

VILLAGE OF CARLETON ORDINANCE NO. 7-A

ORDINANCE TO AMEND ORDINANCE 7 PROVIDING FOR
CONSTRUCTION, MAINTENANCE AND REPAIR OF
SIDEWALKS AND CROSSWALKS
VILLAGE OF CARLETON, MICHIGAN

An Ordinance to amend Village of Carleton Ordinance Number 7 providing for the construction, maintenance and repair of sidewalks and crosswalks in the Village of Carleton, Michigan.

The Village of Carleton ordains:

That the following Sections (Section 7, Section 8, Section 9, and Section 10), are hereby added and incorporated into said Ordinance Number 7, and shall read as follows:

SECTION 7:

A. Snow removal required. All owners or occupants of any lot, lots or premises within the corporate limits of the Village shall be required to remove all snow and ice from the sidewalks that are adjacent to and abutting upon such lot, lots or premises within the following time frames:

(1) Within 24 hours after any snow or sleet storm shall cease, if the storm results in four or less inches of snow or precipitation;

(2) Within 48 hours after any snow or sleet storm shall cease, if the storm results in more than four inches of snow or precipitation.

B. Neglect to remove snow; procedure. Should any owner or occupant of lot, lots or premises neglect or refuse to remove the snow and ice from the sidewalks adjacent to and abutting upon such lot, lots or premises within the time frames stated above in Section 7, paragraphs A(1) and A(2), then the Village President, or his designee shall remove, or cause to be removed, all snow and ice at the expense of the owner or occupant and the amount of all expenses incurred thereby shall be billed to the owner.

C. Failure to pay; special assessment; lien. If the owner of a lot, lots or premises fails to pay the bill for the removal of the snow or ice from the sidewalk adjacent or abutting their lot, lots or premises within 30 days from the date the bill is mailed, the Council may cause the amount of the expense incurred, together with a penalty of ten (10%) percent, to be levied by them as a special assessment upon the lot, lots or premises adjacent to and abutting upon the sidewalk. The special assessment is subject to review after proper notice has been given as in all other cases of special assessments

provided for by law. When confirmed, the assessment shall be a lien upon the lot, lots or premises the same as other special assessments, and the Council shall order the Treasurer of the Village to spread the amount, together with the penalty, upon the roll as a special assessment upon the lot, lots or premises. The assessment shall be collected in the same manner as other village taxes.

D. Suit. The village may, at the council's option, also collect the village's expenses for removal of the snow or ice and the penalty in a civil action, together with costs of the suit.

E. Penalty. A person who violates this provision is responsible for a civil infraction, punishable by a fine of \$50.00 for the first violation, \$100.00 for the second violation, \$250.00 for the third violation, and \$500.00 for the fourth or additional offenses.

SECTION 8:

A. Removal standards for nonresidential property. All persons removing snow from the paved areas of nonresidential property shall:

(1) Not pile snow in a manner as to restrict the view of any public street or roadway by the operator of any vehicle on the public street or roadway;

(2) Not pile snow at a height of more than three feet within ten feet of any public street or roadway;

(3) Not place, push or remove the snow to adjoining or other properties without the property owner's permission;

(4) Not push or plow any snow across any public street; and

(5) Not place any removed snow onto any public property or right-of-way, including public sidewalks and the area between the street curb and the public sidewalk.

B. Removal standards for residential property. All persons removing snow from the paved areas of residential property shall:

(1) Not pile snow in a manner as to restrict the view of any public street or roadway by the operator of any vehicle on the public street or roadway;

(2) Not pile snow at a height of more than three feet within ten feet of any public street or roadway; and

(3) Not push, plow or place any snow into, onto or across any public street.

SECTION 9:

All Ordinances, or parts of Ordinances, in conflict with this Ordinance are, to the extent of such conflict, repealed.

SECTION 10:

This ordinance shall become effective on the thirty-first (31st) day after it, or a summary of it, is published in a newspaper in general circulation in the Village of Carleton.

I Lenora Buckingham, Village of Carleton Clerk, do hereby certify that this Ordinance was adopted by the Village Council of the Village of Carleton, Monroe County, Michigan, at a regular meeting of the Village Council held at the Village Hall, Carleton, Michigan, on the 10 day of ~~January~~^{February}, 2014.

Votes on said Ordinance 5 members being present and 1 members being absent was as follows:

DON MELL - ABS - DENNIS MCCORMICK
ADAM GRABETZ - CHUCK COLBERT -
TOM RISER - BILL RECKINGER

Lenora Buckingham
Lenora Buckingham
Clerk of the Village of Carleton

Attested:

Ron Lambrix
Ron Lambrix
President of the Village of Carleton

CERTIFICATION

This is to certify that the foregoing Ordinance was duly published in the Monroe Evening News, a newspaper of general circulation which is circulated in the Village of Carleton by publication on the 10 day of February 2014. And further, a copy of this Ordinance was posted at the Village Office, 1230 Monroe Street, Carleton, Michigan; Monroe Bank and Trust, 12633 Grafton Road, Carleton, Michigan; and Busch's Fresh Food Market, 12599 Grafton Road, Carleton, Michigan, these being three (3) of the most public places, all located within the Village of Carleton. Such posting was done by the undersigned clerk on the 11 day of February, 2014.


Lenora Buckingham
Clerk of the Village of Carleton