

**AN ORDINANCE**  
**of the City Council of the City of Berkley, Michigan**  
**Amending Chapter 106 – Streets, Sidewalks, and Other Public Places,**  
**Sec 106-221 and Sec 106-222 of the City of Berkley Code of Ordinances.**

**THE CITY OF BERKLEY ORDAINS:**

**SECTION 1:** Section 106-221 and 106-222 of Chapter 106 of the Berkley Code of Ordinances shall be amended, as follows:

**AN ORDINANCE TO AMEND SEC.106-221—CLEARING OF SIDEWALKS IN CERTAIN ZONING DISTRICTS**

DIVISION 3. - SNOW REMOVAL<sup>[2]</sup>

Sec. 106-221. - Clearing of sidewalks and alleyways in certain zoning districts.

The occupant, owner or person in charge of any occupied or unoccupied lot or premises or privately owned alleyway, adjoining any street and situated in either the following districts: ~~O-1 office building district, LB local business district, WB Woodward business district, District P-1 parking district,~~ all non-residential districts, R-M-H multiple high rise residential district ~~or M-1 industrial district,~~ as defined and set forth in chapter 138, and the zoning map as therein provided, shall clear, or cause to be cleared, all snow and ice from sidewalks abutting such lot or premises within 12 hours thereafter if such natural accumulation of snow or ice shall cease to accumulate during daylight hours and no later than 6:00 p.m. the following day if the accumulation of snow or ice shall cease during the nighttime. In no case shall snow or ice removed from any lot or premises be deposited on such adjoining or abutting sidewalks.

The occupant, owner or person in charge of any occupied or unoccupied privately owned alleyway, adjoining any street and situated in any residential district, as defined and set forth in chapter 138, and the zoning map as therein provided, shall clear, or cause to be cleared, all snow and ice abutting such lot or premises within 12 hours thereafter if such natural accumulation of snow or ice shall cease to accumulate during daylight hours and no later than 6:00 p.m. the following day if the accumulation of snow or ice shall cease during the nighttime. In no case shall snow or ice removed from any privately owned alleyway or premises be deposited on such adjoining or abutting sidewalks.

(Code 1981, § 26-96; Ord. No. 13-95, § 1, 3-6-1995)

**Cross reference—** Zoning, ch. 138.

Sec. 106-222. - Failure to clear. Any occupant, owner or person in charge who neglects or fails to clear snow or ice from sidewalks abutting or adjoining his lot or premises in accordance with section 106-221, or otherwise permits snow or ice to accumulate on such sidewalk or privately owned alleyway in any non-residential district, shall be deemed guilty of a violation of this division and, in addition, the city manager may cause the sidewalks to be cleared, using city forces or by contract with others, whenever such accumulation of snow exceeds two inches in depth, and to cause such sidewalk to be salted when, in his determination, sufficient ice exists to be hazardous to pedestrians, and the actual cost of such removal, or deicing, plus 15 percent for inspection and other related costs, shall become a debt to the city from the owner of the lot or premises and shall be collected as a single lot assessment pursuant to chapter 102.

(Code 1981, § 26-97; Ord. No. 14-95, § 1, 1-2-1995)

**SECTION 2:** Effective Date


This Ordinance shall become effective 30 days following the date of adoption.

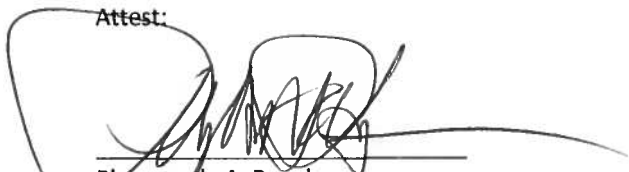
**SECTION 3:** Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkeley City Charter.

Introduced on the First Reading at the Regular City Council Meeting on Monday, September 17, 2018.

Adopted on the Second Reading at the Regular City Council Meeting on Monday, October 8, 2018.

  
Daniel J. Terbrack  
Mayor

Attest:  
  
Phommady A. Boucher  
City Clerk