

## ORDINANCE NO. 1037

AN ORDINANCE AMENDING SECTION 8.20.190 REMOVAL OF SNOW AND ICE AND ADDING SECTION 10.92.080 SNOW EMERGENCY AND **NO PARKING SNOW** ROUTES

**WHEREAS**, the City Council finds and determines that the following changes, additions and clarifications need to be made in regard to the City of Douglas Municipal Code.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING:**

**Section 1.** Douglas Municipal Code 8.20.190 is hereby amended as follows:

**8.20.190: Removal of snow and ice.**

A. Sidewalks. Owners and/or occupants of property abutting a sidewalk shall, after a snowfall, remove snow, ice or slush from such sidewalks and maintain them free of the same. All persons or entities owning, occupying, or having control of certain premises, a building or an empty lot located within commercial zones in the City shall clear the sidewalks of snow, in front of or on the side of said premises, building or empty lot located adjacent to a public street after any snowfall accumulation by 5:00 am following the day. All persons owning, occupying, or having the control of premises, a residence, a building or empty lot located within all other zones in the City of Douglas shall cause such snowfall accumulation to be removed from sidewalks on the boundary of their premises, residence, building or empty lot within five (5) days. If any owner or occupant of the property fails to comply with this subsection, the city may, after a reasonable effort to contact the owner and/or occupant either in person or by telephone, have the snow ice or slush removed and charge the owner or occupant for the costs thereof, as provided in Section 8.20.070.

B. Except as provided for in subsection C below, it is unlawful for any person to remove snow from private property and place the same on a public right-of-way or sidewalk in such quantity, or in such a manner, as to cause a hazard to travel, without adequate arrangements for the immediate removal thereof. For the purposes of this ordinance, public right-of-way means the area on, below, or above a public roadway, highway, street, alley, bridge, sidewalk, or utility easement dedicated for compatible uses, but excepting therefrom any area between the sidewalk and the public roadway.

C. Persons owning or leasing property within the commercial zone for the City, as defined by the official City of Zoning Map, shall be allowed to push the snow, ice, and slush from their sidewalk into the public street subject to the following conditions.

1. The snow must be pushed into the street as provided for herein by 5:00 a.m. on the following day of a snow;
2. Snow may only be pushed into the streets from concrete or asphalt surfaces;

**Section 2.** Douglas Municipal Code 10.92.080 is created to read as follows:

**10.92.080 – ~~Snow Emergency~~ and **No Parking Snow** Routes**

A. Whenever the city manager or designee determines that due to snow, sleet, hail, freezing rain, or a forecast by the United States Weather Bureau of weather conditions that so warrant, he is authorized to declare a snow emergency **or declare a no parking snow route.**

B. The city manager or designee shall provide announcements to local radio stations and newspapers declaring a snow emergency **or a no parking snow route.** There shall be included in such announcements the time and date that parking prohibitions become effective pursuant to this section. When feasible, such announcements shall be disseminated to the local newspaper.

C. No vehicle may be parked or left standing on any designated **no parking** snow emergency route ~~during a snow emergency~~ **when declared.** This section does not apply to a fire department, law enforcement, utility department or public utility company, vehicle or an ambulance, responding to an emergency.

D. The city council may from time to time adopt and amend a snow and ice control plan, designating snow emergency routes, **designating no parking snow routes**, creating standards for declaration of a snow emergency,

designating the priorities for snow removal, and such other purposes as council shall determine. The snow and ice control plan is a public document which may be examined by any interested person at city hall upon request. On each street or portion of street upon which parking is otherwise permitted and which is designated a **no parking snow emergency** route, the city manager or designee shall cause to be posted, at reasonable intervals, traffic signs indicating that the street or portion of street has been designated as a **no parking snow emergency** route and that vehicles may be towed. The signs may use words, international symbols, or both. **The snow emergency and no parking snow routes are designated on the Official City of Douglas Snow Route map as adopted by Resolution.**

- E. Whenever any vehicle, except an emergency vehicle responding to an emergency, is found parked or standing, attended or unattended, upon a **no parking snow emergency** route during a **no parking snow emergency route declaration**, the city manager or designee shall have the vehicle towed from the **no parking snow emergency** route and stored, both at the owner's expense.
- F. Once declared, a snow emergency or **no parking snow route** exists until the city manager declares it terminated. Notice of termination of a snow emergency **or no parking snow route** shall be given by the same means as the announcement of the snow emergency **or no parking snow route**.
- G. All authority granted the city manager or designee in this section may be exercised by the manager or any person designated by the city manager or designee.
- H. The city council finds that notice of the location of snow emergency **and no parking snow routes** given by the snow and ice control plan and signs, and the declaration of snow emergencies **and no parking snow routes** given by announcement telephoned to local radio stations, are sufficient to notify all persons of the conduct prohibited by the ordinance codified in this section.

**PASSED AND APPROVED ON FIRST READING this 26<sup>th</sup> day of February, 2024.**

**PASSED AND APPROVED ON SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

**PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
Kim Pexton, Mayor

**Attest:**

\_\_\_\_\_  
Mary Nicol, City Clerk

*Published:* \_\_\_\_\_

**ATTESTATION**

I, Mary Nicol, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

\_\_\_\_\_  
Mary Nicol, City Clerk