

## ORDINANCE NO. 2024-05

Whereas, the Plan Commission has reviewed Chapter 160 of the Code of the Town of St. Joseph regarding Snow and Ice Removal; and

Whereas, the Plan Commission met on March 6, 2024, and has determined that Chapter 160 needs updating and has recommended that the Town Board adopt revisions to Chapter 160 as set forth below;

Whereas, on March 14, 2024, the Town Board held a properly noticed (Class 2) public hearing on the proposed Town Snow and Ice Removal Ordinance No. 2024-05;

NOW THEREFORE, the Town Board, having reviewed the proposed Snow and Ice Ordinance recommended by the Plan Commission, hereby adopts Ordinance No. 2024-05 as the Town of St. Joseph Snow and Ice Removal Ordinance.

Passed and adopted by the Town Board of the Town of St. Joseph this 14<sup>th</sup> day of March, 2024.

  
\_\_\_\_\_  
Theresa Johnson, Town Chair

Attest:

  
\_\_\_\_\_  
Teri Kelly, Town Clerk/Treasurer



# Chapter 160

## Snow and Ice Removal

[**HISTORY:** Adopted by the Town Board of the Town of St. Joseph 2-8-1979. Amendments noted where applicable.]

### § 160-1 Deposit of snow and ice on streets.

- A. No person, firm or corporation shall deposit or cause to be deposited on the streets of the town snow or ice which impedes traffic or requires further plowing.
- B. Snow removal activities may occur any time of the day or night.
- C. Any person, firm or corporation who or which deposits or causes to be deposited on the streets of the town snow or ice which impedes traffic or requires further plowing shall be subject to the penalty provided in § 160-2 hereof and for the cost of such further plowing.

### § 160-2 Violations and penalties.

Any person, firm or corporation who or which shall violate any of the provisions of this chapter shall, upon conviction thereof, be punished as follows: by a forfeiture of not more than \$100 and the costs of prosecution and, in default of the payment of the forfeiture and costs of prosecution, by imprisonment in the county jail until said forfeiture and costs are paid, but not to exceed 30 days.

(a) *Enforcement.* All designated Town officials and employees are hereby authorized and directed to enforce the provisions of this Section.

(b) *Continued Violations.* Each twenty-four (24) hour period where a violation occurs shall constitute a separate offense under this Section for enforcement purposes. Repeated violations or subsequent additional accumulations of snow and/or ice shall not nullify any pending notice issued under this Section.

(c) *Abatement After Notice.* Failure of the owner, occupant or person in charge of any parcel or lot to cause the removal of snow and/or ice within 24 hours shall result in a citation being issued to violators and/or the Town causing the removal of said snow and/or ice and billing the cost thereof pursuant to Subsection (d) below.

(d) *Expense.* An account of the expenses incurred by the Town to abate the snow and/or ice hazard shall be kept and such expenses shall be charged to and paid by the parcel or lot owner. Said expenses shall be not less than One Hundred Dollars (\$100.00) nor more than the actual cost of wages and material required to remove said snow or ice, whichever is greater. Notice of the bill for the removal of snow and/or ice shall be mailed to the last-known address of the owner of the parcel or lot and shall be payable within thirty (30) calendar days from the receipt thereof.

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