

VILLAGE OF CONCORD ORDINANCE #174 SNOW AND ICE REMOVAL ORDINANCE

An Ordinance enacted to regulate snow and ice accumulations on sidewalks within the Village of Concord; to preserve, promote and protect the health, safety and general welfare of persons within the Village; to provide for the enforcement hereof; and to provide penalties for the violation hereof.

Section 1.0 Snow and ice removal required.

All owners or occupants of any lot, lots or premises within the limits of the Village of Concord shall be required to remove all snow and ice from sidewalks that are adjacent to and abutting upon such lot, lots or premises within the following time frames:

- (1) Within 24 hours after any snow or sleet storm shall cease, if the storm results in four inches or less of snow or precipitation.
- (2) Within 48 hours after any snow or sleet storm shall cease, if the storm results in more than four inches of snow or precipitation.

Section 2.0 Neglect to remove snow; procedure

Should any owner or occupant of lot, lots or premises neglect or refuse to remove the snow and ice from the sidewalks adjacent to and abutting upon such lot, lots or premises within the time limit in this Ordinance, then the Department of Public Works or their designee shall remove, or cause to be removed all snow and ice at the expense of the owner or occupant and the amount of all expenses incurred thereby shall be billed to the owner.

State law references: Failure of abutting owner to remove snow or ice, assessment, MCL 67.10, MSA 5.1294

Section 3.0 Failure to pay; special assessment; lien.

If the owner of a lot, lots or premises fails to pay the bill for the removal of the snow or ice from the sidewalk adjacent or abutting their lot, lots or premises with 30 days from the date the bill is mailed, the Village Council may cause the amount of the expense incurred, together with a penalty of ten percent, to be levied by them as a special assessment upon the lot, lots or premises adjacent to and abutting upon the sidewalk. The special assessment is subject to review after proper notice has been given as in all other cases of special assessments provided by law. When confirmed, the assessment shall be a lien upon the lot, lots or premises the same as other special assessments, and the Council shall order the Treasurer of the Village to spread the amount, together with the penalty, upon the roll as a special assessment upon the lot, lots or premises. The assessment shall be collected in the same manner as other Village taxes.

Section 4.0 Suit.

The Village may, at the Council's option, also collect the expenses for the removal of the snow or ice and the penalty in a civil action, together with the costs of the suit.

Section 5.0 Penalty.

A person who violates this Ordinance is responsible for a Civil Infraction, punishable by a fine of \$50.00 for the first violation, \$50.00 for the second violation, \$250.00 for the third violation, and \$500.00 for the fourth or additional violations.

Section 6.0 Notice of Requirements.

Upon passing of this Ordinance, the Village Clerk shall give notice of requirements and provisions of the Ordinance by publishing a notice for one week in a newspaper of general circulation in the Village and print a reminder in the "Village Voice" during the winter months.

Section 7.0 Effective date.

This Ordinance shall be published in the manner provided by law and shall take effect thirty days after publication.

PASSED and adopted by the Council of the Village of Concord, Michigan, on this April 12, 2011.

Approved:

Michael Lovitt
Michael Lovitt, Village President

Attest:

Nancy Salvatore
Nancy Salvatore, Village Clerk

VILLAGE COUNCIL:

Craig Adams	:	<u>Aye</u>
Ron Schafer	:	<u>Aye</u>
James Bush	:	<u>Aye</u>
Kelly Gretz	:	<u>Aye</u>
Ashley Meeks	:	<u>Aye</u>
Jeremiah Bush	:	<u>Aye</u>

Sent Journal

Date : APR-14-2011 THU 04:51PM
Name :
Tel. :

No.	Fax Name/Number	Start Time	Time	Mode	Pages	Result
116	15177884642	03-02 11:54AM	00'28"	ECM	1	Ok
117	15177878280	03-07 05:36PM	00'24"	ECM	1	Ok
118	15177501792	03-09 12:31PM	04'06"	ECM	9	Ok
119	18882214931	03-16 12:23AM	02'07"	ECM	7	Ok
120	15177685841	03-16 09:38AM	00'22"	ECM	1	Ok
121	15177878280	03-16 01:22PM	00'22"	ECM	1	Ok
122	15177807855	03-17 05:55AM	00'22"	ECM	1	Ok
123	15177833381	03-17 07:55AM	00'35"	ECM	1	Ok
124	15177848361	03-22 11:54AM	00'32"	ECM	1	Ok
125	15173161549	03-23 12:15PM	00'45"	ECM	2	Ok
126	915177878280	03-24 11:42AM	00'00"	ECM	0	Stop Pressed
127	15177878280	03-24 11:44AM	00'29"	ECM	1	Ok
128	15177804714	03-24 12:15PM	00'00"	ECM	0	Stop Pressed
129	15177804714	03-24 12:17PM	01'46"	ECM	5	Ok
130	15177686888	03-24 03:24PM	01'31"	ECM	3	Send Error
131	15177686888	03-24 03:30PM	02'25"	ECM	5	Ok
132	15177686888	03-24 03:36PM	02'54"	G3	4	Ok
133	15177804714	03-25 11:36AM	02'56"	ECM	6	Ok
134	18778547467	03-29 02:13PM	02'09"	ECM	4	Stop Pressed
135	18778547467	03-29 02:23PM	02'29"	ECM	4	Ok
136	18106549021	03-30 08:46AM	00'28"	ECM	1	Ok
137	15177886024	03-30 09:55AM	00'35"	ECM	2	Ok
138	15177807855	03-30 10:32AM	00'44"	ECM	2	Ok
139	15176418960	03-31 08:18AM	00'23"	ECM	1	Ok
140	15177831751	03-31 02:49PM	00'25"	ECM	1	Ok
141	15177846011	04-04 07:31AM	04'29"	ECM	11	Ok
142	15177878280	04-05 01:14PM	00'22"	ECM	1	Ok
143	15173160824	04-05 03:16PM	01'12"	ECM	3	Ok
144	15173161549	04-06 11:56AM	00'00"	ECM	0	Stop Pressed
145	15173161549	04-06 11:58AM	00'00"	ECM	0	Stop Pressed
146	15173161549	04-06 11:58AM	00'00"	ECM	0	Stop Pressed
147	15173161549	04-06 04:24PM	00'29"	ECM	0	Send Error
148	18778547467	04-07 04:44PM	02'04"	ECM	5	Ok
149	15177846011	04-09 01:45AM	01'43"	ECM	4	Ok
150	15177833360	04-11 07:58AM	00'43"	ECM	2	Ok
151	15177887861	04-11 03:01PM	00'23"	ECM	1	Ok
152	15177878280	04-11 04:21PM	00'53"	ECM	2	Ok
153	15177887861	04-12 09:16AM	00'41"	ECM	1	Ok
154	15177878280	04-13 03:34PM	00'34"	ECM	1	Ok
155	15175313576	04-14 04:50PM	01'04"	ECM	3	Ok

AFFIDAVIT OF PUBLICATION

In the Matter of: Concord Village and Ordinance #174; Snow and Ice Removal

(Attach copy here)

RALPH E. RICE, being first duly sworn, says that he is the publisher of the COUNTY PRESS, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published.

April 20 A.D., 2011 A.D., 20
A.D., A.D., 20
A.D., A.D., 20
A.D., A.D., 20

Signed Ralph E. Rice

Subscribed and sworn to before me this 21 day

of April A.D., 20 11

Sheila Delp

Notary Public, Jackson County, Michigan

My commission expires Nov 5 A.D., 20 16

PRINTING BILL

23.5 Inches, 1 Time \$ 70.50

Affidavit \$ 5.00

Total \$ 75.50

Received payment:

