

Village of Carbon Cliff

**ORDINANCE NO. 2018-31**

AN ORDINANCE ADDING SECTION 32 TO TITLE II, ARTICLE 3 OF THE VILLAGE CODE  
(Snow removal from adjoining public sidewalks)

ADOPTED  
December 18, 2018

**Prepared By And Return To:**

Village of Carbon Cliff  
Attn: Nick Gottwalt  
1001 Mansur Avenue  
P.O. Box 426  
Carbon Cliff, IL 61239-0426

# Village of Carbon Cliff

## ORDINANCE NO. 2018-31

### AN ORDINANCE ADDING SECTION 32 TO TITLE II, ARTICLE 3 OF THE VILLAGE CODE (Snow removal from adjoining public sidewalks)

**WHEREAS**, the Village of Carbon Cliff (the “*Village*”) is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State, and as a home rule unit may, under the powers granted by Section 6(a) of Article VII of the Constitution of the State of Illinois of 1970, “exercise any power and perform any function pertaining to its government and affairs”; and,

**WHEREAS**, the Village has determined it is in the interest of the public health, safety, and welfare for the protection of its residents and business owners to require adjoining owners and occupants to remove the snow from the public sidewalks in the adjoining right of way, and;

**WHEREAS**, Section 11-80-13 of the Illinois Municipal Code (65 ILCS 5/11-80-13) allows the corporate authorities of a municipality to require the owner or occupant of any property in the Village to keep the sidewalks abutting the premises free from snow and other obstructions; and,

**WHEREAS**, this Ordinance is adopted pursuant to the Village’s home rule authority.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Carbon Cliff, Illinois as follows:

**Section 1.** That the facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** That Section 32 is hereby added to Title II, Community Protection, of Article 3 of the Village Code to read as follows:

**“Section 32 SNOW AND ICE REMOVAL**

32.1 The owner and the occupant of all premises or parcels of land in the Village abutting the Village’s right of way in which is located a public sidewalk, shall keep that public sidewalk free from snow and ice or other obstruction as required herein so that the sidewalk is reasonably clear of snow and ice and provides a level and unobstructed walkway. This duty shall include all owners and occupants of business premises or property regardless of the hours of operation of that business. In the event the snow or ice on such sidewalk cannot be removed without injury to such owner or occupant, or damage to the pavement, the sidewalk shall be spread with salt and/or sand until conditions permit the removal of the snow and/or ice without injury to the owner or occupant, or to the sidewalk.

32.2 Sidewalks shall be cleared within 24 hours of an accumulation of one inch (1”) of snow or other deposits on the sidewalk and within 24 hours of the conclusion of a snow event.


- 32.3 Owners and occupants of corner lots which abut public sidewalks which include ramps to the street shall keep the ramps free from snow or other obstruction within the same time frame as required in Section 32.2.
- 32.4 It shall be unlawful for the person or persons responsible for the snow removal pursuant to this section to fail to remove such snow and such person or persons shall be subject to the penalties set forth in Title I, Article 3, Section 1. In addition, the Village may in its discretion after giving notice to the taxpayer of record by mail and by signage posted on the property of its intent to remove such snow or ice after 72 hours of the posting of the notice, cause the snow to be cleared by its employees or outside contractors and charge a fee for such service to the owner of the property abutting the sidewalk which shall be a debt due the Village. The Village may also choose to clear, without charge, those sidewalks where the Village Board determines such clearing to be useful or necessary and in the interest of commerce or transportation. Where a fee is imposed by the Village, the charge by the Village for clearing snow from a sidewalk or ramp shall be the actual cost incurred for clearing the snow, whether that is by Village employees or contracted by another party, plus a \$125 administrative fee. Each day that snow or other obstruction shall remain on the sidewalk after the initial 24-hour period shall constitute a separate offense.”

**Section 3.** This ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.


**ADOPTED BY THE BOARD OF TRUSTEES** of the Village of Carbon Cliff, Illinois, this 18th day of December 2018, pursuant to a roll call vote as follows:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Todd Cantrell	X	_____	_____
Keith Curry	_____	_____	X
Robert Dreher	X	_____	_____
Leevon Harris	X	_____	_____
Alma Neels	X	_____	_____
Larry Scott	X	_____	_____
<b>Ayes:</b>	<b>5</b>	<b>Nays:</b>	<b>0</b>
	_____	<b>Absent:</b>	<b>1</b>
	_____		_____

**APPROVED** by the President of the Board of Trustees, Village of Carbon Cliff, this 18th day of December 2018.

  
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 Bill G. Hintz – Village President  
 Village of Carbon Cliff

**ATTEST:**

  
 Karen L. Hopkins – Village Clerk  
 Village of Carbon Cliff



Published in pamphlet form by authority of the Board of Trustees of the Village of Carbon Cliff, Rock Island County, Illinois, this 19th day of December 2018.
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