



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of March 13, 2010

SUPPLEMENTAL REPORT

DATE: March 10, 2010

SUBJECT: Temporary Snow Removal Ordinance

DISCUSSION: The language contained in section (a) of the ordinance attached to the March 5, 2010, Board report on this subject erroneously contained a clause that should be stricken from the proposed ordinance. The attached—Attachment B—shows the proposed ordinance as presented by the County Board.

County Manager: BMD/GA

County Attorney: MCN SAM

27.

ATTACHMENT B

AN EMERGENCY ORDINANCE REQUIRING THE REMOVAL OF SNOW FROM PUBLIC SIDEWALKS, TO BECOME EFFECTIVE UPON ENACTMENT.

1. BE IT ORDAINED that the following Ordinance be in effect in Arlington County upon enactment:

Snow and ice removal.

- (a) It shall be the duty of the owner, occupant or other person in charge of any property listed below in subsection (b) which has a paved sidewalk or footway abutting such property to remove and clear away or cause to be removed and cleared away all snow in excess of two (2) inches upon said sidewalk within twenty-four (24) hours after the snow ceases to fall. ~~If snow ceases to fall before sunrise, removal of snow from the sidewalk by noon of the day the snow ceased to fall shall be deemed compliance with this subsection.~~ The same requirements shall exist with respect to ice on sidewalks or footways, except that when ice cannot be removed without injury to the sidewalk or footway, it shall be covered with sand, sawdust or some other substance which will render it safe for pedestrian travel. Snow removed from a sidewalk shall not be placed onto the street in a fashion that obstructs the street.
- (b) The following properties are covered by this section: all properties in following zoning districts: all "C" districts, all "RA" districts, R-C district, MU-VS district, and CP FBC district.
- (c) Snow and ice removal under this section shall be the duty of the property manager or other person in charge of commercial rental properties with over four (4) units and condominiums with over four (4) units.
- (d) Subsection A shall not apply to any persons above the age of sixty-five (65), or persons who are disabled or otherwise determined to be physically incapable of meeting the requirements of this section.
- (e) Any person violating this section shall be assessed a civil penalty of fifty dollars (\$50) for sidewalk less than 200 hundred linear feet in length; for sidewalk greater than 200 linear feet, one hundred dollars (\$100).
- (f) Notwithstanding the assessment of a penalty under subsection E, the County may remove any snow or ice which has not been removed pursuant to subsection (a), and recover abatement costs against the owner or other person in charge.

2. **BE IT FURTHER ORDAINED** that the County Board finds that an emergency exists in that the failure to immediately enact this Ordinance will adversely affect the public safety, welfare, and the transportation needs of County citizens.
3. **BE IT FURTHER ORDAINED** that this Ordinance not be enforced for more than sixty (60) days after it is enacted by the County Board, unless this Ordinance is reenacted in conformance with the applicable provisions of the Code of Virginia.