

5. Examples of Snow Clearance Ordinances in the Boston Region

Arlington

Section 24. Snow Removal - Residences

The owner or occupant of any residentially zoned land abutting a paved sidewalk in the Town shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within eight hours between sunrise and sunset after such snow and ice have come upon the sidewalk. Only so much of said sidewalk that shall afford a space wide enough to accommodate the passage of two pedestrians shall be required. Violations of this section shall be punishable by a fine of \$25 (ART. 19, A.T.M. 4/28/2004) per day that the snow and ice are not so removed.

ART. 45, A.T.M. 5/12/97

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized; the Board is also authorized to exempt citizens upon petition showing demonstrable extreme hardship due to a combination of health and financial duress.

Section 25. Snow Removal - Apartments / Condominiums

The owner of any residential property utilized for apartment house or multi unit condominium use that abuts a paved sidewalk in the Town shall cause all snow and ice to be removed from the entire width of such sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice have come upon such sidewalk. Violations of this section shall be punishable by a fine of \$50 (ART. 20, A.T.M. 4/28/2004) for each day the snow and ice are not so removed.

ART. 45, A.T.M. 5/12/97

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized.

Section 26. Snow Removal - Businesses

ART. 11, S.T.M. 1/25/88

The owner or occupant of any land abutting upon a sidewalk of a public way in this Town, which said property is used for business purposes other than farm business, shall cause all snow and ice to be removed from such sidewalk. Such snow and ice shall be so removed by plowing, shoveling,

scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk. Violation of this section shall be punishable by a fine of \$50 (ART. 19, A.T.M. 4/28/2004) per day that the snow and ice are not so removed.

ART. 45, A.T.M. 5/12/97

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized.

Boston

16-12.16 Snow, Slush, and Ice on Sidewalks

(a) *Requirements for snow and/or slush.* No owner, manager, or tenant of a (i) commercial building, estate, or land abutting on a sidewalk, (ii) mixed-use building, estate, or land abutting on a sidewalk, or (iii) residential building, estate, or land abutting on a sidewalk, containing more than six (6) residential dwelling units shall place or suffer to remain in place for more than three (3) hours between sunrise and sunset any slush or any loose, granular, or packed snow upon such sidewalk. Removal of any slush or snow should be conducted along the full paved width of such sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic upon such sidewalks. Removal of any slush or snow shall be conducted in a manner that clears the full paved path or a minimum of forty-two (42) inches wide. Each day that a violation exists shall be considered a separate and distinct violation.

No owner, manager, or tenant of a residential building, estate, or land abutting on a sidewalk containing six (6) or fewer residential dwelling units shall place or suffer to remain in place for more than six (6) hours between sunrise and sunset any slush or any loose, granular, or packed snow upon such sidewalk. Removal of any slush or snow should be conducted along the full paved width of such sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic upon such sidewalks. Removal of any slush or snow shall be conducted in a manner that clears the full paved path or a minimum of forty-two (42) inches wide. Each day that a violation exists shall be considered a separate and distinct violation.

(b) *Requirements for ice.* No owner, manager, or tenant of a (i) commercial building, estate, or land abutting on a sidewalk, (ii) mixed-use building, estate, or land abutting on a sidewalk, or (iii) residential building, estate, or land abutting on a sidewalk containing more than six (6) residential dwelling units shall place or suffer to remain in place for more than three (3) hours between sunrise and sunset any ice upon such sidewalk. Removal of any ice shall be in a manner consistent with the requirements of the preceding sub-section, except that any such owner, manager, or tenant shall be deemed to be in compliance with this paragraph if such ice is made level and completely covered with sand, sawdust, or other appropriate material to prevent slipping. Each day that a violation exists shall be considered a separate and distinct violation.

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No owner, manager, or tenant of a residential building, estate, or land abutting on a sidewalk containing six (6) or fewer residential dwelling units shall place or suffer to remain in place for more than six (6) hours between sunrise and sunset any ice upon such sidewalk. Removal of any ice shall be in a manner consistent with the requirements of the preceding sub-section, except that any such owner, manager, or tenant shall be deemed to be in compliance with this paragraph if such ice is made level and completely covered with sand, sawdust, or other appropriate material to prevent slipping. Each day that a violation exists shall be considered a separate and distinct violation.

