



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: December 2, 2022

TO: Mayor Jeffrey Caggiano
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **Department of Public Works – Sidewalk Snow & Ice Policy/Procedures**

In accordance with City Ordinance 21-23, property owners abutting a public roadway sidewalk are required to clear the sidewalk of snow and ice within 12 hours after a storm ending between the hours of 3:00 AM and 9:00 PM, and within 9 hours after a storm ending between 9:00 PM and 3:00 AM. For the purposes of the ordinance, end of storm is defined as the end of precipitation, or in the event that an emergency parking ban is established pursuant to Ordinance 14-39, end of storm shall be defined as the end of the emergency parking ban.

All complaints associated with property owners' failure to clear snow and ice from sidewalks are directed to the Bristol Police Department to investigate. Once investigated, the Police Department notifies Public Works of the violation, and Public Works clears the sidewalk. If the property owner is available at the time of the Police investigation, the Police Department will issue a citation or warning. Public Works documents conditions prior to, and after, the Department's snow and ice removal using time/date photographs. Public Works submits an invoice for work performed. Depending on the Department's workload, sidewalk clearing can occur either on overtime or regular time. A summary of common complaints, along with DPW response, is provided below:

1. Property Owner Concern: Bristol Police provided notice and Public Works performed work prior to the resident having an opportunity to clear the sidewalks. DPW Response: Sidewalks were cleared to improve public safety. At the time of the Police investigation, sidewalks were not cleared in accordance with City Ordinance, and an additional grace period of time would increase safety risk.
2. Property Owner Concern: Public Works indicates that they cleared the sidewalks, however, there is still snow and ice on them. DPW Response: Clearing sidewalks 24-48 hrs. after the snow event is problematic. Snow turns to ice and DPW uses a large amount of salt to melt the sidewalks.
3. Property Owner Concern: Public Works cleared the sidewalks and damaged the property owner's yard. DPW Response: DPW will loam and seed the area in the spring, however, property owners are advised that they have a right to submit a claim.
4. Property Owner Concern: Public Works charges too much to clear sidewalks. DPW Response: Clearing sidewalks 24-48 hours after storm is time consuming, however, our average cost is \$100-\$150 per property.

5. Property Owner Concern: Public Works plowed the snow from the road onto my sidewalks.
DPW Response: Along a typical length of road, DPW acknowledges that snow from the road is deposited on sidewalks, however, property owners are required to clear sidewalks. The Department does clear large deposits of snow from intersections without charging the property owner.

Once DPW performs the sidewalk clearing, an invoice is issued to the property owner. Surprisingly, Public Works collects approximately 95% of billed amount (businesses pay at a higher rate than residential properties). After 30 days, unpaid invoices issued by Public Works are forwarded to the City's Corporation Counsel for additional processing. The Corporation Counsel re-issues the bill, and if not paid in 30 days, a lien is placed on the property.

A copy of the proposed policy/procedure is attached.

Please feel free to contact me with any questions or concerns at 860-584-6113.

CITY OF BRISTOL – PUBLIC WORKS

24.60 CITY SIDEWALKS SNOW & ICE COMPLAINT/SIDEWALK CLEARING POLICY

1. Policy Name

24.60 City Sidewalks Snow & Ice Complaint/Sidewalk Clearing Policy

2. Policy Statement

Pursuant to City Ordinance 21-23, property owners are responsible to clear snow and ice from sidewalks located along City Streets abutting their property. Specifically, City Ordinance 21-23 requires property owners with sidewalks abutting a public roadway to clear the sidewalk of snow and ice within 12 hours after a storm which ends between the hours of 3:00 AM and 9:00 PM and within 9 hours after a storm which ends between 9:00 PM and 3:00 AM. For the purposes of the ordinance, the end of the storm is defined as either the end of precipitation or in the event that an emergency parking ban established pursuant to Ordinance 14-39, the end of a storm shall be defined as the end of the emergency parking ban.

The primary purpose of City Ordinance 21-23 and this policy is to ensure that sidewalks along City streets are cleared of snow and ice. The policy defines the procedure dictating when the Department of Public Works will be utilized to clear sidewalks. **The policy also includes provisions to charge property owners who are in violation of City Ordinance 21-23 which requires property owners to clear snow & ice from sidewalks.** Obtaining reimbursement ensures that general taxpayers will not incur the costs associated with property owner's violation of City Ordinance 21-23.

