



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ORDINANCE #

2024 – O –

ORDINANCE TO AMEND CHAPTER 96 SUBCHAPTER II – SNOW AND ICE REMOVAL

WHEREAS: Snow and ice removal ordinance is defined by Title IX: General Regulations Chapter 96 Subchapter II of the Ordinances of the City of Watertown; and,

WHEREAS: Snow and ice removal Ordinance on public ways was originally established in 1982; and,

WHEREAS: Amendments to this subchapter have been voted into code, most recently in 2016; and,

WHEREAS: Watertown's City Council's Joint Committee consisting of the Committee on Public Works and the Committee on Rules and Ordinances convened on November 14, 2023 to continue discussion to make recommendation to amend the snow and ice removal ordinance;

NOW THEREFORE BE IT ORDAINED: That Chapter 96 Subchapter II of the Ordinance of the City of Watertown is amended as follows:

§ 96.25 **Snow and ice on public way.**

[1982 Code, Ch. VII, § 5; amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; amended Ord. 38, passed 5-13-1997; amended Ord. 13, passed 3-11-2003]

No person or entity, regardless of its ownership, tenancy, or other status or relationship to any real property, nor any agent, employee, contractor, or servant of any such person or entity, shall place, throw, plow or in any way move, any snow or ice onto any portion of the City's streets and ways. Without limiting the generality of the foregoing, streets and ways shall include the vehicular pavement, sidewalks, ramps, islands, and medians, whether used by vehicles or pedestrians. Notwithstanding the foregoing, however, this section shall not be construed to prohibit owners or lawful occupants of residential premises from placing snow and ice on the sidewalks immediately adjacent to the driveway opening as long as a minimum 42-inch pathway along the sidewalk, or the full width of the sidewalk if narrower, is provided for passage within 24 hours of cessation of snow, sleet or freezing rain.

§ 96.26 Removal of snow and ice on sidewalks by abutting property owners

[Ord. 39, passed 5-13-1997]

(A) Definitions. For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SIDEWALK(S)

That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, paved and intended for the use of pedestrians.

SMALL RESIDENTIAL PROPERTIES

Any residential property with one, two or three residential units contained within.

ABUTTING PROPERTY OWNERS

The legal owners of real property abutting on a public street or way and, if in question, as determined by the Zoning Enforcement Officer.

(B) Snow and ice to be removed from sidewalks by abutting property owners.

(1)

(a) In order to provide for safe pedestrian passage and universal access, abutting property owners shall remove and clear away, or cause to be removed and cleared away, snow and ice from a path of at least 42 inches, or to the full width of the sidewalk if narrower, from that portion of the sidewalk which abuts their property. For properties abutting sidewalks with curb cuts, ramps, and other access points, abutting property owners shall provide unimpeded access to the street.

(b) Except as provided in (B)(2), snow and ice shall be removed from sidewalks within 24 hours of cessation of snow, sleet or freezing rain.

(2) In the event that snow and ice on a sidewalk have become so hard that it cannot be removed without likelihood of damage to the sidewalk, abutting property owners shall, within the time mentioned in this section, cause enough sand or melting agent to be put on the sidewalk to make travel thereon reasonably safe, and thereafter, as soon as weather permits, shall cause a path to be cleared of such snow and ice of at least 42 inches in width, or to the full width of the sidewalk if narrower.

(3) In the event of a declaration of a State of Emergency by the Governor, applicable to an area of the Commonwealth which includes the City of Watertown, as a result of snow, sleet or freezing rain, the provisions of this section shall be suspended for a period of 24 hours after the cessation of the fall of such snow, sleet or freezing rain or until the end of the State of Emergency, whichever is the latest to occur. The City Manager may extend the deadlines set forth above as conditions may warrant.

§ 96.27 Enforcement of snow and ice removal.

[1982 Code, Ch. VII, § 5(C); amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; Ord. 39, Sec. C (2), passed 5-13-1997; amended Ord. O-2016-47, passed 8-9-2016]

The City Manager, the Superintendent of Public Works, all Watertown police officers, the

Code Enforcement Officer, and any other City employees from time to time designated by the City Manager, are empowered and authorized to enforce § 96.25 and § 96.26.

§ 96.99 Penalty.

[1982 Code, Ch. VIII, § 24; 1982 Code, Sec. 5(B); amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; Ord. 39, passed 5-13-1997; amended Ord. O-2016-47, passed 8-9-2016]

(A) The penalty for violation of § 96.16 shall be \$200.

(B) Anyone violating the prohibitions of § 96.25 of this chapter shall be subject to a specific penalty of a fine in an amount up to \$300 for each offense. The fine structure is as follows:

(1) All first violations: Documented warning.

(2) Subsequent violations:

(a) Residential (less than six dwelling units):

1. Manual snow shoveling:

a. Second violation: \$25 fine.

b. Third or more violations: \$50 fine.

2. Mechanized snow shoveling:

a. Second violation: \$25 fine.

b. Third violation: \$100 fine.

c. Fourth or more violations: \$300 fine.

(b) Commercial and six or more dwelling units residential:

1. Manual snow shoveling:

a. Second violation: \$50 fine.

b. Third or more violations: \$300 fine.

2. Mechanized snow shoveling:

a. Second violation: \$150 fine.

b. Third or more violations: \$300 fine.

(C) Anyone violating § 96.26 of this chapter shall be fined as follows:

(1) For Small Residential Properties

a. First Violation: documented warning

b. Second Violation: \$50

c. Third and Subsequent Violations: \$100 for the third and all subsequent violations in the same winter season

(2) For All Other Properties

a. First Violation: documented warning

b. Second Violation: \$100

c. Third Violation: \$200

d. Fourth and Subsequent Violations: \$300 for a fourth and all subsequent violations during the same winter season

(D). Exemptions. The City Manager may issue regulations providing exemptions from this section for residents who are unable to meet the physical requirements of this section, particularly for low-income, elderly, or disabled residents, or for other unusual circumstances.

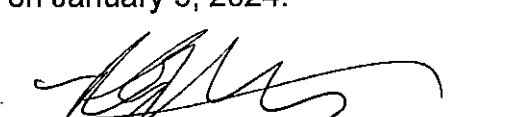
(E) These penalties may be enforced by non-criminal disposition procedures pursuant to Mass. Gen. Laws Ch. 40, § 21D and § 35.05 of this code.

(F) Any person violating any other provision of this chapter shall be punished according to **§ 10.99** of this code.



Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Ordinance was adopted by a vote of 6 for, 3 against, and 0 present on January 9, 2024.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large
Nicole Gardner,
District A Councilor

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor
John G. Gannon,
Councilor At Large
Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large
Emily Izzo,
District D Councilor