



Legislation Details (With Text)

File #: 08-0252 **Version:** 0 **Name:** Snow and Ice Removal - Sidewalks
Type: Ordinance **Status:** Enacted
File created: 12/4/2008 **In control:** City Council
On agenda: **Final action:** 3/20/2009
Enactment date: **Enactment #:** 09-148
Title: Snow and Ice Removal - Sidewalks

FOR the purpose of transferring certain requirements for snow and ice removal to the Property Maintenance Code; specifying the scope of the required removal; and repealing certain obsolete, redundant, or now otherwise unnecessary provisions.

Sponsors: James B. Kraft, Bill Henry

Indexes: Ice, Sidewalk, Snow

Code sections:

Attachments: 1. 08-0252 - 1st Reader.pdf, 2. Finance - 08-0252.pdf, 3. Law - 08-0252.pdf, 4. Police - 08-0252.pdf, 5. 08-0252 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
3/20/2009	0	Mayor	Signed by Mayor	
3/16/2009	0	City Council	Approved and Sent to the Mayor	
3/2/2009	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
3/2/2009	0	City Council	Amendment Failed	
3/2/2009	0	City Council	Advanced to 3rd Rdr., Committee amendment withdrawn	
2/9/2009	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
12/8/2008	0	The City Council	Referred for a Report	
12/8/2008	0	The City Council	Introduced	
12/8/2008	0	The City Council	Referred for a Report	
12/4/2008	0	City Council	Assigned	
12/4/2008	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Kraft

A BILL ENTITLED

AN ORDINANCE concerning
Snow and Ice Removal - Sidewalks

FOR the purpose of transferring certain requirements for snow and ice removal to the Property Maintenance Code; specifying the scope of the required removal; and repealing certain obsolete, redundant, or now otherwise unnecessary provisions.

BY adding

Article - Building, Fire, and Related Codes
Section(s) 7-102 (PMC § 305.8)
Baltimore City Revised Code
(Edition 2000)

BY repealing

Article 19 - Police Ordinances
Subtitle 50, Part 7, in its entirety
Baltimore City Code
(Edition 2000)

BY repealing

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(3)(§ 50-46 or § 50-47) and 41-14(2)(§ 50-46 or § 50-47)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 40-14(e)(6a)
Baltimore City Code
(Edition 2000)

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 41-14(5a)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article - Building, Fire, and Related Codes

Part VII. International Property Maintenance Code

§ 7-102. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are as follows:

Chapter 3. General Requirements

Section 305 Exterior Sanitary Maintenance - General

305.8 SNOW AND ICE ON SIDEWALKS. AFTER ANY SNOWFALL THAT RESULTS IN AN ACCUMULATION OF SNOW OR ICE ON THE GROUND, THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY FROM ALL SIDEWALKS THAT ABUT THE PREMISES.

305.8.1 TIME FOR COMPLIANCE. THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY:

1. WITHIN 3 HOURS AFTER THE SNOW HAS STOPPED FALLING; OR
2. IF THE SNOW STOPPED FALLING BETWEEN 3 P.M. AND 6 A.M., BEFORE 11 A.M.

305.8.1 MANNER OF COMPLIANCE. THE SNOW AND ICE MUST BE REMOVED AND CLEARED AWAY IN A MANNER THAT:

1. LEAVES A CLEAR PATH THAT IS AT LEAST 2 FEET WIDE; AND
2. DOES NOT OBSTRUCT THE PASSAGE OF WATER IN THE GUTTERS.

Baltimore City Code

Article 19. Police Ordinances

Subtitle 50. Street Regulations

[Part 7. Snow and Ice]

[§ 5046. Cleaning pavements required.

(a) In general.

After any snowfall that results in an accumulation of snow on the ground:

- (1) every person using or occupying in any manner, or for any purpose, any house, store, shop, stable, or tenement of any kind;
- (2) every person having charge of any church or public building of any kind; and
- (3) the owner of any unoccupied house or unimproved lot situated on any paved street, lane, or alley in the City,

must remove and clear away the snow or cause it to be removed and cleared away from the foot pavement fronting the house, store, shop, stable, church, building, or lot.

(b) Time and manner.

- (1) The snow must be removed and cleared away:
 - (i) within 3 hours after the snow has stopped falling; or
 - (ii) if the snow stopped falling between 3 p.m. and 6 a.m., before 11 a.m.
- (2) The snow must be removed and cleared away in such a way as not to obstruct the passage of water in the gutters.

(c) Penalties.

Any person who violates any provision of this section is guilty of a misdemeanor, and on conviction, is subject to a fine of not more than \$15 for each offense.]

[§ 5047. Keeping pavements and gutters clear.

(a) In general.

Every person described in § 5046 of this Part must keep the gutters leading to, and the pavements or sidewalks situated in the front, rear, or sides of the premises, free from ice and every obstruction of any kind.

(b) Penalties.

Any person who fails to comply with this section within 3 hours after being notified to do so by any police officer is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$15 dollars for each offense, plus \$15 for each day the obstruction continues.]

[§ 5048. Removal by City on noncompliance.

It shall be the duty of the police officers to cause the snow and ice to be removed by those persons employed by the Department of Public Works engaged in snow removal from foot pavements fronting the houses, stores, stables, churches, public buildings, lots, or tenements of such persons as shall neglect or refuse to remove the same, at the expense of the City in the first instance, to be afterwards recovered from the person or persons so neglecting or refusing.]

[§ 5049. Enforcement by citation.

(a) In general.

In addition to any other civil or criminal remedy or enforcement procedure, this Part may be enforced by issuance of:

- (i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or
- (ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) Method not exclusive.

The issuance of a citation to enforce this Part does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.]

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 4014. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(3) Article 19. Police Ordinances

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[§ 5046 or § 5047. Snow cleaning required \$ 50]

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(6a) Building, Fire, and Related Codes -
Property Maintenance Code

§§ 305 - 308. Sanitary maintenance

Residential properties \$ 50

Commercial properties \$100

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies - Listing.

(2) Article 19. Police Ordinances

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[§ 5046 or § 5047. Snow - cleaning required \$ 50]

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(5A) BUILDING, FIRE, AND RELATED CODES -
PROPERTY MAINTENANCE CODE

§ 305.8. SNOW AND ICE ON SIDEWALKS

RESIDENTIAL PROPERTIES
\$ 50

COMMERCIAL PROPERTIES
\$100

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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