



## **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was unattainable during moderate - extreme conditions, and the criminal penalty structure (Class 4 Misdemeanor) is an outdated enforcement mechanism.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)  |
|-----------------------------|----------------------|---|
| <b>Compliance Window</b>    | 6 Hours              | <b>Tiered:</b> 24 hrs ( $\leq 6"$ ) / 48 hrs ( $> 6"$ ) / + 24 additional hours with government closure |
| <b>Managerial Authority</b> | None                 | <b>Extended:</b> Town Manager may modify during emergencies   |
| <b>Penalty Type</b>         | Class 4 Misdemeanor  | <b>Civil Penalty</b>  |
| <b>Exemptions</b>           | None                 | <b>Protections:</b> Age (65+) and Physical/Mental Disability  |
| <b>Abatement</b>            | 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?