

Meeting Agendas/Info

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

01-184

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

APRIL 16, 2001

SUBJECT:

SNOW AND ICE
REMOVAL CITATION
CHALLENGE
PROCEDURES

SYNOPSIS -

The Public Works Department, in coordination with the City's Legal and Community Development Departments, has proposed changes to the City ordinance simplifying the procedures for citizens to contest citations under the City's snow and ice removal requirements. The substance of these changes aligns the challenge procedure under snow and ice removal requirements with similar community nuisance requirements, including private property cleanups, to allow citizens an easier and less costly method of contesting citations through an administrative challenge procedure rather than the court system.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

FISCAL IMPACT -

This ordinance change will reduce City processing costs and will make it easier and less expensive for residents to challenge City-issued citations.

SUBMITTED BY:

WILLIAM STOWE
PUBLIC WORKS
DIRECTOR

RECOMMENDATION -

Approval of the proposed ordinance changes to provide administrative appeals of sidewalk or other snow citations issued rather than existing judicial review.

BACKGROUND -

The current City ordinance requires owners of real estate in Des Moines to remove snow and ice accumulations within 48 hours after a snow or ice storm. This proposal would not change this requirement, although the process of appealing citations issued would require citizens to use an administrative appeal process rather than the current resort to the more formal and often delayed judicial proceeding. In summary, the proposed changes would align snow and ice citations with other nuisance procedures and provide

an easier and less costly mechanism for citizens to challenge these citations.
