

**ORDINANCE NO. 13  
SERIES 2000**

**AN ORDINANCE AMENDING SECTION 9-3-11 OF THE CITY CODE OF THE CITY OF GUNNISON REGARDING THE CLEANING OF, AND SNOW AND ICE REMOVAL FROM, PUBLIC SIDEWALKS, REPEALING SECTION 9-3-12 REGARDING PENALTIES; AND ADDING SECTION 9-5-5 TO THE CITY CODE OF THE CITY OF GUNNISON REGARDING SNOW REMOVAL FROM PUBLIC SIDEWALKS.**

**WHEREAS**, the prompt removal of accumulations of snow and ice from the public sidewalks within the City of Gunnison serves the public health, safety, and welfare of the citizens of the City of Gunnison by making the public sidewalks safer for pedestrian traffic; and

**WHEREAS**, the City Council of the City of Gunnison has determined that the duty to remove snow and ice from the public sidewalks will most reasonably and efficiently be accomplished by the owners or occupants of the adjoining property.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:**

Section 1. Chapter 9, Article 3, Section 11, City Code of the City of Gunnison, Colorado, is hereby repealed and re-enacted to read as follows:

**9-3-11            Cleaning Sidewalks; Removal of Snow and Ice.**

A. Generally. The owner, occupant, or agent of the owner of any building, property, or vacant lot in the City is required to maintain the sidewalks, parking area, and curbs, (the area from the property line to the gutter), adjoining the building, property, or vacant lot in a clean condition and to remove snow and ice from adjoining sidewalks within a reasonable time after every snowfall in order to give safe passage to pedestrians.

The obligation to remove snow and ice from the adjoining sidewalk, imposed by this section, shall not extend to the removal of snow and ice deposited upon a sidewalk laying parallel to the curb of the adjacent roadway, as a result of snow removal from the adjacent roadways by the City of Gunnison. The owner, occupant, or agent of the owner of any building or property, or vacant lot, is required to remove snow deposited upon a sidewalk or driveway or parking area by snow removal operations of the City of Gunnison that are perpendicular to the curb of the adjacent roadway.

B. Nuisance Declared. Any violation of this section, which continues after the giving of 24 hours written notice, is declared to be a public nuisance which may be the subject of an emergency abatement pursuant to Section 5-3-4 (f) of the City Code of the City of Gunnison. For purposes of this section written notice will be deemed sufficient when personally delivered to the owner, occupant or agent of the owner. If the owner, occupant, or agent of the owner is not physically present upon the property when delivery is made, it shall be sufficient to post such written notice in a conspicuous place upon the property.

Section 2. Chapter 9, Public Ways and Property, Article 3, Sidewalks, Curbs, and Gutters, Section 12, entitled "Violation", of the City Code of the City of Gunnison is hereby repealed.

Section 3. Chapter 9, Public Ways and Property, Article 5, Snow Removal, of the City Code of the City of Gunnison, is hereby amended by the addition of the following Section 9-5-5, to read as follows:

**9-5-5. Snow Removal from Public Sidewalks.** The requirements for snow removal from public sidewalks are as set forth in Section 9-3-11 of the City Code of the City of Gunnison.

**INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED** this 26<sup>th</sup> day of September, 2000, on first reading, and introduced, read, and adopted on second and final reading this 10th day of October, 2000.

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Mayor

ATTEST:

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City Clerk