

CITY OF PEKIN

ORDINANCE NO. 4010-22/23

**AMENDING CHAPTER 5, ARTICLE IV, DIVISION 2, SECTION 1-7
OF THE PEKIN CITY CODE**

REGARDING THE SIDEWALK SNOW REMOVAL POLICY

PASSED BY THE CITY COUNCIL
OF THE CITY OF PEKIN
THE 22ND DAY OF AUGUST 2022

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY
COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS,
THIS 22ND DAY OF AUGUST 2022

EFFECTIVE SEPTEMBER 1, 2022

Ordinance No. 4010-22/23

Amending Chapter 5, Article IV, Division 2, Section 1-7 of the Pekin City Code Regarding the Sidewalk Snow Removal Policy

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council desires to make certain amendments to the City Code to require property owners to remove snow on sidewalks in the right-of-way within the City; and

WHEREAS, the City Council finds it is in the best interests of the City, its residents and businesses to adopt the amendments set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 5, Article IV, Division 2, Section 1-7 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~strikethrough~~):

Sec. 5-4-2-1-7. - Sidewalk snow and ice removal policy.

- (a) All property owners are required to remove snow and ice from public sidewalks adjacent to their property, in accordance with the regulations stated in this Section.
- (1) Commercial property owners must remove snow and or ice within 24 hours after the snow stops falling, when accumulations are less than six inches, and within 36 hours after six or more inches of snow accumulates, as measured by the National Weather Service. For purposes of this Section, commercial property shall be defined as real estate used for retail or wholesale trade, hotel, restaurant, offices, clinics, warehouses, light manufacturing, public buildings, places of worship, schools, hospitals, and other such uses but not for residential purposes.
 - (2) Residential property owners, including all single and multifamily residential properties, must remove snow accumulations of 2 or more inches and any accumulation of ice, sleet, or freezing rain within 48 hours after the street abutting their property is plowed, except for those sidewalks listed on the City of Pekin Performed Sidewalk Snow Removal List.
 - (3) CityLink is responsible for snow removal within a ten-foot radius around bus shelters and benches on marked primary snow routes.
 - (4) If another snow event occurs, the clock will be reset to the end of the most recent snowfall event.
- (b) Snow and ice must be removed from the sidewalk to a minimum of four feet wide to accommodate wheelchairs, people with disabilities, strollers, adults with children in hand and the general public.

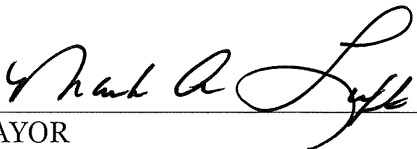
- (c) Noncompliance with this Section could result in a civil penalty of \$25.00 for sidewalks less than 200 linear feet in length, or \$75.00 for sidewalks longer than 200 feet. A penalty may be imposed pursuant to this subsection for each day that the noncompliance continues.
- (d) Prior to the imposition of any fine pursuant to subsection (c), the City will provide the following notices to owners of residential property:
- (1) First Notice: The Director of Public Works or their designee shall issue a first notice of noncompliance directing the property owner to remove the snow and ice from the sidewalk adjacent to their property within 48 hours of the date of the notice.
 - (2) Second Notice: If a property owner fails to comply with the First Notice, the Director of Public Works or their designee shall issue a second notice of noncompliance directing the property owner to remove the snow and ice from the sidewalks adjacent to their property within 48 hours of the date of the second notice. A list of contractors or volunteers available to assist in clearing the snow and ice shall be provided to the property owner along with the second notice of noncompliance. The second notice shall further notify the property owner that no further notices will be provided prior to the imposition of fines in accordance with this subsection.
 - (3) The notices provided for in this subsection shall be served by personal service to the property owner or by posting a copy thereof on the front door or other conspicuous location on the property.
- (e) The City may remove the snow or ice on private property when the owner fails to comply within the designated time period, and charge the cost, including administrative costs, to the owner.
- (f) Depositing snow and ice on public streets or sidewalks is prohibited. Such action may result in a fine of \$250.00. Exceptions include if snow/ice sidewalk adjacent to a driving lane that is narrow and there is no other place for the snowplows to deposit snow.

Section 3. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 4. This Ordinance is hereby ordered to be published in pamphlet form by the City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

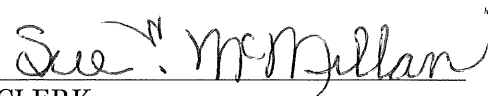
Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this 22nd day of August, 2022.



MAYOR

ATTEST:



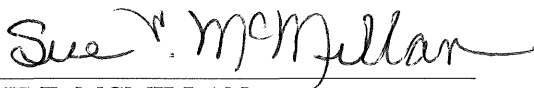
CITY CLERK

CERTIFICATE

I, SUE E. MCMILLAN, CITY CLERK IN AND FOR THE CITY OF PEKIN, IN THE COUNTIES OF TAZEWELL AND PEORIA, IN THE STATE OF ILLINOIS, AND KEEPER OF THE RECORDS AND FILES THEREOF, AS PROVIDED BY STATUTE, DO HEREBY CERTIFY THE ATTACHED TO BE A TRUE, PERFECT AND COMPLETE COPY OF ORDINANCE NO. 4010-22/23 ADOPTED BY THE CITY COUNCIL OF THE CITY OF PEKIN AT ITS COUNCIL MEETING HELD ON AUGUST 22, 2022.

GIVEN UNDER MY HAND AND SEAL THIS 22ND DAY OF AUGUST 2022.

(SEAL)

A handwritten signature in cursive script that reads "Sue E. McMillan". The signature is written in black ink and is positioned above a horizontal line.

SUE E. MCMILLAN
CITY CLERK