



## Request for City Council Committee Action From the Department of Public Works

**Date:** October 25, 2011

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Referral:** Honorable Betsy Hodges, Chair Ways & Means Committee

**Subject:** **Amending Schedule of Civil Fines for Administrative Offenses by Adding Fine for Unshoveled Sidewalks**

**Recommendation:**

Passage of the accompanying resolution amending Resolution 2011R-351 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed July 1, 2011, to include violations of Title 17 of the Code of Ordinances relating to snow and ice removal on public sidewalks, to include a fine of \$75 for failing to shovel public sidewalks in compliance with city ordinance.

**Previous Directives:**

None

**Prepared by:** Brette Hjelle, Public Works Interagency Coordinator, x2365  
Mike D. Kennedy, P.E., Director, Transportation Maintenance and Repair

**Approved by:**

---

Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Brette Hjelle, Public Works Interagency Coordinator

**Reviews** Not Applicable

**Financial Impact**

Within Current Department Budget

**Community Impact**

Neighborhood Notification: NA

City Goals: A City That Works; Livable Communities, Healthy Lives

Comprehensive Plan: NA

Zoning Code: NA

**Background/Supporting Information**

The Public Works Department, in cooperation with the Pedestrian Advisory Committee, has been examining sidewalk snow and ice removal procedures. The City Council adopted Minneapolis Pedestrian Master Plan raised a number of concerns with the condition of sidewalks in the winter, including snow and ice clearance, sidewalk repair, regulation of newspaper boxes and sidewalk cafes, and sidewalk closures in work zones. Specifically related

to snow and ice clearance, the following objective and implementation strategies were identified and adopted in the Minneapolis Pedestrian Master Plan:

*Objective: Ensure Effective Snow and Ice Clearance for Pedestrians*

- *Create a social norm of snow clearance through communications and education.*
- *Establish priorities for sidewalk snow clearance, including high pedestrian areas.*
- *Improve enforcement and monitoring of private property owner responsibilities for snow clearance.*
- *Support property owners with snow and ice clearance assistance options.*
- *Explore reducing city snow clearance responsibilities on pedestrian facilities.*

Public Works will be implementing process changes starting in the 2011/2012 winter season to improve our performance on this objective. The following changes will be made

1. Enhanced identification of sidewalks not shoveled in compliance with City Ordinance 445.20 (a) and (b).
  - a. Communications and outreach efforts to encourage the public to report problem sidewalks to 311.
2. Shorter reinspection timelines.
  - a. Reduction in the time between the first inspection and second inspection from an average of seven days to an average of four days. A failed second inspection will result in an order for removal and an Administrative Citation.
3. Use of Administrative Citations.
  - a. Transition from Hennepin County citations to Administrative Citations for sidewalks in violation of City Ordinance 445.20 (a) and (b). The current citations are used on a limited basis. Public Works will be using the new \$75 Administrative Citation as described above to encourage property owners to comply with snow shoveling requirements.
4. Pilot project using a contractor for abatement.
  - a. Use of a contractor to perform removals in a pilot area. Pilot project goals are to test a work order system utilizing a private contractor rather than city street crews.

The purpose of this request is to add failure to remove snow and ice from a public sidewalk in accordance with Title 17, Chapter 445 of the Minneapolis Code of Ordinances to the Schedule of Fines for Administrative Offenses.

During a Business Process Improvement (BPI) examination of the sidewalk snow and ice complaint process, it was identified that moving from the current use of Hennepin County Citations to administrative fines would benefit the city in the following ways:

- Continuity of process with other city departments that use administrative fines.
- Administrative violation for property owner rather than a civil offense.
- Greater flexibility for the city to set appropriate fine amounts.

The current Hennepin County Citation is \$102. Public Works is recommending a \$75 dollar Administrative Citation for not complying with city ordinance related to snow and ice removal on public sidewalks.

Attachment: Title 17 – Streets and Sidewalks, Chapter 445. Snow and Ice Removal

## **Title 17 – Streets and Sidewalks, Chapter 445. Snow and Ice Removal**

445.20 (a) The person having the care, custody or control of any building or lot (except one- and two-family dwellings) adjoining, abutting or bordering on any street located within the city shall, within the first four (4) hours of daytime after the ceasing to fall of any snow, cause the snow and/or ice to be removed from the sidewalk adjoining said building or lot.

(b) The owners, occupants or persons having the care, custody and control of any building that is a one- or two-family dwelling shall cause the snow and/or ice to be removed from the public sidewalk abutting or adjoining the lot upon which such building is situated, within the first twenty-four (24) hours after the ceasing to fall of any snow, and shall cause sand to be sprinkled on the sidewalk where there is snow or ice upon the sidewalk that cannot be removed. (Code 1960, As Amend., § 580.020; Ord. of 9-12-74, § 3; Ord. of 12-12-75, § 2; 80-Or-184, § 1, 8-8-80; 80-Or-283, § 1, 11-26-80)