



Snow & Ice Removal Ordinance Update

Town Council Regular Meeting

February 10, 2026

Executive Summary

Winter Storm Ferm revealed significant deficiencies in the Town's existing sidewalk clearing ordinance, which has remained largely unchanged since 1981.

The Problem: The current 6-hour removal window was unattainable during moderate - extreme conditions, and the criminal penalty structure (Class 4 Misdemeanor) is an outdated enforcement mechanism.

The Goal: Transition toward a tiered compliance window, civil penalties, and equitable exceptions for vulnerable populations.

Why Change is Needed

- **Unrealistic Timelines:** The 1981 code mandates removal within 6 hours, which does not account for storm severity or the 12 inches of frozen precipitation seen in 2026.
- **Lack of Flexibility:** Currently, there is no provision for the Town Manager to extend deadlines during exceptional weather events.
- **Inequitable Enforcement:** The code lacks waivers for the elderly or residents with disabilities.
- **Misalignment of Resources:** Using police resources for "snow enforcement" (criminal misdemeanors) diverts them from life-safety calls.

Proposed Modernization

Feature	Existing Code (1981)	Proposed Update (2026)
Compliance Window	6 Hours	Tiered: 24 hrs ($\leq 6''$) / 48 hrs ($> 6''$) / + 24 additional hours with government closure
Managerial Authority	None	Extended: Town Manager may modify during emergencies
Penalty Type	Class 4 Misdemeanor	Civil Penalty
Exemptions	None	Protections: Age (65+) and Physical/Mental Disability
Abatement	No Provision	Town may clear and bill the owner

Service Level & Collaborative Impact

- Enhancing Pedestrian Safety: Realistic 24/48-hour windows provide predictability for residents and business owners while reducing "rushed-clearing" during active storms.
- Integrated Public Works Response: If a sidewalk remains blocked after 24/48 hours, Public Works can trigger an "abatement mission" to clear hazards in high-traffic corridors.
- Community Support: The "Age and Disability Exception" allows the Town to recognize those in need rather than penalizing them.

Policy Alignment

- **Safety & Wellness:** Clear sidewalks are essential for transit-dependent residents and those using mobility aids.
- **Economic Resilience:** During emergencies, the Town Manager, Public Works Director, or EM Coordinator can provide a "Grace Period" to prevent merchants from accumulating fines while they focus on reopening safely.
- **Modern Governance:** Updating a 45-year-old code section reflects the Town's goal of modernizing municipal operations to reflect 2026 community needs.

Legal & Fiscal Framework

- Legal Authority: The transition to civil penalties and cost collection is authorized under Virginia Code § 15.2-1115 and § 15.2-2025.
- Fiscal Impact: Civil penalties and cost recovery are expected to offset abatement costs.
- Budget Consideration: Future budgets must account for potential Public Works labor if the Town assumes clearing responsibility for non-compliant primary sidewalks.

Next Steps

Staff recommend that the Town Council:

1. Direct staff to review the proposed draft ordinance update with the Town Attorney to ensure full compliance with the Code of Virginia § 15.2-1115 and § 15.2-2025.
2. Add the Snow and Ice Ordinance Update to the March Public Safety Committee Meeting and the Town Council Work Session agenda for final policy review and discussion.
3. Schedule a Public Hearing for the March Town Council Meeting to receive community input on the proposed update to the Town Code of Ordinances regarding snow and ice removal.



Questions?