

AN ORDINANCE CREATING SECTION 12-8.4 (A) OF THE CODE OF ORDINANCES RELATED TO ACCUMULATION OF SNOW TO DECLARE ACCUMULATION OF SNOW ON A SIDEWALK A NUISANCE; CREATING SECTION 12-8.4 (B) OF THE CODE OF ORDINANCES RELATED TO ACCUMULATION OF SNOW TO PROVIDE FOR ABATEMENT OF ANY NUISANCE IN VIOLATION OF THIS SECTION; CREATING SECTION 12-8.4(B)(1) OF THE CODE OF ORDINANCES RELATED TO ACCUMULATION OF SNOW TO REQUIRE SIDEWALKS BE CLEARED AFTER AN ACCUMULATION OF FOUR OR MORE INCHES OF SNOW; CREATING SECTION 12-8.4(B)(2) OF THE CODE OF ORDINANCES RELATED TO ACCUMULATION OF SNOW TO REQUIRE SIDEWALKS BE CLEARED WITHIN TWENTY FOUR HOURS OF THE END OF THE SNOW EVENT; CREATING SECTION 12-8.4(B)(3) OF THE CODE OF ORDINANCES RELATED TO ACCUMULATION OF SNOW TO ESTABLISH THE END OF THE SNOW EVENT AS POSTED ON THE GOVERNMENT WEBSITE; CREATING SECTION 12-8.4(C) OF THE CODE OF ORDINANCES RELATED TO THE ACCUMULATION OF SNOW TO PROVIDE FOR NO CITATIONS FOR SIDEWALKS NOT CLEARED WHEN THE ABUTTING STREET HAS NOT BEEN PLOWED; CREATING SECTION 12-8.4(D) OF THE CODE OF ORDINANCES RELATED TO THE ACCUMULATION OF SNOW TO ALLOW THE MAYOR OR HIS DESIGNEE TO HOLD IN ABEYANCE THE PROVISIONS OF THIS SECTION IN THE PRESENCE OF EXTREME WEATHER.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 12-8.4 of the Code of Ordinances of the Lexington-Fayette Urban County Government be and hereby is created to read as follows:

(a). Accumulation of snow upon a sidewalk so as to endanger the public health and safety by preventing the safe and reasonable flow of pedestrian traffic is hereby declared a nuisance.

(b). Any person who causes or maintains a nuisance in violation of subsection (a) of this section is subject to the abatement procedure provided in Section 12-7 of this code subject to the following:

(1). The owner of property abutting any sidewalk shall clear the sidewalk after any snow event with an accumulation of four (4) or more inches.

(2). The owner of property on which a sidewalk abuts any street must have such sidewalk cleared within twenty-four (24) hours of the end of the snow event.

(3). The end of the snow event shall be indicated on the government's website, in public communications made by the government related to the end of the snow event and in any notice of violation.

(c). The government shall not issue a notice of violation for a violation of this section if the street abutting the property has not been plowed.


(d). In the event of the presence of extreme weather conditions, the Mayor or his designee may hold the enforcement of this section in abeyance until conditions improve.

Any such announcement will be made on the government's website and in all public communications made by the government during and immediately following the snow event.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 27, 2016


MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: November 4, 2016-1t