

ORDINANCE 2019-01

AN ORDINANCE AMENDING TITLE IX, "GENERAL REGULATIONS", CHAPTER 90, "STREETS AND SIDEWALKS", TO ADD SIDEWALK MAINTENANCE ORDINANCE TO THE CODE OF PECATONICA

WHEREAS, the Village Code regulates the construction, repair and maintenance of sidewalks within the village through Chapter 90, "Streets and Sidewalks" of the Code of Pecatonica; and

WHEREAS, Section 5/11-80-3 of the Illinois Municipal Code (65 ILCS 5/11-80-3) gives municipalities the authority to regulate "the use, construction, repair of sidewalks . . . and may require the owner or occupant of any premises to keep the sidewalks abutting the premises free from snow and other obstructions"; and

WHEREAS, the corporate authorities have determined that it is in the best interests of public safety to require the owners or occupants of any premises to keep the sidewalks abutting the premises free from snow and ice accumulation as provided herein.

BE IT ORDAINED by the Village President and Board of Trustees of the Village of Pecatonica, Illinois:

Section 1: Chapter 90, "Streets and Sidewalks", is hereby amended to add Section 90.05, "Ice and Snow removal", which shall read as follows:

90.05 Snow and Ice Removal

(A) The owner or occupant of each lot or part of lot, improved or unimproved, to which the general public is invited, shall remove all snow and ice which may have fallen or accumulated upon the sidewalk in front of the premises which he or she owns or occupies not later than 12:00 noon of the day after the same has ceased to fall or accumulate. Provided that when ice has so formed upon any sidewalk that it cannot be removed, then the owner or occupant shall keep the same effectively sprinkled with sand, "suitable salt", as defined herein, or other suitable substance in such a manner as to prevent the ice from being dangerous, until such time as it can be removed, and then it shall be promptly removed.

(B) "Suitable salt" is that salt expressly identified as "concrete safe" and any other salt not expressly identified as concrete safe is strictly prohibited for use on any sidewalk in the village. Rock salt is strictly prohibited for use on any sidewalk in the village.

(C) Any person violating this section shall be subject to a fine of \$100.00 for the first violation in a 12 month period, \$200.00 for a second violation in a 12 month period, and \$300.00 for a third or subsequent violation in a 12 month period. Each day on which a violation continues shall constitute a separate violation.

Section 2: This ordinance shall be effective from and after its passage, approval, and publication as provided by law. This ordinance shall be published in pamphlet form.

PASSED at second reading by the Village Board of Trustees this 7th day of March, 2019.

APPROVED by the Village President this ____ day of March, 2019.

PASSED UPON MOTION MADE BY: _____

MOTION SECONDED BY: _____

AYES: _____

NAYS: _____

ABSTAIN, ABSENT, OTHER:

By: _____
WILLIAM SMULL, Village President
Village of Pecatonica, Illinois

ATTEST:

GWENN SHIRLEY, Village Clerk
Village of Pecatonica, Illinois