

ORDINANCE NO. 2012-01-02

AN ORDINANCE AMENDING ORDINANCE 4-2-7, REGARDING SNOW AND ICE REMOVAL IN THE VILLAGE OF ALMA CENTER, JACKSON COUNTY, WISCONSIN.

THE VILLAGE OF ALMA CENTER, JACKSON COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.**

(a) **OWNER'S RESPONSIBILITY.** The owner, occupant or person in charge of each and every building or structure or unoccupied lot in the Village of Alma Center fronting or abutting any street shall clean or cause to be cleaned the sidewalk in front of or adjoining each such home, building or unoccupied lot, as the case may be of snow or ice to the width of such sidewalk within twenty-four (24) hours after the snow has ceased to fall and shall cause the same to be kept clear from ice and snow, provided that when the ice has formed on any sidewalk so that it cannot be immediately removed, the persons herein referred to shall keep the same sprinkled with salt or sand.

(b) **VILLAGES OPTION TO CLEAR SIDEWALKS.** In any case where the owner, occupant or person in charge of any building or structure or unoccupied lot shall fail to clear their respective sidewalks of snow and ice as set forth above, then and in that event, the Village may elect to clear said sidewalks as follows:

(1) Written notice shall be personally served, delivered or mailed informing said person of his or her failure to clear said sidewalk, the Village's intention to clear the same, and the potential costs thereof, no less than twelve (12) hours prior to the Village's clearing said sidewalk.

(2) The Village shall clear or cause to be cleared all snow and ice from the subject's sidewalk, and shall charge the expenses of so doing at a rate as established by resolution by the Village Board. The charges shall be set forth in a statement to the Clerk-Treasurer who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within thirty (30) days thereafter, the statement shall be reported to the Clerk Treasurer, who shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate, or as provided under Chapter 66 of the Wisconsin Statutes.

(c) **DEPOSIT OF SNOW ON STREETS OR SIDEWALKS.** No person shall deposit or cause to be deposited any snow or ice taken and removed from their premises or elsewhere upon any sidewalk, alley, parkway, public place or street in the Village, EXCEPT, that the removal of snow from a sidewalk and/or boulevard area adjacent to said sidewalk, that is in front of or abutting their premises, as is required to be removed by Subsection (1)(a), may be deposited upon the alley or street, however, no snow or

ice from any other portion of the property shall be placed upon any sidewalk, alley, parkway, public place or street in the Village. Snow shall not be piled at or near intersections so as to obstruct the view of pedestrians or operators of motor vehicles.

(d) PENALTY. As an alternative to the remedy provided in subsection (b) above, or in addition thereto, the Village may impose a penalty for violation of any provision of this Section, providing that the person who violates any of the provisions of this Section shall forfeit and pay to the Village a forfeiture of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), together with the costs of prosecution for each offense. A separate offense shall be deemed to be committed during each day (24 hours) or part thereof during which a violation occurs or continues.

**Section 2.**

(a) SEVERABILITY. If any section, subsection, sentence, clause, or phrase of the ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Village of Alma Center hereby declares that it would have passed this ordinance and section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clauses, and phrases be declared unconstitutional.

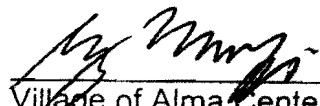
**Section 3.**

(a) CONFLICTING ORDINANCES. Ordinances or parts of ordinances in conflict with the above ordinances are hereby repealed.

**Section 4.**

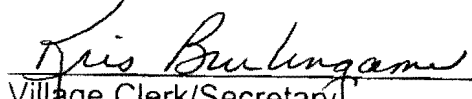
(a) EFFECTIVE DATE. This ordinance shall take effect and be enforced upon passage and publication as provided by law.

Adopted at REGULAR BOARD meeting of the Village of Alma Center of Jackson County, Wisconsin, this 9<sup>th</sup> day of JANUARY, 2012

  
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Village of Alma Center President,  
Greg Mandigo

SEAL

ATTESTED:

  
\_\_\_\_\_  
Village Clerk/Secretary  
Kris Burlingame