

## CITY OF EAST LANSING

### ORDINANCE NO. 1262

AN ORDINANCE TO AMEND SECTIONS 38-127 AND 38-128 OF ARTICLE III - SIDEWALKS - OF CHAPTER 38 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES - OF THE CODE OF THE CITY OF EAST LANSING TO SPECIFY THE TIMES FOR SNOW REMOVAL.

THE CITY OF EAST LANSING ORDAINS:

Sections 38-127 and 38-128 of Article III - Sidewalks - of Chapter 38 - Streets, Sidewalks and Other Public Places - of the Code of the City of East Lansing are hereby amended to read as follows:

#### **Sec. 38-127. Snow, ice, rubbish or other obstructions.**

No person having the care, either as owner or occupant of any house, building, or lot, shall fail to maintain the sidewalks adjoining the property in accordance with the following standards:

- (a) Rubbish, including broken bottles and glass, filth, obstruction, or other nuisance shall be removed within 24 hours or as specified by Chapter 14 of this code if the provisions therein are applicable and require sooner removal.
- (b) Ice shall be removed within 12 hours after the same has formed or salt, sawdust, sand, or other abrasive shall be strewn thereon.
- (c) Snow that accumulates before noon on a sidewalk, as the result of a snowfall, shall be cleared from the sidewalk so as to afford reasonably unimpeded passage by the public by midnight of that date and any snow accumulating after noon on a sidewalk, as a result of a snowfall, shall be cleared to the same extent by midnight of the following day.
- (d) Snow that accumulates on a sidewalk as the result of plowing or drifting shall be cleared from the sidewalk so as to afford reasonably unimpeded passage by the public within 24 hours.

#### **Sec. 38-128. Penalty; enforcement.**

- (a) Any person who is found to have violated section 38-127 shall be deemed responsible for a municipal civil infraction as defined by section 113(1) of the Revised Judicature Act (MCL 600.113(1)) and punished by a civil fine as provided herein plus costs and expenses as provided by section 1-13 of this Code.
  - (1) For a first offense, a fine of \$25.00 shall be assessed.
  - (2) For an offense occurring after one prior offense, a fine of \$75.00 shall be assessed.

- (3) For an offense occurring after more than one prior offense, a fine of \$125.00 shall be assessed.
- (b) For purposes of this section a prior offense means a prior or current resident of the property or prior or current owner of the property for which the current violation applies has had a judgment entered against them for a violation of section 38-127 for that property within the same snow season.
- (c) For purposes of this section a snow season shall mean from October 1 to April 30 of the following year.
- (d) To charge a violation as a subsequent offense, the issuing officer shall note on the citation that it is a subsequent offense and all dates of the prior offenses and all of the names of all persons or entities to whom the prior citations were issued that make this a subsequent offense.
- (e) The chief of police is charged with the enforcement of section 38-127 and may for such purpose assign enforcement to limited duty parking and property maintenance officers who shall be authorized to issue and serve citations for municipal civil infractions as provided by section 8707 of the Revised Judicature Act.