(c) No person shall remove slush, snow, or ice from privately-owned real property and place it upon any sidewalk or street.

(d) Enforcement/Penalties.

(i) Any violation of subsection (a) or subsection (b) occurring at a sidewalk abutting land zoned solely for residential use and that has six (6) or fewer residential units shall result in a fine of fifty dollars and no cents (\$50.00) for each such violation.

(ii) Any violation of subsection (a) or subsection (b) occurring at a sidewalk abutting land zoned solely for residential use and that has more than six (6) residential units or at a sidewalk abutting vacant land shall result in a fine of one hundred dollars and no cents (\$100.00) for each such violation.

(iv) Any violation of subsection (a) or subsection (b) occurring at a sidewalk abutting any vacant land or land zoned for any use other than solely residential (commercial or mixed-use buildings) shall result in a fine of one hundred fifty dollars and no cents (\$150.00) for each such violation.

(v) Any violation of subsection (c) shall result in a fine of two hundred fifty dollars and no cents (\$250.00).

Section 2.

CBC Chapter XVI is hereby amended by striking in its entirety Section 16.32.1(a).

Section 3.

CBC Chapter XVI is hereby amended by striking the sixteenth (16th) paragraph from Section 16-32.6 which paragraph reads "Subsection 16.12.16 Such amendment as is provided in subsection 16-32.1;"

Section 4.

The provisions of these sections shall be effective immediately upon passage. Filed in the Boston City Council: February 7, 2007

Brookline

Article 7.7 Removal of Snow and Ice from Sidewalks

Section 7.7.1 Business and Industrial Districts

In all Business and Industrial Districts, as defined and delineated in the Zoning By-law, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

Section 7.7.2 Multi-Family Dwellings

The owner, or his/her agent, of any building designed or occupied as a residence by more than four families or which contains more than four dwelling units, as defined in the Zoning By-law, shall cause all sidewalks of a street which are contiguous to the land upon which the building is situated to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

Section 7.7.3 General Requirement

Except as set forth in Subsections (a) and (b) above, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within thirty (30) hours of the cessation of each storm that results in the accumulation of snow and/or ice on such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and or melting agents as may be necessary for this purpose. The Commissioner of Public Works, or his/her designee, may grant a waiver from the terms of this Section 7.7.3 for good cause.

Section 7.7.4 No Ice and Snow to be Placed on Street

No person, unless authorized by the Commissioner of Public Works, shall place or cause to be placed ice or snow upon any street of the Town. Without limiting the generality of the foregoing, no person, unless authorized by the Commissioner of Public Works, shall place or cause to be placed ice or snow upon any sidewalk of the Town.

Section 7.7.5 Penalties

The violation of any provision of Sections 7.7.1 and 7.7.2 of this Article 7.7 shall be punishable by a fine not exceeding One Hundred (\$100.) Dollars for each offense. In any fiscal year, the first violation of any provision of ARTICLE 7.3 shall be noted with a Warning. The second and each subsequent violation, in any fiscal year, of said Article 7.3 shall be punishable by a fine not exceeding Twenty-Five (\$25.00) Dollars for each violation.

Section 7.7.6 Annual Report

The Board of Selectmen shall include in the Annual Report of the Town a summary of the Town's efforts and results during the past year in implementing Sections 7.7.1, 7.7.2, and 7.7.3, including, but not limited to, public education, enforcement and assistance to owners.

Cambridge

12.16.110 Sidewalks–Snow and Ice Removal

(a) *Removal of Snow from Sidewalks.* The owner or occupant of private property bordering on a street where there is a sidewalk or footway shall, within twelve hours after snow ceases to fall in the daytime and before one p.m. after a fall of snow during the night, cause all snow that may be on such sidewalk or footway to be removed therefrom. In the event of an unusually heavy snowfall, the time limit shall be extended at the discretion of the Commissioner of Public Works. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

(b) *Removal of Ice from Sidewalks.* The owner or occupant of private property bordering on a street where there is a sidewalk or footway any portion of which is encumbered by ice shall within six hours after the sidewalk or footway becomes encumbered with ice cause such sidewalk or footway to be made safe and convenient by removing the ice therefrom, or by keeping the same covered with sand or some other suitable substance.

