

CHAPTER 611

DEPOSIT OF SNOW ON ROADWAYS AND BOULEVARD STRIPS OF PUBLIC STREETS

[History: Ord 2009-3]

611.01 No person shall move, plow, blow, shovel, deposit or place any snow onto the roadway of any City street.

611.02 No person shall move, plow, blow, shovel, deposit or place any snow originating from one lot onto the boulevard portion of any City street which does not abut the lot from which it originates.

611.03 No person shall move, plow, blow, shovel, deposit or place any snow onto any boulevard portion of any City street within 35 feet of the intersection of the roadways of two intersecting City streets to a height which tends to obstruct the vision of the operators of vehicles lawfully operating on City streets. Such 35 feet shall be measured from the intersection of the curbs of the intersecting streets.

611.04 Snow originating from the sidewalk butting a property which abuts a boulevard strip may be shoveled, plowed or blown onto the boulevard strip abutting such property, provided that such snow shall not be piled within 35 feet of the intersection of the roadways of two intersecting City streets to a height which tends to obstruct the vision of the operators of vehicles lawfully operating on City streets. Such 35 feet shall be measured from the intersection of the curbs of the intersecting streets.

611.05 Snow piled to a height more than four (4) feet above the level of the roadway surface of the adjacent City street shall be conclusively presumed to obstruct the vision of the operators of vehicles lawfully operating on such street, and may not be piled within 35 feet of the intersection of the roadways of intersecting city streets. Such 35 feet shall be measured from the intersection of the curbs of the intersecting streets.

611.06 No person shall move, plow, blow, shovel, deposit or place any snow within two feet of any City fire hydrant.

611.07 EXCEPTION FOR DEAD-END STREETS AND CUL-DE-SACS. Notwithstanding the general prohibition set forth in sec. 611.01, where a property on a dead end street or cul-de-sac is the last improved property before the dead end, snow may be placed in the street right-of-way provided the roadway is left unobstructed to a degree sufficient to allow emergency vehicles to access improved properties on the street.

611.08 EXCEPTION FOR SNOW FROM SIDEWALKS AND PRIVATE ALLEYS IN THE DOWNTOWN BUSINESS DISTRICT AREA.

(1) Notwithstanding the general prohibition set forth in sec. 611.01, snow from sidewalks in the downtown business district area may be plowed, shoveled or blown into the right-of-way of the abutting City street if so plowed, shoveled or blown prior to the time that the City plows the abutting street. Deposit of such sidewalk snow into the street after the City has removed the windrow on such street shall

constitute a violation of sec. 611.01.

(2) Notwithstanding the general prohibition set forth in sec. 611.01, snow from private alleys in the downtown business district area may be pushed into the windrow in the center of the street if deposited prior to the removal of the windrowed snow by the City. Deposit of such alley snow into the street after the City has removed the windrow on such street shall constitute a violation of sec. 611.01.

(3) The downtown business district area is defined as the area bounded by Mill Street, Haseltine Street, Jefferson Street and Park Street.

611.09 PENALTIES FOR VIOLATIONS

(1) FORFEITURE. Any person, partnership, corporation, limited liability company, voluntary association or other legal entity who shall violate or fail or refuse to comply with any section of this chapter may be prosecuted for such violation and shall, upon conviction, forfeit to the City of Richland Center the sum of \$50.00, plus all applicable costs, fees and surcharges imposed under Ch. 814 Wis. Stats., and in the event such forfeiture, costs, fees and surcharges are not paid, such person, any partner of such partnership, or any officer, director or managing member of any corporation or limited liability company or any officer of such voluntary association may, upon order of the Circuit Court, be imprisoned in the Richland County jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days, or may be subject to any other sanctions imposed by the Court for such failure to pay. Each day that a violation is maintained or permitted to exist shall constitute a separate violation.

(2) REMOVAL OF SNOW UNLAWFULLY DEPOSITED ON ROADWAYS. The owner of any lands from which snow is moved, plowed, blown, deposited or placed onto the roadway of a City street contrary to this chapter shall be liable to the City for the cost of removing and transporting away such illegally deposited or placed snow from the street roadway.

(1) If the owner or occupant of any lot or portion of a lot in the City of Richland Center deposits, or causes to be deposited by an agent or contractor employed by such owner or occupant, snow from such lot onto any street right of way contrary to sec. 611.01 or onto a boulevard strip contrary to sec. 611.03 or 611.04, the Public Works Superintendent or his designated employees may cause the removal of such snow from the street right-of-way and/or boulevard strip and shall forthwith report to the City Clerk-Treasurer in writing all costs incurred therefor. The costs thereof shall be a special charge against the property from which the snow originated. If the costs thereof are not paid by the landowner within 30 days after billing therefor is mailed to the landowner at the address shown by the records of the Richland County Treasurer for mailing of real estate tax bills for the property, the special charge is delinquent and becomes a lien against the property against which it is imposed as of the date of delinquency. The delinquent special charge shall be included in the current or next tax roll for collection and settlement under chap. 74, Wis. Stats.

(2) The cost of removing snow deposited contrary to this chapter from a roadway or boulevard shall be calculated at \$75.00 for each truckload or partial truckload of snow so removed. The City Council may in the future amend such rate by ordinance or resolution.

(3) The imposition of a forfeiture for a violation of this chapter shall not be deemed to bar the

imposition of a special charge for removal of snow illegally deposited. The imposition of a special charge for removal of snow illegally deposited shall not be deemed to bar the imposition of a forfeiture for a violation of this chapter.

Enacted February 17, 2009