

§ 94.001 DRAINAGE OF WATER ONTO STREETS; SNOW OR ICE.

(A) *Drainage onto street prohibited.* It is hereby declared to be a public nuisance for any person, firm or corporation to cause, suffer or permit any artificial accumulation of rain, water or other form of surface waters to be drained or cast upon any street, sidewalk or alley in the city, which does thereby interfere with, obstruct or render dangerous for passage such street, sidewalk or alley, or which does thereby annoy, injure or endanger the safety, health, comfort or repose of any considerable number of people.

(1992 Code, § 610:00)

(B) *Deposit of snow or ice onto streets and alleyways prohibited.* Except for the actions of the City Engineer, his or her agents and employees and the city's public utilities in carrying out duties imposed by law or contract, it shall constitute a penal offense for any person to deposit snow or ice on any public street or alley.

(1992 Code, § 610:05)

Penalty, see § [94.999](#)

§ 94.005 SNOW, ICE, DIRT AND THE LIKE REMOVED FROM SIDEWALKS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CURRENT SERVICE. One or more of the following: snow, ice or rubbish removal from sidewalks; weed elimination from street, grass plots adjacent to sidewalks or from private property; repair of sidewalks.

(1992 Code, § 650:00)

(B) *Snow, ice, dirt and rubbish removal.*

(1) All snow, ice, dirt and rubbish remaining on a public sidewalk more than 24 hours after its deposit thereon is a public nuisance. The owner and the occupant of any property adjacent to a public sidewalk shall use due diligence to keep such walk safe for pedestrians. No such owner or occupant shall allow snow, ice, dirt or rubbish to remain on the walk longer than 24 hours after its deposit thereon.

(2) Any person violating this section may be issued an administrative citation as provided in Chapter 10, § [10.99](#)(B), and shall be subject to a civil penalty identified in the city's fee schedule as updated from time to time by City Council ordinance.

(3) The administrative civil penalty provided in this section is in addition to the cost recovery provision in § [94.005](#)(D).

(4) The City Engineer may cause to be removed from all public sidewalks all snow, ice, dirt and rubbish as soon as possible beginning 24 hours after any such matter has been deposited thereon or after the snow has ceased to fall. A record showing the cost of such removal adjacent to each separate lot and parcel shall be kept and delivered to the Clerk-Treasurer.

(1992 Code, § 650:05)

(C) *Repair of sidewalks.*

(1) The owner of any property within the corporate limits of the city abutting a public sidewalk shall keep the sidewalk in repair and safe for pedestrians. Repairs shall be made in accordance with standard specifications approved by the Council and on file in the office of the City Engineer.

(2) The City Engineer shall direct such inspections as are necessary to determine that public sidewalks are kept in repair and safe for pedestrians. If he or she finds that any sidewalk abutting on private property is unsafe and in need of repairs, he or she shall cause a notice to be served, by registered mail or by personal service, upon the record owner of the property and the occupant, if the owner does not reside within the corporate limits of the city or cannot be found therein, ordering such owner to have the sidewalk repaired and made safe within 30 days and stating that if the owner fails to do so, the city may do so, that the expense thereof must be paid by the owner, and that if unpaid it will be made a special assessment against the property concerned.

(3) If the sidewalk is not repaired within 30 days after receipt of the notice, the City Engineer shall order his or her agents or employees to repair the sidewalk and make it safe for pedestrians or order the work done by contract. (1992 Code, § 650:15)

(D) *Assessment.* The Council may then spread the charges against property benefited as a special assessment under Minn. Stat. § 429.101, as it may be amended from time to time, and other pertinent statutes.

(1992 Code, § 650:20)

(Ord. 1237, passed 8-1-2000; Ord. 1599, passed 12-17-2019) Penalty, see § [94.999](#)

§ 94.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § [10.99](#) of this code of ordinances.

(B) (1) Any person who shall commit or maintain such a public nuisance, as prohibited by § [94.001](#)(A) of this chapter, or who shall willfully omit or, on notice thereof, refuse to remove such nuisance, shall be guilty of a penal offense. Each and every day that such violation continues shall constitute a separate offense.

(2) Any person who shall violate § [94.001](#)(B) of this chapter shall be guilty of a penal offense. (1992 Code, § 610:10)

(C) Each and every violation of any of the terms or provisions of § [94.003](#) of this chapter shall be a penal offense. In addition to the foregoing, each and every person who causes any damage to be done to any paved street in the city contrary to the terms of § [94.003](#) of this chapter shall be liable in a civil action for the amount of such damage and the costs of the action, and reasonable attorney's fees to be fixed in amount by the court, such damages to be recovered in the name of the city.

(1992 Code, § 630:10)

(D) Any person who shall willfully violate § [94.040](#) of this chapter shall be guilty of a penal offense. Each and every day that such violation continues shall constitute a separate offense.

(1992 Code, § 600:30)

(Ord. 1440, passed 4-21-2009)