

ORDINANCE NO. 323

AN ORDINANCE AMENDING THE DETROIT LAKES CITY CODE CHAPTER 900, NUISANCES, SECTION 904, ICE AND SNOW ON PUBLIC SIDEWALKS

The Council of the City of Detroit Lakes, Minnesota, does ordain,

Section 1. That the following Section 904, Ice and Snow on Public Sidewalks, of the Detroit Lakes City Code is added as follows:

904.01. Ice and Snow a Nuisance. All snow and ice remaining upon public sidewalks is hereby declared to constitute a public nuisance and shall be abated by the owner or tenant of the abutting private property within 72 hours in a Residential District and 24 hours in a Commercial District after the snow or ice has ceased to be deposited.

904.02. City to Remove Snow and Ice. The City may cause to be removed from all public sidewalks, beginning 24 hours in a Commercial District and 72 hours in a Residential District, after snow or ice has ceased to fall, all snow and ice which may be discovered thereon, and it shall keep a record of the cost of the removal and the private property adjacent to which the accumulations were found and removed.

904.03. Cost of Removal to be Assessed. The City Administrator shall, upon direction of the Council, and on receipt of the information provided for in the preceding subdivision, extend the cost of the removal of snow or ice as a special assessment against the lots or parcel of ground abutting on walks which were cleared, and the special assessments shall at the time of certifying taxes to the County Auditor be certified for collection as other special assessments are certified and collected.

904.04. Civil Suit for Cost of Removal. The City Administrator shall, in the alternative, upon direction of the Council, bring suit in a court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in Subdivision 904.02 hereof, the cost of the clearing and the costs and disbursements of a civil action therefor.

904.05. City Administrator to Report Sidewalks Cleared. The City Administrator shall present to the Council at its first meeting after snow or ice has been cleared from the sidewalks as provided in Subdivision 904.02. hereof the report of the City thereon, and shall request the Council to determine by resolution the manner of collection to be used as provided in Subdivisions 904.03 and 904.04.

904.06. Placing Snow or Ice In Public Street or on Other City Property. It is unlawful for any person, not acting under a specific contract with the City, to remove snow from private or public property and place the same on a public street in the quantity, or in the manner,

as to cause a hazard to travel, without adequate arrangements for the immediate removal thereof. It is also unlawful for any person not acting under a contract with the City to dump snow on other City property.

Adopted this 10th day of June, 2008

Approved this 10th day of June, 2008.

/s/ Larry G. Buboltz, Mayor

/s/ Lynne Krieger, City Clerk

First Reading: May 13, 2008

Second Reading: June 10, 2008