 2009 at 5:30 p.m. at the Benson Hall Town of Westcliffe, Westcliffe, Colorado. (Ord. 1-2009, eff. 2/5/09)

**5-4-4: Effective Date**

This Ordinance shall become effective as a permanent ordinance thirty (30) days after publication following final passage. (Ord. 1-2009, eff. 2/5/09)

**5-4-5: Severability**

If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect. (Ord. 1-2009, eff. 2/5/09)