

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 34 OF THE CODE
OF THE CITY OF TROY

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 34 of the Code of the City of Troy.

Section 2. Amendment

Chapter 34 of the Code of the City of Troy is amended to read as follows:

34.01 Definitions

(g) “Major Thoroughfare” means the following street rights-of-way within the City of Troy: Adams Road, Big Beaver Road, Coolidge Highway, Crooks Road, Deguire Road, Fourteen Mile Road, John R Road, Maple Road, Livernois Road, Long Lake Road, Rochester Road, South Boulevard, Square Lake Road, Stephenson Highway, Wattles Road.

34.11 Sidewalks to be Cleared

~~The occupant of every lot or premises adjoining any street, or the owner of such lot or premises, if the same are not occupied, shall clear all ice and snow from sidewalks adjoining such lot or premises within the time herein required. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be cleared from the sidewalks within twelve (12) hours after such cessation. When a fall of snow or ice shall have ceased during the nighttime, it shall be cleared from the sidewalks by 6:00 P.M. of the day following.~~

The occupant or owner of every lot or premise adjoining any street, shall keep all sidewalks clear of ice and shall clear sidewalks of all accumulations of snow when the depth of such snow is one (1) inch or greater. Ice or snow shall be cleared within twenty-four (24) hours following the end of the ice or snow event which led to such accumulation.

34.11.01 Sidewalks Exempt From Requirement to Clear

For sidewalks adjacent to rear and side yards, a lot or premise shall be exempt from the requirements of Section 34.11 if all of the following conditions are met:

- (a) The lot or premise is used as a single-family or two-family residence; and,
- (b) The lot or premise is addressed on a non-major thoroughfare but has a rear or side yard adjacent to a major thoroughfare;

34.12 Failure to Clear

If any occupant or owner ~~neglects or~~ fails to clear ice or snow from the sidewalks adjoining his/her premises within the allotted time period, or shall otherwise permit ice or snow to accumulate on such sidewalk contrary to this Code, the owner shall be responsible for a violation of this Chapter. The Director Superintendent may then cause the same to be cleared and the expense of removal shall become a debt to the City from the occupant or owner of such premises, and shall be collected as any other debt to the City. Written correspondence of such action from the City to said occupant or owner may be provided via first class mail in lieu of notice required by Chapter 1.11 of City Code.

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk