



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, February 12, 2019
Category:	PUBLIC HEARING
Type:	INFO/ACTION
Subject:	Public Hearing of Ordinance Amendment to Section 62-2 Ice and Snow
Background Information:	<p>This City Ordinance regulates snow and ice removal from public sidewalks. It requires owners of adjacent properties to have snow and ice removed within certain time frame and permits the City to have the nuisance abated if the sidewalks are not cleared; the City may then assess the cost if a bill for snow or ice removal is not paid for. However, snow on private streets is not addressed despite it being a health and safety hazard and also the City's receiving multiple complaints.</p> <p>Staff reviewed the State Statute that gives the City authority to remove the snow from public sidewalks and determined that it also permits a similar procedure on private properties, including private streets. Therefore, the Ordinance section was revised by adding references to "private streets." A private street is defined in the ordinance as "one that has not been dedicated but rather reserved as public access to property. The private street or road shall be owned and maintained by the property owner which it serves."</p> <p>Additionally, several changes were made to better reflect the actual process that the City is using in dealing with this problem, for example the option of civil suit was removed. Also, a provision was added that limited owners' obligations and measures to the ones the City customarily follows.</p> <p>A relevant State Statute is attached.</p> <p>At the meeting on January 18, 2019, Legislative and Ordinance Committee voted to recommend to council the approval of Ordinance amendment to Section 62-2 Ice and snow as recommended by staff.</p> <p>The Ordinance amendment to Section 62-2 Ice and snow was introduced at January 23, 2019, City Council meeting.</p>
Fiscal Impact:	All snow and ice removal costs will be billed and, if not paid, assessed.
Alternative/ Variations:	None recommended.
Recommendations:	Recommendation #1. that the Council close the public hearing on the Ordinance amendment to Section 62-2 Ice and snow.