(Prior code § 17-79)

Chelsea

Sec. 6-124 Snow and Ice Removal

(a) *Sidewalks and footways.* The owner, his agent or the person having charge of any building or lot of land bordering on any highway, street, land, court, square or public place within the city, where there is any footway or sidewalk duly established, shall cause all the snow to be removed from such footway or sidewalk in front of such premises within twenty-four (24) hours of the time it ceased to fall. Whenever any sidewalk or footway abutting on any building or lot of land shall be encumbered

with ice, the owner, agent or person having charge of such building or lot shall remove the ice therefrom, or so treat it that it shall be safe and convenient for travel.

(b) *Roofs.* The owner, his agent or the person having charge of any building adjoining any highway, street, lane, court, alley, square or public place with the city, where the roof of such building slopes towards such highway, street, lane, court, alley, square or public place, shall cause all the snow and ice to be removed from such roof within twenty-four (24) hours after the same has fallen or formed.

(c) *Failure to remove.* If any person, who is subject to the provisions of this ordinance, shall neglect or fail to comply with the provisions of this section, then the municipal inspectors, and/or the police officers of the city shall make reasonable attempts to notify such person(s) of his neglect or failure, and, if the person(s) does not comply forthwith, the snow and/or ice may be removed at the expense of such owner, and liened to the owner's tax bill, as a municipal charge in accordance with the provisions of chapter 40, section 58 of the General Laws.

Lynn

Section 1:00 Snow Removal

(a) No owner, manager or tenant of (i) commercial building, estate or land abutting on a sidewalk, mixed-use building, estate, or, land abutting on a sidewalk, or (iii) residential building, estate, or land abutting on a sidewalk containing more than six (6) residential units shall place or suffer to remain in place for more than three (3) hours between sunrise and sunset any slush, or loose, granular or packed snow upon such sidewalk. Removal of any slush and snow should be conducted along the full paved width of such sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic upon such sidewalk. Removal of any slush or snow shall be conducted in a manner that clears the full paved path or a minimum of forty-two inches wide, including removal of snow from all curb cuts, intersections, crosswalks, handicapped ramps and sidewalk locations. Each day that a violation exists shall be considered a separate offense.

(b) No owner, manager or tenant of a residential building, estate or land abutting a sidewalk containing six (6) or fewer residential units shall place or suffer to remain in place for more than ten (10) hours after sunrise or when snowfall ceases any slush, or loose, granular or packed snow upon such sidewalk. Removal of any slush and snow should be conducted along the full paved width of such sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic upon such sidewalk. Removal of any slush or snow shall be conducted in a manner that clears the full paved path or a minimum of forty-two inches wide, including removal of snow from all curb cuts, intersections, crosswalks, handicapped ramps and sidewalk locations. Each day that a violation exists shall be considered a separate offense.

(c) The provisions of subsections A and B of this section shall apply to snow and ice which slides or falls from any building, and to ice formed or accumulated upon any sidewalk, however formed or accumulated.

(d) The Parking Department, the Police Department, the Inspectional Services Department and Department of Public Works shall be the enforcing authority for all purposes of this Section. All persons violating any of the provisions of this section shall forfeit and pay a sum not exceeding fifty dollars (\$50.00).

Malden

Section 11.35 Removal of Snow and Ice from Sidewalks

(a) The owner, occupant or agent in charge of any land or building abutting a paved sidewalk in the City of Malden shall make said sidewalk safe and convenient for public use by removing any snow or ice accumulating thereon or by otherwise make the same safe by covering with sand or other suitable substance.

(b) Removal of hazardous conditions shall be made within the first twenty four hours after such snow or ice accumulates on said sidewalk. Sidewalks shall be cleared to provide a minimum passage of thirty six inches in width. A minimum passage of thirty six inches in width shall also be cleared to the street. Handicapped access ramps shall be cleared to the full extent of the width and length of the main slope and side slopes.

(c) This ordinance may be enforced in the manner provided in Massachusetts General Laws Chapter 40 Section 21D by regular enforcement officers and by Department of Public Works storm supervisory personnel. The penalty for violation of this ordinance shall include the cost of removal of said violation, as determined by the Director of Public Works, and a fine of up to \$300.00 for each violation.

