

§ 7.04 ICE AND SNOW ON PUBLIC SIDEWALKS.

Subd. 1. *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 12 hours after such snow or ice has ceased to be deposited.

Subd. 2. *City to remove snow and ice.* The city may cause to be removed from all public sidewalks, beginning 24 hours after snow or ice has ceased to fall, all snow or ice which may be discovered thereon, and it shall keep a record of the post of the removal and the private property adjacent to which the accumulations were found and removed. The owner of the property which is adjacent to where the snow was removed shall be personally liable for the cost of the service. As soon as the service has been completed and the cost determined, the City Clerk or other designated city official shall prepare a bill and mail it to the owner and thereupon the amount shall be immediately due and payable at the office of the City Recorder.

Subd. 3. *Cost of removal to be assessed.*

A. On or before September 1 of each year, the City Recorder shall list the total unpaid charges for snow removal service against each separate lot or parcel to which they are attributable under this section.

B. After notice and hearing as provided in M.S. § 429.061, as it may be amended from time to time, the Council may then spread the charges against the property benefitted as a special assessment under M.S. § 429.101, as it may be amended from time to time, and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments not exceeding ten, as the Council may determine in each case.

(Ord. 290, Second Series, passed 5-3-93)

Subd. 4. *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 Subd. 2 hereof, the cost of the clearing and the cost and disbursements of a civil action therefor.

Subd. 5. *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 Subd. 2 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 Subd. 3 or 4 of this section.

(80 Code, § 7.04)