

ORDINANCE 2024-06

**AN ORDINANCE TO AMEND AUBURN CITY CODE 95.12
ACCUMULATION OF ICE AND SNOW ON SIDEWALKS**

SUMMARY

This ordinance amends and restates Code Section 95.12 of the Auburn City Code as it relates to the Accumulation of Ice and Snow on Sidewalks. Upon passage of said Ordinance, a codified version of the Ordinance shall be maintained at www.ci.auburn.in.us under Auburn Code Section 95.12. This Ordinance shall be maintained by the Clerk-Treasurer of the City of Auburn, Indiana. The City of Auburn shall also maintain this Ordinance in booklet form readily available for public dissemination upon request at Auburn City Hall Office of the Clerk-Treasurer during regular business hours.

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|--|--|
| <input type="checkbox"/> Recorder's Office | <input checked="" type="checkbox"/> Publish Public Hearing |
| <input type="checkbox"/> Auditor's Office | _____ |
| <input type="checkbox"/> Clerk's Office | <input type="checkbox"/> Publish O/R after adoption |
| <input type="checkbox"/> Other | _____ |
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ORDINANCE NO. 2024-06

**AN ORDINANCE TO AMEND AUBURN CITY CODE 95.12
ACCUMULATION OF ICE AND SNOW ON SIDEWALKS**

WHEREAS, it is the desire of the Common Council of the City of Auburn to amend and restate Section 95.12 of the Auburn City Code; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF AUBURN, INDIANA, that Chapter 95.12 shall be amended and restated as follows:

95.12 ACCUMULATION OF ICE AND SNOW ON SIDEWALKS

- ~~A. No owner or occupant of any premises which borders any street within the corporate limits of the city shall fail to clear the sidewalk of all snow and ice within 12 hours after a snowfall. Any person who neglects or refuses to do so shall pay the expense for having it removed and cleared away.~~
- ~~B. It shall be the duty of any police officer to clear away all snow and ice accumulated on the sidewalks of the city or cause it to be cleared away within 12 hours after the fall of the snow unless the owner or occupant of the property adjoining the street has cleared it away prior to that time. The expense of clearing away the snow and ice shall be charged to the owner of the adjoining lot or lots and shall be a lien on the property.~~

A. Clearing of ice and snow—Required.

The occupant of occupied premises and the owner of unoccupied premises situated in the city are hereby required to keep the sidewalks in front of or adjacent to such premises free from snow and ice, as provided in this division. The word "occupant," as used in this section, shall mean the person occupying for business, as a residence, or for other purposes the first floor of any building situated on the premises. If the first floor of any such building is not occupied, then such premises shall be deemed and held to be unoccupied, and the owner thereof shall be required to keep the sidewalks in front of or adjacent thereto free from snow and ice.

B. Time allowance for compliance.

In case any snow or ice has accumulated on any sidewalk and has been removed by such occupant or owner within 24 hours from the time the snow has ceased to fall or the ice has accumulated, then in such case the occupant or owner shall be deemed and held to have complied with section 95.12 (A).

C. By city; collection of costs.

If any owner or occupant of property in the city does not remove the snow and ice as required by this division, the police department may cause to be removed the snow and ice, and report in writing the necessary expense incident thereto, to the city clerk-treasurer, who shall certify the amount, including the costs of recording and collection, with a description of the lot or parcel of ground and the owner's name. The amount shall then become a lien upon such lot or parcel of ground, and shall be collected by the city clerk-treasurer at the same time and in the same manner that other assessments on real estate are collected.

BE IT FURTHER ORDAINED this Ordinance shall be codified in Chapter 95.12 of the Auburn City Code as set forth as Exhibit "A" and shall be in full force and effect upon passage by the Common Council, signing by the Mayor, and proper publication and codification in the Auburn City Code under Chapter 95 as further set forth. Further, an original of this Ordinance shall be maintained by the Clerk-Treasurer of the City of Auburn, Indiana, a copy shall be maintained in booklet form for public dissemination upon request, and the Ordinance shall be placed as set forth in Exhibit "A" on the City of Auburn Code of Ordinances located at www.ci.auburn.in.us.


PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this

19 day of March, 2024.



James Finchum, Councilmember

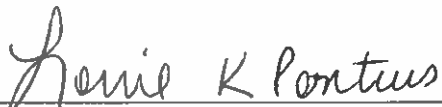
ATTEST:



Lorrie K. Pontius
Clerk-Treasurer

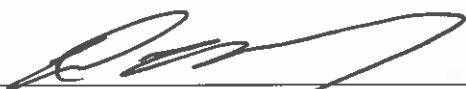
Presented by me to the Mayor of the City of Auburn, Indiana, this me this 19 day of

March, 2024.



Lorrie K. Pontius, Clerk-Treasurer

APPROVED AND SIGNED by me this 19 day of March, 2024.



David E. Clark, Jr., Mayor

VOTING:

AYE

NAY

Natalie DeWitt



Rod Williams



James Finchum



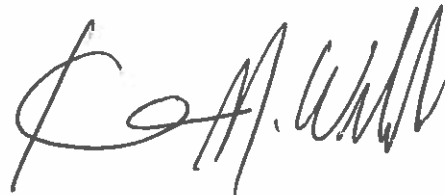
Dan Braun



David Bundy



Kevin Webb



Emily Prosser



Exhibit “A”

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