



City of West Allis

Ordinance: O-2018-0044

File Number: O-2018-0044

Sponsor(s): Public Works Committee

Final Action:

NOV 20 2018

An ordinance to repeal and recreate section 11.12 of the City of West Allis Revised Municipal Code, Chapter 11, Public Ways, Places and Property, relative to Snow and Ice Removal on Public Areas.

The Common Council of the City of West Allis do ordain as follows:

PART I. Section 11.12 of the City of West Allis Revised Municipal Code is hereby repealed and recreated to read as follows:

11.12 Snow and Ice Removal.

- (1) **Duty to Remove.** The owner of any premises shall remove and clear, or cause to be removed and cleared, any snow or ice from the public sidewalk in front of their premises, or other areas as indicated in this Section.
- (2) **Removal by the City.**
 - (a) If the owner of any premises shall fail to remove or clear the snow or ice as provided in this Section, the Director of Public Works and/or the Director of Building Inspection and Neighborhood Services and/or their respective designee is authorized to remove and clear the snow or ice.
 - (b) The Director of Public Works and/or the Director of Building Inspection and Neighborhood Services and/or their respective designee is authorized to clear and remove the snow or ice from any public sidewalk abutting or adjoining the premises of any person who, because of physical disability, is unable to comply with the provisions of this section.
 - (c) The expense of snow or ice removal by the Director of Public Works and/or the Director of Building Inspection and Neighborhood Services and/or their respective designee, as herein provided, shall be charged against the owner of the premises abutting or fronting upon any such sidewalk and may be entered as a special tax against such premises to be collected in all respects like other taxes upon real estate, as provided in Sec. 66.0907(5) of the Wisconsin Statutes.
 - (d) The Board of Public Works shall establish rules consistent with this paragraph governing snow removal by the Director of Public Works and/or the Director of Building Inspection and Neighborhood Services and/or their respective designee and the charges to be assessed for any such work.
- (3) **Areas to be Cleared or Removed**
 - (a) Public sidewalks shall be cleared to a minimum width of three (3) feet.
 - (b) Curb ramps at corners shall be cleared to a minimum width of three (3) feet including the portion of the street to the plowed area.
 - (c) Fire hydrants shall be cleared to allow full access around the hydrant from the street. All properties within one hundred and fifty (150) feet of a fire hydrant shall be responsible for clearing the hydrant.

(4) Compliance Time

(a) All snow and ice shall be cleared or removed shall be completed by the time listed below.

i. Within twenty-four (24) hours after the end of a snow event.

ii. Within twenty-four (24) hours after the formation of ice.

iii. Within twenty-four (24) hours after snow has been blown or drifted back onto a previously cleared area.

(b) For the purposes of this section, a "snow event" shall mean the continuous accumulation of more than one half (1/2) of an inch of snow, as recorded at General Mitchell Airport in Milwaukee.

(5) Casting Snow on Public Ways. No person shall plow, shovel or otherwise deposit snow or ice, or cause snow or ice to be plowed, shoveled or otherwise deposited, from private property or driveway approach between the sidewalk and gutter line upon any street or alley pavement, sidewalk or other public way in the City.

(6) Any person who shall fail to comply with the provisions of this section shall forfeit not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500) for each offense, together with the costs of prosecution. In default of payment thereof, the person shall be imprisoned in the Milwaukee County House of Correction until such forfeiture and costs are paid, but not more than the number of days set forth in Section 800.095(1)(b)1 of the Wisconsin Statutes. Each and every day that an offense continues constitutes a separate offense.

(7) Casting Snow on Private Property. No person shall plow, shovel, or otherwise deposit snow or ice, or cause snow or ice to be plowed, shoveled, or otherwise deposited from private property onto the property of another without the consent of the landowner.

(8) When ice cannot be removed due to thickness, temperature, compaction or other factors, an abrasive material designed to prevent ice accumulation such as salt or sand shall be used temporarily until the ice may be removed. The abrasive surface shall be applied in a way to prevent slipping on the ice and shall be maintained in sufficient amounts until the ice may be removed or melts.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED NOV 20 2018

APPROVED 11/26/18



Steven A. Braatz, Jr., City Clerk



Dan Devine, Mayor