

CHAPTER 686
Snow and Ice Removal

686.01	Deposit in rights of way restricted.	686.04	Removal of unlawfully deposited snow, ice, etc., by City; costs.
686.02	Lawful deposits in rights of way.	686.05	Overnight parking during winter.
686.03	Minimum street width to be maintained.	686.99	Penalty.

CROSS REFERENCES

Removal of ice and snow from roads - see M.C.L.A. §247.662

State funds for winter street and highway maintenance by municipalities - see M.C.L.A. §247.663

Deposit of ice and snow onto or across roadways - see M.C.L.A. §257.677a

Parking generally - see TRAF. Ch. 430

686.01 DEPOSIT IN RIGHTS OF WAY RESTRICTED.

No person shall take or remove, or cause to be taken or removed, any snow, ice or other material from any property owned, occupied or controlled by him or her and pile or dump the same within the lines of any street right of way of the City, except as otherwise provided in this chapter.

686.02 LAWFUL DEPOSITS IN RIGHTS OF WAY.

Any person may take and remove snow or ice from a driveway on property owned, occupied or controlled by him or her and pile the same in a public street, but only along, parallel with and as a part of the bank of snow formed by the City in its snow plowing operations. Such snow or ice shall be piled on the bank immediately in front of and adjacent to the property so owned or occupied and in no event shall the snow or ice so placed extend more than two feet, six inches farther into the roadway than the existing bank. Further, snow shall not be piled, blown or otherwise placed upon any portion of the street or sidewalk right of way within twenty-five feet

of the lateral curb of any intersecting road, street or alley. Further, snow shall not be piled, blown or otherwise placed upon any portion of the street or sidewalk right of way within twenty feet of any driveway intended to be used by the general public for access to any commercial establishment. Further, and notwithstanding anything to the contrary contained in this section, the City shall have and retain the right to limit or prohibit the placement of snow or ice in any street right of way if such limitation or prohibition is deemed reasonably necessary for the health, safety and welfare of the general public.

686.03 MINIMUM STREET WIDTH TO BE MAINTAINED.

No person shall take or remove, or cause to be taken or removed, any snow, ice or other material from any public walk or from the banks of snow formed by the City in its snow plowing operations and pile, dump or blow the same within the street right of way in such manner as to reduce the width between the banks of snow formed by the City in its snow plowing operations by more than two feet, six inches on either side.

686.04 REMOVAL OF UNLAWFULLY DEPOSITED SNOW, ICE, ETC., BY CITY; COSTS.

Snow, ice or other material moved, piled or dumped in violation of this chapter may be removed or caused to be removed by the City, and the expense of such removal may be charged to the person found to be in violation of this chapter. Said charges may be collected as "costs" in connection with a civil infraction action and/or by civil process.

SEE AMENDMENTS

686.05 OVERNIGHT PARKING DURING WINTER. 686.05B & 686.05C

(a) **Findings.** The parking of motor vehicles or other vehicles on the streets and alleys of the City and on City-owned or leased parking lots, between 1:00 a.m. and 6:00 a.m. during the months of January, February, March, April, November and December of each year shall constitute a hindrance and a nuisance to the proper and necessary removal of snow from the streets, alleys and parking lots and to the elimination of traffic hazards caused by snow and ice.

(b) **Prohibitions.** No person shall park any motor vehicle or other vehicle on the streets, alleys or sidewalks which are regularly plowed in the City or on City-owned or leased parking lots, between the hours of 1:00 a.m. and 6:00 a.m. during the months of January, February, March, April, November and December of each year for a period of time any longer than thirty minutes, except physicians on emergency calls. During these times and where space permits, parking will be permitted adjacent to the City street beyond the curb line. No portion of any vehicle so parked shall fall within two feet of the curb line of the street. Any person parking any vehicle or other object on the City right of way adjacent to and within eight feet of the curb, plowed sidewalk or plowed alleyways, does so solely at his or her own risk, and the City will not be responsible for any damage to any vehicle or object so parked. If sidewalks are maintained and plowed by the Department of Public Works during the months of January, February, March, April, November and December, no vehicle shall be parked on an apron and block any portion of said sidewalk.

General Offenses Code

(c) **Impounding and Ticketing.** Any motor vehicle or other vehicle found parked or abandoned in violation of subsection (b) hereof may be impounded and towed away by any police officer of the City or by any employee of the City who at the time is engaged in removing snow or ice from the streets and alleys in the City, or any such police officer or employee may affix a tag to such vehicle parked or abandoned in violation of subsection (b) hereof, stating the date and time such vehicle was found parked or abandoned and informing the owner that he or she is required to respond to the same as provided in Section 440.06 of the Traffic Code.

(d) **Impounding and Storage Costs.** The owners of any vehicle parked or abandoned in violation of this section shall, in addition to paying the fine provided for such violation, pay all necessary costs of impounding and storing said vehicle, and same shall constitute a lien against said vehicle until paid.

686.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

Whoever violates Section 686.05 shall be subject to the penalty provided in Section 440.06 of the Traffic Code.

FIRST READING: August 24, 2011
SECOND READING: September 8, 2011
PUBLICATIONS: Sept. 16th & 17th, 2011
EFFECTIVE: September 19, 2011

**AMENDMENT TO CODIFIED ORDINANCES OF
THE CITY OF NEGAUNEE, CHAPTER 686 SNOW AND ICE REMOVAL**

The City of Negaunee ORDAINS:

That **Chapter 686 Snow and Ice Removal** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended as follows:

REPEALER

Section 686.05(b) of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendments.

AMENDMENT

Section 686.05(b) of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to read as follows:

(b) **Prohibitions.** No person shall park nor leave unattended any motor vehicle or other vehicle on the streets, alleys or sidewalks which are regularly plowed in the City or on City-owned or leased parking lots, between the hours of 2:00 a.m. and 6:00 a.m. during the months of January, February, March, April, November and December of each year for a period of time any longer than thirty minutes, except physicians on emergency calls.

REPEALER

Section 686.05(c) of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendments.

AMENDMENT

Section 686.05(c) of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to read as follows:

(c) **Impounding and Ticketing.** Any motor vehicle or other vehicle found parked or abandoned in violation of subsection (b) hereof may be impounded and towed away by any police officer of the City or by any employee of the City who at the time is engaged in removing

snow or ice from the streets and alleys in the City, or any such police officer or employee may affix a tag to such vehicle parked or abandoned in violation of subsection (b) hereof, stating the date and time such vehicle was found parked or abandoned and informing the owner that he or she is required to respond to the same as provided in Section 440.06 of the City of Negaunee Traffic Code.

REPEALER

Section 686.99 of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendments.

AMENDMENT

Section 686.99 of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to read as follows:

686.99 PENALTY.

Whoever violates Section 686.05 shall be subject to the penalty provided in Section 440.06 (e) of the City of Negaunee Traffic Code.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

The above Ordinance shall be published as required by law, and shall be effective on the 19th day of September, 2011.

Upon roll call,

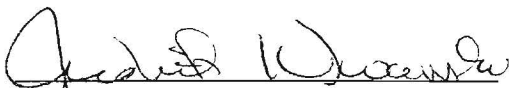
Council members voting aye: Maino, Dompierre, VanStraten, Menhennick, Wills, Schuhknecht and Mayor Haines

Council members voting nay: None



By: Michael Haines, Its Mayor

Attest:


By: Judith K. Iwanski, Its Clerk