

AN ORDINANCE REPEALING SECTION 136.03 OF THE ELLSWORTH CITY CODE OF ORDINANCES AND ADOPTING A NEW SECTION 136.03 WHICH AMENDS THE PROVISIONS OF THE REPEALED SECTION BY PROVIDING FOR GENERAL REQUIREMENTS REGARDING THE REMOVAL OF SNOW, ICE, AND ACCULATIONS

BE IT ENACTED by the City Council of the City of Ellsworth, Iowa:

SECTION 1. Section Repealed. Section 136.03 of the Ellsworth Code of Ordinances is hereby repealed and the following new Section 136.03 is adopted:

I. 136.03 REMOVAL OF SNOW, ICE, AND ACCUMULATIONS.

- A. The abutting property owner shall remove snow, ice, and accumulations promptly from sidewalks.
- B. If a property owner does not remove snow, ice, or accumulations within 24 hours of the snow, ice, or accumulations being on the property, then the City may do so and the property owner shall be charged \$100.00 per man hour for such removal.
- C. All removal by the City or its agents to remove shall be charged a surcharge as follows:
 - a. \$100.00 for first removal within a twelve (12) month period;
 - b. \$200.00 for second removal within a twelve (12) month period;
 - c. \$300.00 for third removal within a twelve (12) month period;
 - d. \$400.00 for fourth removal within a twelve (12) month period;
 - e. \$500.00 for fifth removal within a twelve (12) month period.
- D. Any property owners who fail to remove snow, ice or accumulations from their properties, thus allowing the same to be removed by the City or their agents, and who do not provide payment for the removal as required will be assessed by the City for such costs, which will be collected in the same manner as general property taxes.
- E. The abutting property owner may be liable for damages caused by failure to remove, snow, ice, and accumulations promptly from the sidewalk.

SECTION 2. Severability. If any section, provision or part of this ordinance shall be adjudged invalid, preempted, or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid, preempted or unconstitutional.

SECTION 3. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council on this _____ day of _____, 2021.

Gregory S. Campbell, Mayor

ATTEST:

Amy L. Zeman, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2021.

Amy L. Zeman, City Clerk