

ORDINANCE 24-03

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Section 12.04.010 of said Hyrum City Municipal Code requires property owner or occupant to remove snow from paved sidewalks within a reasonable time after a snow storm and for sidewalks to be cleaned by 9:00 a.m. the next day; and

WHEREAS, Hyrum City has areas where the sidewalk is adjacent to the curb which creates a problem for homeowners trying to keep sidewalks plowed when the roads are plowed since there is no planter strip for the snow to be placed in, instead the snow ends upon the sidewalks; and

WHEREAS, the Hyrum City Council has determined there is a need to amend and revise Section 12.04.010 in order to provide additional time for residents to remove snow from sidewalks and in areas where the sidewalk is adjacent to the curb with no parking strips to not require snow removal from the sidewalks.

NOW, THEREFORE, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTION 12.04.010 OF TITLE 12 OF THE HYRUM CITY MUNICIPAL CODE TO NO LONGER REQUIRE SIDEWALKS TO BE CLEANED OF SNOW BEFORE 9:00 A.M. OF THE SAME DAY INSTEAD IT BE ENCOURAGED THAT SNOW REMOVAL IS TAKEN CARE OF AS SOON AS POSSIBLE, AND IN AREAS WHERE THE SIDEWALK IS NEXT TO THE CURB WITH NO PARKING STRIP TO NOT REQUIRE SNOW REMOVAL.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 12.04.010 of the Hyrum City Municipal Code is hereby amended to read as follows:

12.04.010 Snow, Hail and Sleet Removal

1. It is unlawful for the owner, occupant, lessor or agent of any property abutting on a paved sidewalk to fail to remove, or have removed from such paved sidewalk, all hail, snow or

sleet thereon within a reasonable time after such snow, hail or sleet has fallen. ~~In the case of a storm between the hours of five p.m. and six a.m., such sidewalks shall be cleaned before nine a.m. of the same day.~~ Snow removal from sidewalks is encouraged to be taken care of as soon as possible. In the event a sidewalk is next to the curb, and there is no parking strip to push the snow to, snow removal from sidewalks will not be required.

2. It is unlawful for any person removing snow from the sidewalk to deposit snow, dirt, leaves or any other material in the gutter so as to clog or prevent the free flow of water therein. (Prior code § 11-361)

2. All ordinances and resolutions of the city, or parts thereof inconsistent herewith, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum city Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTED AND PASSED by the Hyrum City Council this 1st day February, 2024.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____