

CHAPTER 10-4 SNOW & ICE REMOVAL

10-4-1 DUTY OF OWNER OR OCCUPANT

It shall be the duty of the owner or occupant or person in possession or in charge of any lot, parcel, or plot of ground fronting or abutting upon any sidewalk, to keep such sidewalk free and clear from snow and ice at all times. When it is impossible to take snow and ice from such walk by reason of its being frozen to the sidewalk, the owner or occupant or person in charge of such lot shall sprinkle or spread some suitable material upon the same to prevent the walk from becoming slippery and dangerous to pedestrian travel.

1926 RO. §132; 1960 RO. §8.0201; Authority: SDCL 9.30-5

10-4-2 CITY SHALL REMOVE

If the owner or person in possession or in charge of any of said lots, parcels, or plots of grounds, fails or refuses to remove the snow or ice from such sidewalk within twelve hours of the falling of said snow or the forming of said ice, the City shall remove or cause to be removed said snow or ice each time it is necessary and assess the cost thereof against the fronting or abutting property.

1960 ILK. §8.0202; Authority: SDCL 9-30-5

10-4-3 COST ASSESSED

The City Finance Officer shall cause an account to be kept against each lot for the destruction of noxious weeds upon said lot as herein provided and shall thereupon certify said account showing the amount, the description of the property, and the owner thereof to the City Council who shall add such assessment to the county or general assessment against said property and shall certify such special assessments together with the regular assessment to the County Auditor to be collected as municipal taxes for general purposes. Said assessment shall be subject to review and equalization the same as assessments or taxes for general purposes.

1960 RO. §8.0203; Authority: SDCL 9-30-5

10-4-4 RECOVERY BY CITY

In lieu of spreading the cost of such snow removal as a special assessment against said property in the discretion of the Council, said amount may be recovered in a civil action against the owner or occupant of said property.

1960 R.O. §8.0204; Authority: SDCL 9-30-5

10-4-5 PENALTY; CIVIL LIABILITY

Any person whose duty it shall be to remove snow as set forth in §10-4-1, and who fails to remove such snow within the time therein set forth, shall be guilty of a misdemeanor; and upon conviction thereof shall be fined not exceeding five hundred dollars (\$500.00) in addition to the other penalties prescribed in this chapter; and in addition thereto, shall be liable to the municipality for any damage caused by the neglect to keep such sidewalk clear and free of snow and ice as provided in this chapter.

1960 RO. §8.0205; Authority: SDCL 9-30-5