

**CITY OF LEWISTON MN
ORDINANCE NO. 2023-03**

**AN ORDINANCE TO AMEND THE CITY OF LEWISTON CITY CODE TO AMEND
SNOW REMOVAL PROCEDURE AND TO ALLOW ASSESSMENT FOR
REMOVAL COSTS**

Whereas, the City Council of the City of Lewiston, Minnesota, ordains:

Section 1.

That the Lewiston City Code Chapter 3 – Streets, Parks, Public Property, and Improvements, Part 2: Assessable Current Services; Obligation of Property Owners and Occupants, be repealed and replaced in its entirety to read as follows:

302.02 - Snow, Ice, Dirt, and Rubbish

1. Duty of Owners.
 - a. The Owner of any property adjacent to a public sidewalk shall use diligence to keep such walk safe for pedestrians. No such Owner shall allow snow, ice, dirt, or rubbish to remain on the walk longer than twenty-four (24) hours after its deposit thereon.
 - b. The Owner as determined by tax records of the County Auditor of any present interest in any lot or parcel of land in the City abutting or joining any public sidewalk shall keep such sidewalk in good repair as defined by the City Engineer. The duty to keep such sidewalks in repair shall include but not be limited to the obligation to replace said sidewalk in the event that it has become so cracked or uneven in surface as to present an unreasonable safety hazard for pedestrians.
2. Removal by the City. The Public Works Director or his/her agent has the authority to remove all snow, ice, dirt, and rubbish from all public sidewalks twenty-four (24) hours after any snow, ice, dirt, and rubbish has been deposited thereon or snow has ceased to fall. The Public Works Director shall keep a record of the cost of said removal and the lot or lots adjacent to which such accumulations were found and removed and shall deliver such information to the City Clerk as soon as the work of removal is completed. The City Clerk shall bill the owner for all such current services performed by the City or its agent and shall certify any such unpaid services to the County Auditor.
3. Cost of Removal to be Assessed. Violations of Section 302.02 shall be declared public nuisances and the Public Works Director shall calculate the cost of the removal of snow or ice against the lot or parcels of ground abutting on alleys or

streets or other public property which were cleared. The sum is to be billed to the appropriate property owner(s). If the bill is not paid within sixty (60) days, the City Clerk shall, upon direction of the City Council, certify with the County Auditor the amount for collection as other special taxes are certified and collected. For purposes of this Section, the City Council shall annually establish by resolution the hourly rate to be applied for removal of such ice and snow by the Public Works Director or agent.

- 4. Civil Suit for Cost of Removal. The City Administrator, shall at the direction of the Council, bring suit in any Court of competent jurisdiction to recover the cost of said clearing and the cost of suit in a civil action from the person owning land adjacent to which-sidewalks were cleared.

- 5. Fire Hydrants. The owner of any property adjacent to a fire hydrant shall use diligence to keep a three (3) foot radius clear around the fire hydrant. No such owner shall allow snow or other obstructions to impede the operation of a fire hydrant.

Section 2.

This ordinance becomes effective after its passage and publication in the Lewiston Journal, the official newspaper of the City of Lewiston, MN.

Adopted by the City Council of the City of Lewiston, Minnesota this 27th day of December, 2023.

Mayor

Attest:

City Clerk