Medford

Sec 74-114 Removal of Snow and Ice

(a) Whenever the sidewalk, or any part of a sidewalk adjoining any building, or lot of land on any street is encumbered with ice and snow, it shall be the duty of the owner, or of the tenant or occupant, and in case there should be no tenant or occupant of the whole of such building or lot of land, it shall be the duty of the person having care of the sidewalk, to cause such a sidewalk to be made safe and convenient for public use or travel by removing the ice and snow or by covering the area with sand or some other suitable substance. In case such a tenant, occupant, owner or other person shall neglect to do so for the space of six hours in the daytime, he shall forfeit and pay the sum of \$25.00 for the first offense and \$50 for each successive day that the sidewalk shall continue to be encumbered.

(b) Any person shall not throw or put, or cause to be thrown or put, any snow or ice into any street in

the city. The fine for a violation of this section shall be, for the first offense, \$50.00 and for the second and subsequent offenses, \$100.00.

Salem

Sec. 38-13 Removal of Snow from Sidewalks.

The owner of any building or lot of land bordering on any street, lane, court, square or public place within the city where there is a sidewalk shall cause all snow that may be on such sidewalk to be removed therefrom within six hours after the snow ceases to fall if it ceases to fall in the daytime and before 12:00 noon if it ceases to fall in the nighttime. If he neglects to do so, he shall be fined \$25.00 for each offense. The director of public services or his designees, all building inspectors, in addition to police officers, shall be enforcing persons for this section. This section shall apply to snow which falls from buildings as well as to that which falls from the clouds. (Code 1973, § 26-13; Ord. of 3-30-2000, § I; Ord. of 1-9-2003, § 1)

State law references: Authority of city relative to the removal of snow from sidewalks, M.G.L.A. c. 40, § 23(3), M.G.L.A. c. 85, § 5.

Sec. 38-14 Removal of Ice from Sidewalks.

Whenever any sidewalk or any part thereof adjoining any building or lot of land on any street, lane, court, square or public place is encumbered with ice, it shall be the duty of the owner to cause such sidewalk to be made safe and convenient by removing the ice therefrom or by making such ice even and keeping it covered with sand, ashes or some other suitable material to prevent slipping within six hours after the ice forms if in the daytime, and before 12:00 noon if it forms in the nighttime. If he neglects to do so, he shall be fined \$25.00 for each offense. All building inspectors, in addition to police officers, shall be enforcing persons for this section.

(Code 1973, § 26-14; Ord. of 3-30-2000, § II)

State law references: Authority of the city relative to the removal of ice from sidewalks, M.G.L.A. c. 40, § 21(3), M.G.L.A. c. 85, § 5.

Somerville

(a) No owner, tenant, or occupant of land or a building abutting upon a sidewalk within the limits of any public way in this city, and no agent of such owner having the charge of such land or building shall place or suffer to remain on such sidewalk for more than six hours between sunrise and sunset on any day, any snow or any ice, unless such ice is made even and covered with sand or other suitable material to prevent slipping. Compliance with this section shall be deemed satisfied if there is cleared on such sidewalk, or such sand or other suitable material is covered on such sidewalk, a minimum swath of 42 inches in width, where possible.

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(b) Whoever violates any of the provisions of subsection (a) of this section shall be fined in accordance with section 1-11.

(c) Upon neglect or violation of the duty imposed by the provisions of this section such duty may be performed by the superintendent of highways at the expense of the person liable to perform the same.

(d) The city treasurer with the approval of the mayor may in civil actions prosecute and adjust claims inuring to the city under the provisions of this section.

(Code 1963, § 12-10; Ord. No. 2008-03, 3-13-2008)

Removal of Snow & Ice (Sec. 12-8)

1st offense: \$25.00, 2nd offense: \$50.00, 3rd & subsequent offense: \$100.00

Winthrop

Chapter 110 Streets and Sidewalks

§ 110-4. Removal of snow and ice from sidewalks; penalty. [Amended 5-22-2003 ATM, Art. 15]

No owner or tenant of an estate abutting on a sidewalk shall place or suffer to remain for more than six hours between sunrise and sunset any snow upon such sidewalk or any ice upon such sidewalk unless such ice is made even and covered with sand, salt, ice melt or such other product so as to prevent slipping. Nor shall any person in the act of removing snow from a sidewalk, driveway or any other area, cause snow to be placed in the street or other public ways. For each offense under this section, the owner or tenant shall be liable for fines of \$25 for the first offense; \$50 for the second offense and \$100 for the third and each subsequent offense.