

CITY OF WALTHAM IN THE CITY COUNCIL

610 Main Street Waltham Massachusetts 02452

Order #35739

IN THE CITY COUNCIL OF THE CITY OF WALTHAM
IN THE YEAR TWO THOUSAND TWENTY-TWO

Be it ordained by the City Council of the City of Waltham as follows:

Article 1 of Chapter 17 of the General Ordinances of the City of Waltham entitled "Removal of snow from certain sidewalks" Sec. 17-23, as most recently amended, is hereby further amended as follows:

In title, the words "**Removal of snow from certain sidewalks**" shall be deleted and replaced with the words "Removal of snow and ice from certain sidewalks"

Article 1 of Chapter 17 of the General Ordinances of the City of Waltham entitled "**Removal of snow from certain sidewalks**" Sec. 17-23 as most recently amended, is hereby further amended as follows:

By deleting all text within Sec. 17-23 from "Every tenant or occupant" in line 1 to "see SS17-10" line 11 inclusive and replacing the deleted text with the following:

(a). The owner or his/her agent, of land located in any Business, Commercial, or Industrial District, in the Hope Ave. Redevelopment District and in the Riverfront Overlay District, as defined and delineated in the Zoning Code, and of land, regardless of the zone in which it is located, that contains a building designated and used for Institutional Uses, as defined and delineated in the Zoning Code, abutting upon or contiguous to a sidewalk of a public or private street shall cause said sidewalk to be maintained in and on slippery conditions suitable or pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

(b). The owner, or his/her agent of any building designed or occupied as a residence by three families or that contains more than three dwelling units, as defined in the Zoning Code, shall cause all sidewalks of a street abutting upon or contiguous to the land upon which the building is situated to be maintained in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

(c.) Except as set forth in the Subsections (a) and (b) above, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of

said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose. This Subsection is not applicable to land containing single or two-family residences.

(d). No person, unless authorized by the Director of Consolidated Public Work's, shall place or cause to be placed snow or ice upon a street, public park, or municipal property. Without limiting the generality of the foregoing, no person, unless authorized by the Director of Consolidated Pubic Works, shall place or cause to be placed snow or ice upon any sidewalk of the City.

(e). The violation of any provision of Subsections (a), (b), and (c) of Sec. 17-23 shall be subject to a fine of \$100.00 for the first violation, \$150.00 for the second violation, and \$200.00 for the third and each subsequent violation in any fiscal year. The violation of any provision of Subsection (d) of Sec. 17-23 shall be subject to a fine of \$200.00 for each violation.

(f). The Director of Consolidated Public Works, or his/her designee, may grant a waiver from the terms of Sec. 17-23 for good cause. Depending upon the severity of a storm and other similar circumstances, the Director of Consolidated Public Works shall post a notice on the city of Waltham's internet home page and make other good faith efforts to notify the public including but not limited to, social media outlets, email list servers, and the emergency telephone notification system.

State law reference: Sidewalk snow and ice removal; penalties for non-compliance; standards for clearance. M.G.L.c.40U, SS5 (St.2010, c.26).

Cross reference: Gen. Ords. SS17-10, 17-16.

First reading: November 28, 2022

Second reading: December 12, 2022

Third & Final Reading: December 12, 2022

Approved:

Order # 35739

In the City Council

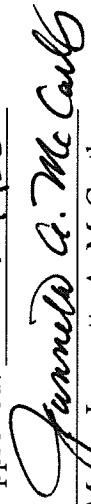
Article 1 of Chapter 17 of the General Ordinances of the City of Waltham entitled "Removal of snow from certain sidewalks" Sec. 17-23, as most recently amended, is hereby further amended as follows:

In the title, the words "**Removal of snow from certain sidewalks**" shall be deleted and replaced with the words "**Removal of snow and ice from certain sidewalks**"

Read and Adopted: December 12, 2022


President Kathleen B. McMenimen

Approved: 12/14/2022


Mayor Jeannette A. McCarthy

RECEIVED

DEC 13 2022

Mayor's Office

Waltham City Council 2022
Roll Call

Item: Winter Sidewalk Safety Ordinance - Final

Date: 12/12/2022

Yea Nay Abstained Absent

Colleen Bradley-MacArthur

✓ _____ _____ _____

George A. Darcy III

✓ _____ _____ _____

Caren Dunn

✓ _____ _____ _____

Sean T. Durkee

✓ _____ _____ ✓

Cathyann Harris

✓ _____ _____ _____

Paul S. Katz

✓ _____ _____ _____

Joseph P. LaCava

✓ _____ _____ _____

Anthony LaFauci

✓ _____ _____ _____

Randy J. LeBlanc

✓ _____ _____ _____

John J. McLaughlin

_____ _____ _____ ✓

Patrick J. O'Brien

✓ _____ _____ _____

Jonathan Paz

✓ _____ _____ _____

Thomas M. Stanley

_____ _____ _____ ✓

Carlos A. Vidal

✓ _____ _____ _____

Kathleen B. McMenimen, President

_____ _____ _____ _____

Totals

11 _____ _____ 3

