

ORDINANCE NO. 1477

CITY OF BURNSVILLE, MINNESOTA

AN ORDINANCE AMENDING TITLE 8, CHAPTER 1, AND AMENDING
TITLE 9, CHAPTER 1 TO CLARIFY TRAIL AND SIDEWALK
SNOW REMOVAL PROCEDURES AND CHARGES

THE CITY COUNCIL OF THE CITY OF BURNSVILLE, MINNESOTA, ORDAINS:

SECTION 1. Title 8 – Public Ways and Property, Chapter 1 – Removal of Snow from Sidewalks and Trails, is hereby amended in its entirety by adding the underlined language and deleting the ~~strikethrough~~ language as follows:

Chapter 1
REMOVAL OF SNOW FROM SIDEWALKS AND TRAILS

8-1-1: ACCUMULATION PROHIBITED:

8-1-2: SNOW REMOVAL FROM SIDEWALKS AND TRAILS: INTERFERING WITH REMOVAL:

8-1-3: SIDEWALKS AND TRAILS IDENTIFIED: SNOW REMOVAL FROM SIDEWALKS AND TRAILS:

8-1-4: COSTS CALCULATED AND IMPOSED: SIDEWALKS AND TRAILS IDENTIFIED:

8-1-5: CALCULATION OF CHARGES: COSTS CALCULATED AND IMPOSED:

8-1-6: PAYMENT OF CHARGES AND COLLECTIONS: CALCULATION OF CHARGES:

8-1-7: PROCEEDS PLACED IN GENERAL FUND: PAYMENT OF CHARGES AND COLLECTIONS:

8-1-8: FUND ESTABLISHED:

8-1-1: ACCUMULATION PROHIBITED:

No owner or occupant of any building in front of which, or adjacent to where a sidewalk has been constructed for the use of the public shall allow any accumulation of snow to remain upon said sidewalk longer than twelve (12) hours after said snow has ceased to be deposited thereon. The city shall generally complete this snow removal as described in section 8-1-2.

8-1-2: INTERFERING WITH REMOVAL:

~~No person shall park any vehicle upon any avenue or street or any area in the city in such a manner as to interfere with snow removal or street maintenance of the said streets and highways.~~

~~If an owner or operator permits his vehicle to be parked in violation of this section, the police department is hereby authorized to remove or cause this vehicle to be removed and upon conviction, a fine shall be levied upon the owner or operator of such vehicle together with actual towing costs and storage costs, which costs shall be determined by actual costs involved.~~

8-1-23: SNOW REMOVAL FROM SIDEWALKS AND TRAILS:

Pursuant to Minnesota statutes section 429.101, the city hereby establishes a sidewalk and trail snow removal program. ~~For sidewalks adjacent to private properties, the city and authorizes the imposition of~~ charges for snow removal services ~~to be imposed~~ against said abutting properties. ~~For sidewalks adjacent to city owned properties and all regional trails, the city authorizes the imposition of charges for snow removal services to will be imposed against all properties in the city otherwise required~~ This program is created to clear snow accumulations described in by section 8-1-1 of this chapter.

8-1-34: SIDEWALKS AND TRAILS IDENTIFIED:

Sidewalks and trails subject to this program shall be designated by the city council. This program is only for sidewalks and trails adjacent to streets and not for other sidewalks and trails such as those in parks or city facilities. Snow removal from said other sidewalks and trails are completed with other city programs.

8-1-45: COSTS CALCULATED AND IMPOSED:

The cost of clearing snow from the identified sidewalks and trails shall be determined and charged to the properties abutting those sidewalks and trails. Rates charged ~~to abutting properties~~ shall be set by the fee schedule annually approved by the city council.

8-1-56: CALCULATION OF CHARGES:

The city council shall, by resolution, policy or ordinance, from time to time establish rates and charges for the snow removal program and shall determine a schedule of rates to be charged ~~to abutting properties~~. Rates charged ~~to abutting properties~~ shall be based on actual costs including administrative costs from the preceding year, estimates or contract terms for the current year, or other factors as determined by the city council.

For properties that abut a sidewalk, rResidential properties zoned R-1 or R-2 shall be charged based on a per unit basis. All other property classifications shall be charged based on linear feet abutting the sidewalk or trail.

For the regional trail and sidewalks adjacent to city properties, all properties in the city shall be charged based upon a per unit basis.

8-1-67: PAYMENT OF CHARGES AND COLLECTIONS:

All fees established by the city council are charges against the property and its respective owners, lessees, or occupants. These fees will be collected via the property's monthly utility bill and are due on the due date specified by the city for the respective account, and shall be delinquent thirty (30) days thereafter.

Unpaid charges shall be specially assessed against the benefited property pursuant to Minnesota statutes section 429.101. To each account, there shall be added an administrative charge for the preparation of certification of delinquent accounts in the amount provided for by council resolution.

8-1-78: FUND ESTABLISHED PROCEEDS PLACED IN GENERAL FUND:

~~There is hereby created a sidewalk and trail snow removal fund, into which a~~All charges or assessments shall be placed in the City's General Fund and. ~~Such monies~~ shall be used to pay the costs of snow removal from street sidewalks and trails and other sidewalk and trail general maintenance such as brush clearing and patching. ~~abutting those properties being charged or assessed.~~

SECTION 2. Title 9 – Traffic Regulations, Chapter 1 – Traffic, Section 9-1-6 – Removal of Vehicles, is hereby amended by adding the underlined language as follows:

9-1-6: REMOVAL OF VEHICLES:

Whenever any police officer finds that a motor vehicle or trailer has been parked or stopped in violation of any regulation contained herein, such officer is hereby authorized to move such vehicle or trailer, provide for the removal of such vehicle or trailer and the impounding of the same, or require the driver or other person in charge of the vehicle or trailer to move the same. Any such removal and/or impounding shall be at the expense of the owner.

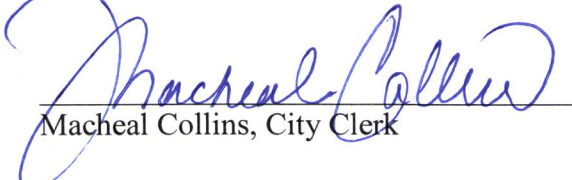
No person shall park any vehicle upon any avenue or street or any area in the city in such a manner as to interfere with snow removal or street maintenance of the said streets and highways.

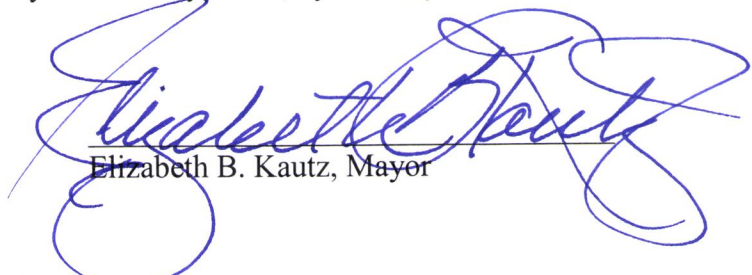
If an owner or operator permits his vehicle to be parked in violation of this section, the police department is hereby authorized to remove or cause this vehicle to be removed and upon conviction, a fine shall be levied upon the owner or operator of such vehicle together with actual towing costs and storage costs, which costs shall be determined by actual costs involved.

SECTION 3. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND DULY ADOPTED this 19th day of February, 2019, by the City Council of the City of Burnsville, Minnesota.

ATTEST:


Macheal Collins, City Clerk


Elizabeth B. Kautz, Mayor