



City of Revere
City Council

City Council Order No. 18-037

Date: December 3, 2018

Offered by Revere City Council

AN ORDINANCE RELATIVE TO SNOW AND ICE REMOVAL ON SIDEWALKS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REVERE AS FOLLOWS:

Section 1. Sections 12.04.350 Snow and ice removal-Sidewalks and footways.*, 12.04.360 Snow and ice removal - roofs sloping to street.*, and 12.04.370 Snow and ice removal - failure to comply of the Revere Revised Ordinances is hereby deleted in its entirety and inserting in place the following new sections:

Section 12.04.350 Snow, Slush, and Ice on Sidewalks

Section 12.04.351 Removal of Snow and/or Slush

Section 12.04.352 Removal or Remediation of Ice

Section 12.04.353 Discharge of Liquid; Pumps; Runoff

Section 12.04.354 Enforcement and Exemptions

Section 12.04.350 Snow, Slush, and Ice on Sidewalks

A. Summary: Sections 12.04.350 - Section 12.04.354 of Chapter 12.04 of Title 8 comprise the City of Revere ordinances with respect to the removal of the natural accumulation of snow, ice, and slush on public sidewalks and to reducing or alleviating the public safety hazard caused by the unnatural discharge or runoff of water onto the public sidewalk or public way.

B. Definitions

1. **City:** The City of Revere.

2. **Natural formation, ice:** Ice that has formed from water existing as pool or puddle or otherwise collected as a result of an act of nature. Water that pools, puddles, or accumulates on the sidewalk or public way as a result of its discharge from a sump pump or from the runoff of a yard, roof, downspout, gutter, or other structure and then freezes upon said public way or sidewalk shall not constitute a natural formation of ice.

3. **Natural accumulation, snow:** An accumulation of snow occurring as a result of an act of nature and remains in its natural state.

4. **Owner:** A person or persons or other legal entity owning the title to any building or parcel of land, vacant or not. An Owner shall include: the trustee or guardian of the estate of the holder of legal title; a mortgagee in possession or control of any property; the lawful appointee of a Court of the Commonwealth vested with possession and control of a property;

the officer, Trustee or Board representing the Association of Unit owners of a condominium existing under Massachusetts General Laws chapter 183A.

5. **Public way:** Publicly-owned land that comprises a passageway, however designated or named, designed for travel by any vehicle or pedestrian.
6. **Runoff:** For the purposes of this Chapter, runoff shall refer to water or other liquid that flows, drips, drains, spills, or otherwise is directed from a source on private property (such as a yard, roof, downspout, gutter, or other structure) to a place on the sidewalk or public way where it pools, puddles, or otherwise accumulates.
7. **Sidewalk:** Any paved area adjacent to a public or private way which is devoted to pedestrian travel, including any accessory ramping and curb cuts connecting the sidewalk to the traveled portion of an adjacent street, and regardless whether such sidewalk is bordered with a curbstone.
8. **Sump pump:** Any pump used to remove water or other liquid accumulated in a basin, floor, or yard of a privately owned property.

Section 12.04.351 Removal of Snow and/or Slush

- A. No more than twenty-four (24) hours after a snowfall has ended, the owner of any real estate abutting any sidewalk or public way within the City shall remove or cause to be removed any snow or slush which has accumulated upon such sidewalk or public way.
- B. Removal of such snow or slush shall be sufficient to clear a path that permits the orderly flow of pedestrian traffic upon such sidewalk and in no case less than 36 inches wide.
- C. No person, other than a municipal employee or contractor performing snow removal service for the City, shall place or cause to be placed any snow or ice onto a sidewalk or public way.

Section 12.04.352 Removal or Remediation of Ice

- A. No more than twenty-four (24) hours after ice has formed upon a sidewalk or public way, whether by natural formation or otherwise, the owner of any real estate abutting any sidewalk or public way within the city shall remove or cause to be removed any such ice, and where the ice cannot be removed completely, any remaining ice shall be covered with sand, salt, or other suitable substance to prevent slipping.

Section 12.04.353 Discharge of Liquid; Pumps; Runoff

- A. The owner of property from which is discharged water or other liquid, unnaturally, by sump pump, or by runoff, onto the public sidewalk or street that causes a hazardous condition, or that results in a hazardous condition, for pedestrians or vehicles, shall cease said discharge, and/or take reasonable steps to prevent the hazardous condition by redirecting said discharge away from the public sidewalk or street, and where such redirection is neither practical or feasible the owner shall otherwise neutralize or make safe the hazardous condition.

B. Ice resulting from any such discharge as described in section (a) is subject to the provisions of 12.04.052.

Section 12.04.354 Enforcement and Exemptions

- A. Sections 12.04.350 - Section 12.04.354 of Chapter 12.04 of Title 8 shall be enforced by the Department of Inspectional Services.
- B. The owner of any dwelling property in the city shall be responsible to assure compliance with the provisions of this chapter, and such legal responsibility under this ordinance is non-delegable by lease or other arrangement.
- C. The Owner of any property in violation of the provisions of 12.04.350 through 12.04.354 shall be subject to the penalties set forth in Article III of Title 1, Chapter 1.12.100 through 1.12.190. of the Revised Ordinances of the City of Revere (Noncriminal Dispositions of Violations--Mass. G.L. ch. 40U s. 1 et.seq.
- D. Notwithstanding the foregoing, an owner of residential property who is age 65 years or older, or is disabled, shall be exempt from the enforcement and penalty provisions of this Chapter.

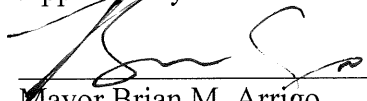
February 26, 2018 Ordered to a first reading.

December 3, 2018 Ordered on a second reading as amended.

December 3, 2018 Ordered on a third and final reading as amended.

December 3, 2018 Ordinance was Ordered Engrossed and Ordained as amended on a Roll Call: Councillors Guinasso, Keefe, McKenna Morabito, Novoselsky, Patch, Powers, Rizzo, Rotondo, Zambuto, and Council President Giannino voting "YES".

Approved by:




Mayor Brian M. Arrigo

12.6.18

Date

Attest:



City Clerk