

**ORDINANCE NO. 517**

AN ORDINANCE AMENDING CHAPTER 161, OF THE CITY OF BRECKENRIDGE CODE PERTAINING TO THE STREETS AND SIDEWALKS WITHIN THE CITY.

THE COUNCIL OF THE CITY OF BRECKENRIDGE, MINNESOTA DOES ORDAIN:

That the following amendments be made to Chapter 161, Streets and Sidewalks:

ARTICLE I  
Snow and Weeds

**§161-2 Removal of snow and ice.**

All snow and ice remaining on the public sidewalk more than 36 hours after its deposit thereon is a public nuisance. The owner and occupant of any property adjacent to a public sidewalk shall use due diligence to keep such walks safe for pedestrians. No such owner or occupant shall allow snow or ice to remain on the walk longer than 36 hours after its deposit thereon.

**§161-4 Notice of violation of snow and ice removal provisions; failure to comply; assessment of costs.**

**A.** In the event that any person fails to remove snow or ice from the sidewalks within the required time, the Codes Administrator or other designated representative of the City shall mail or deliver a written notice to the owner or occupant of the abutting property ordering removal of such snow or ice within 12 hours.

**B.** If such snow or ice is not removed within such time, the Codes Administrator or other designated representative of the City shall cause such snow and ice to be removed. A record showing the cost of such removal adjacent to each separate lot and parcel shall then be delivered to the City Administrator or his/her designee. The City Administrator or his/her designee shall then bill the property owner or occupant for the cost of such removal.

**C.** The cost of such removal shall constitute a perpetual lien against the abutting property and, if not promptly paid, shall be levied as a special assessment.

D. Notwithstanding anything in this article to the contrary, when it is not possible to notify the owner or occupant or in cases where an owner or occupant has ignored a previous notice, no notice need be given.

ARTICLE III  
Sidewalks

**§ 161-14 Existing/New sidewalks.**

A. The City Council may order the reconstruction, repair, or alteration of existing sidewalks and assess the benefitting properties in accordance with §161-16 of this code.

B. The City Council may, as it sees fit, order the construction of new sidewalks at locations where no sidewalks have been constructed.

**§ 161-16 Assessment of cost against benefited property.**

City Council shall make sidewalk improvements and levy an assessment against benefited property for the cost equal to 50% of such improvements in accordance with the provisions of Chapter 429 of the laws of the State of Minnesota, including the provisions for emergency repair in cases of a seriously defective condition constituting a grave hazard to public safety.

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RUSSELL WILSON, Mayor

ATTEST:

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RENAE SMITH, City Administrator

First Reading:	<u>June 21, 2021</u>
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