

The Mayor and Commissioners
of the Town of Elkton

Ordinance 2-2004

BY: Mayor and Commissioners
INTRODUCTION: March 3, 2004
ADOPTED: March 17, 2004

AN ORDINANCE CONCERNING

**CODE OF THE TOWN OF ELKTON
TITLE 12
CHAPTER 12.08
SECTION 12.08.060
SNOW AND ICE REMOVAL**

FOR THE PURPOSE of amending the Code of the Town of Elkton, Title 12, Chapter 12.08, § 12.08.060, requiring the owner and/or the lessee of real property abutting a public sidewalk to remove snow and ice from the sidewalk within forty-eight (48) hours of accumulation; directing the police department to enforce the ordinance; establishing that a violation of the ordinance shall be a civil infraction; and establishing a fine for a violation.

WHEREAS, the Mayor and Commissioners have determined that snow and ice on public sidewalks presents a hazard to public safety; and

WHEREAS, the Mayor and Commissioners have further determined that the owner and/or the lessee of real property fronting and abutting a public sidewalk shall be responsible for the removal of snow and ice from the sidewalk; and

WHEREAS, the Mayor and Commissioners have further determined that the owner and/or lessee of real property fronting and abutting a public sidewalk who refuses, neglects or otherwise fails to remove snow and ice from the sidewalk, as set forth under this ordinance, shall be in violation of this ordinance and that said violation shall be declared a civil infraction and that the property owner and/or the lessee shall be subject to a fine of twenty-five dollars (\$25.00).

NOW, THEREFORE, the Mayor and Commissioners of the Town of Elkton hereby ordain that:

- Section 1. The Code of the Town of Elkton, Title 12, Chapter 12.08, § 12.08.060, shall be repealed; and
- Section 2. The Code of the Town of Elkton, Title 12, Chapter 12.08, § 12.08.060, shall be re-enacted to read as follows:

**Code of the Town of Elkton
Title 12
Streets, Sidewalks and Public Places
Chapter 12.08
Street and Sidewalk Use Regulations**

§ 12.08.060 Snow and Ice Removal

- A. The owner and/or the lessee of real property located in the town which fronts or abuts a public sidewalk shall remove, or cause to be removed, snow and/or ice from all that portion of the sidewalk that fronts or abuts said property not later than FORTY-EIGHT (48) hours after any snow, sleet or ice has accumulated on said sidewalk. The police department shall enforce this section.
- B. The owner and/or the lessee of real property located in the town which fronts or abuts a public sidewalk shall not refuse, neglect or otherwise fail to remove, or cause to be removed, snow and/or ice from the sidewalk that fronts or abuts said property when notified by the Town to do so. Notice shall be made in person or by United States Postal Service certified mail, return receipt requested. In the event that the owner and/or the lessee of the property shall refuse, fail or neglect to clean and remove, or cause to be removed, the snow and ice from the sidewalk as provided in this section when notified to do so, the owner and/or the lessee of the property shall be punished as set forth in the in this section. In addition thereto, the Town may remove snow and ice, or cause the same to be removed from the owner's and/or lessee's sidewalk and charge the cost thereof against the property.
- C. No person shall deposit or cause to be deposited any snow or ice on or against any fire hydrant , or any stormwater inlet and/or drainage basin.
- D. The Town of Elkton shall invoice the cost incurred by the Town for snow and ice removal to the owner of the property, subject to the provisions of this section in the event that said owner and or the lessee of the property fails to comply with the requirements set forth in this section. The Town shall enter a lien against the subject property in the event that the costs are not satisfied within thirty (30) days and the owner of the subject property shall be notified in person or by United States Postal Service certified mail, return receipt requested.

E. A person who violates this section shall be guilty of an infraction and shall be subject to a fine of twenty-five dollars (\$25.00) .

**** END OF SECTION ****

DATE OF EFFECT

THIS ORDINANCE shall be effective on the 6th day of April, 2004 .

EXECUTION BY THE MAYOR AND COMMISSIONERS

VOTES AFFIRMING

Mayor and Commissioners of the Town of Elkton

Mayor Joseph L. Fisona
Commissioner John K. Burkley, II
Commissioner Jean A. Broomell
Commissioner Charles H. Givens

DISSENTING

Commissioner C. Gary Storke

Publication in the Cecil Whig

Wednesday, March 24, 2004

Wednesday, March 31, 2004