3. Policy

- A. **Complaint of Snow/Ice on City Sidewalks: ALL COMPLAINTS OF SNOW OR ICE ON SIDEWALKS LOCATED ALONG CITY STREETS SHALL BE DIRECTED TO THE BRISTOL POLICE DEPARTMENT.**
- a. The Police Department address un-cleared sidewalks on a complaint-driven basis. When a complaint is received, the Police Department investigates to confirm that the sidewalks have not been cleared, and provides the Department of Public Works with the addresses of the un-cleared sidewalks in question.
 - b. The Police Department investigation may or may not result in the property owner being contacted or being issued a written citation or warning for un-cleared sidewalks (violation of City Ordinance 21-23). However, the lack of notice to property owners shall not relieve the property owner of the responsibility to clear said sidewalks in accordance with the City Ordinance (the purpose of this policy is to clear sidewalks of snow and ice in order to improve safety).
 - c. The notice from the Police Department to the Department of Public Works that sidewalks have not been cleared of snow & ice shall serve as authorization to the Department of Public Works to initiate the removal of snow & ice from the sidewalk.

- d. The City recognizes that the Board of Education may have previously cleared snow & ice from sidewalks along City streets in areas of City schools. The purpose of the Board of Education's policy was to ensure sidewalks were cleared for students walking to schools. However, other than Board of Education properties owned in fee, the **Board of Education program to clear sidewalks along City roads ceased in 2017 and is no longer in place**. Property owners abutting sidewalks previously cleared of snow & ice by the Board of Education are currently subject to all provisions of City Ordinance 21-23.
- B. Once the Police Department provides notice of un-cleared sidewalks to Public Works, the Department shall arrange to perform required work to clear identified sidewalks of snow & ice.
- a. No additional notice to the property owner by the Department of Public Works is required (the primary purpose of this policy is to clear sidewalks of snow and ice in order to improve safety).
 - b. Once the Police Department provides Public Works with notice of identified un-cleared sidewalks, the Department of Public Works Department shall be authorized to commence work immediately. With that said, due to the Department's workload, work associated with clearing snow & ice from the sidewalks may be delayed by 24-48 hours.
 - c. Prior to any snow & ice removal by the Department of Public Works, the Department shall take a time/date and location stamped photograph of the sidewalk scheduled to be cleared of snow and ice. Additional photographs shall be taken to document conditions at the completion of the Department's work. Said photographs shall be included in the Department's invoice issued to the property owner
 - d. Due to sidewalk ice conditions, the clearing of sidewalks by the Department of Public Works may take multiple applications of salt/deicer treatments to eliminate icing safety hazards.
 - e. Snow and ice clearing shall consist of clearing the entire width of the sidewalk. Clearing of only a portion of the sidewalk, such as a shovel width, is insufficient. Sidewalks must be cleared the full width to be in compliance with the City Ordinance.
 - f. The Department of Public Works is responsible to clear sidewalks along City-owned properties, except properties designed as Park, Water, or Board of Education facilities. Said properties include City-owned bridges.
- C. At the completion of the Department of Public Works' sidewalk-clearing work, the Department shall invoice the property owner for the cost of the work performed by the Department.
- a. All of the Department labor and equipment cost to perform snow & ice removal, including transportation to the site, shall be included in the invoice issued to the property owner. The purpose of issuing an invoice to the property owner is to reimburse the Department of the cost of removing snow & ice from sidewalks along City streets defined as the property owner's responsibility in City Ordinance 21-23. Obtaining reimbursement ensures that general taxpayers do not incur the costs associated with the property owner's violation of City Ordinance 21-23.

- b. Public Work’s invoice to the property owner shall include time/date & location stamped photographs taken by the Department prior to, and at the completion of, the snow & ice clearing.
 - e. The Department recognizes that at a number of intersections throughout the City, the Department snow plowing operations results in the stockpile of snow that exceeds the “normal” amount deposited on sidewalks. If the snow stockpiled at an intersection is less than 18 inches, the property owner shall be required to clear sidewalks of snow and ice in accordance with City Ordinance 21-23. However, if the accumulated stockpile snow is greater than 15 inches in height and three times the height of the snow accumulation of a typical sidewalk, the Department of Public Works shall arrange to remove the stockpiled snow. Pursuant to City Ordinance 21-23 the property owner is responsible for the remaining portion of the sidewalks. The determination of the stockpiled snow’s height shall be determined solely by the Department.
- D. All Department of Public Works invoices not paid after a period of 30 days will be forwarded to the City’s Corporation Counsel for additional processing.
- a. Corporation Counsel will re-issue/re-invoice the property owner for work performed by the Department of Public Works
 - b. After a period of 30 days, invoices that remain unpaid are subject to property lien. The office of Corporation Counsel will file said lien on City tax & land records.

4. Responsible Division

Department of Public Works Administrative and Street Division

5. Approval authority:

Board of Public Works

6. Approval Date:

December 15, 2022

7. Effective Date:

December 22, 2022