

Sidewalk Snow/Ice Removal Process

This document clarifies the enforcement process of the city’s sidewalk snow and ice removal ordinance.

Complaints:

Regarding snow not removed on sidewalks within the rights-of-way (Ordinance 7-8-1)

- Complaint driven process.
- Complaints will be directed to Greta Dige, Code Enforcement. Complaints will be taken by phone, email, mail, or in person.
- Once a complaint is documented, the property ownership and sidewalk measurements will be confirmed using GIS.
- Complaint has been verified that the sidewalk is within the right-of-way and is regulated by the ordinance... Begin inspection process. Code Enforcement will respond to complaint initiator if sidewalk is not regulated by ordinance.

Inspections:

Inspections will take place Monday through Friday during business hours. Inspections begin when:

- It has stopped snowing in the B2-B3 zones by 9 am/12 pm or 4 hours after. Remaining zones will not be inspected until 24 hours after snow has stopped.
- In the situation that several snow storms have occurred throughout town, the inspection time period will be triggered by whenever the last storm stopped.

Violation Determination: On-Site observation; photos will be taken.

Compliant Sidewalk	Non-Compliant Sidewalk (Violation)
<ul style="list-style-type: none"> • All portions of sidewalks are shoveled including ADA ramps, corners, bulb outs, and driveway and alleys aprons used for pedestrian travel. • Cleared within: Commercial Districts (B2-B3 zoning districts) 9 am of the next business day (M-F), 12:00 pm of the next non-business day (S-S), or within 4 hour business hours after snow/ice has been deposited, whichever is shorter. All other areas must remove snow/ice within 24 hours once snow has stopped or other cause of the accumulation. • Adequate and effective amounts of sand/ice melt on the sidewalk for ice. • Less than an inch of snow on the sidewalk • Check the sidewalks for ice, drifts, or additional snow as weather changes. • Difficulty clearing the whole sidewalk, clear a path at least 36 inches wide. 	<ul style="list-style-type: none"> • Unclear sidewalks including ADA ramps, corners, bulb outs, and driveway and alleys aprons used for pedestrian travel. • Not cleared within: Commercial Districts (B2-B3 zoning districts) 9 am of the next business day (M-F), 12:00 pm of the next non-business day (S-S), or within 4 hour business hours after snow/ice has been deposited, whichever is shorter. All other areas must remove snow/ice within 24 hours once snow has stopped or other cause of the accumulation. • No or ineffective amounts of sand/ice melt on the sidewalk for ice. • More than an inch of snow on the sidewalk. • Ice, drifts, or new snow on sidewalk. • No clear path of at least 36 inches wide on the sidewalk.

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Action for Compliance:

Once a violation has been determined, city staff and/or contractors will be given addresses along with sidewalk square footage.

- Removal
 - Before and after photos of sidewalk conditions will be taken. Photos will include date stamps and/or data within photo.
 - Sidewalks must be cleared from edge to edge including ADA ramps, corners, bulb outs, across driveway and alley aprons used for pedestrian travel.
 - If snow cannot be piled on site it must be removed.

Billing:

Once staff or contractor provides photo documentation to code enforcement, notification will be sent to adjacent property owners.

- Notifications include a letter and an invoice
- Invoice Charges
 - .18 cents per square foot of sidewalk; and
 - civil penalty of \$50 or 30% which ever is greater

- Payment

Payment must be received within 30 days of the date of written notification

Failure to pay, the city can:

- Enforce through collections; or
- Levy an assessment on the fronting or abutting property or both.
Assessments will be taken annually to be adopted by city commission.
There will be a charge of simple interest from the date the work was performed until it is collected.

Appeals Process:

Appeals must be submitted within 15 days from the date of notification using the Sidewalk Snow/Ice Removal Appeal Form. A copy of this form can be found on the city of Helena website at www.helenamt.gov/parks/dcenter.html in **Forms** or by calling 406-447-8458.

Completed forms must be submitted to Code Enforcement, 316 North Park Avenue Room 405, Helena MT 59623 for processing. Once received, the appeal will be sent to the city manager's office for further action.