

ORDINANCE NO.1434

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 12, CHAPTER 08, BY ADDING A NEW SECTION 12.08.015 TO REQUIRE HAIL, SNOW, SLEET AND/OR ICE TO BE REMOVED FROM SIDEWALKS AND OTHER PUBLIC WAYS WITHIN THE CITY FOLLOWING A PRECIPITATION EVENT; PROVIDING FOR AN INFRACTION, PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, hail, snow, and/or sleet occur frequently in the City; and,

WHEREAS, accumulation of such hail, snow, sleet, and/or ice may create falling hazards and obstructions to access; and,

WHEREAS, the City wishes to minimize the inconvenience, potential danger, and obstruction from certain sidewalks, paved streets, easements, rights-of-way and/or other public ways, in order to encourage use by pedestrians; and,

WHEREAS, the Council believes that it is appropriate to require the removal of hail, snow, sleet, and/or ice within a reasonable period of time following a precipitation event; and,

WHEREAS, the Council desires to prohibit the obstruction of sidewalks, streets, easements, rights-of-way and/or other public ways with snow after it is removed; and,

WHEREAS, the Council wishes to establish an infraction as a penalty for failure to timely remove.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO THAT:

**Section 1.** A new Section 15 is hereby added to Chapter 8 of Title 12 of the Payette City Code as follows:

**Chapter 12.08**  
**SNOW AND ICE REMOVAL<sup>1</sup>**

**12.08.010: REQUIRED:**

Every owner, tenant or occupant of any property located within the corporate limits is required to remove the snow and ice from the sidewalk fronting such property or on which such property is abutting.

**12.08.015 OBSTRUCTION OF A CITY SIDEWALK, STREET, EASEMENT, RIGHT-OF-WAY, OR OTHER PUBLIC WAY WITH SNOW OR ICE IS PROHIBITED:**

It shall be unlawful for any person or entity to:

- A. Plow, shovel or place snow removed from private property across or onto any public street or public sidewalk.
- B. Plow, shovel or place snow within twenty-five feet (25') of a fire hydrant on the street side of the fire hydrant.
- C. Plow, shovel or place snow in such a manner that obstructs the view of a traffic regulatory sign from any public or private street, alley or right-of-way.
- D. Premises located on Main Street, between 2<sup>nd</sup> Avenue South and 3<sup>rd</sup> Avenue North, shall be allowed to place snow removed from the public sidewalk in the center of Main Street. Snow shall be moved to the center of Main Street in such a way as not to impede or cause obstruction to vehicular parking or travel ways. Snow from parking lots shall not be moved into Main Street.

**Section 2.** This Ordinance may be published in summary form allowed by Idaho Code.

**Section 3.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

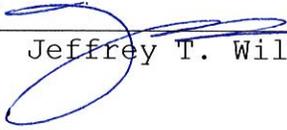
**Section 4.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 5.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

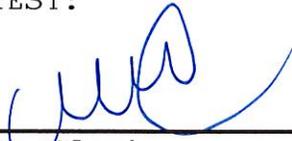
**Section 6.** Any violation of this ordinance shall be an infraction.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this \_\_\_\_\_ day of December, 2017.

CITY OF PAYETTE, IDAHO

BY  \_\_\_\_\_  
Jeffrey T. Williams, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk