



Roll Call Number

Agenda Item Number

43

Date November 18, 2019

APPROVING AND ADOPTING AN AMENDED SCHEDULE OF ADMINISTRATIVE PENALTIES FOR FAILURE TO REMOVE SNOW AND ICE FROM SIDEWALKS IN VIOLATION OF CHAPTER 102 AS AUTHORIZED BY THE MUNICIPAL CODE OF THE CITY OF DES MOINES

WHEREAS, Section 102-124 of the Municipal Code, requires the owner or tenant or lessee of any real estate abutting a public sidewalk to remove snow or ice from the sidewalk and Section 102-126.05 provides for the giving of an administrative notice of violation and assessment of an administrative penalty for violation of section 102-124 of the Municipal Code, the amounts of which administrative penalties are to be set in a Schedule of Administrative Penalties adopted by the City Council by resolution; and

WHEREAS, An amended Schedule of Administrative Penalties has been prepared for Council consideration and is recommended for adoption, which Schedule of Administrative Penalties is appended hereto and is now on file in the Office of the City Clerk.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA that the Schedule of Fees appended hereto and by this reference hereto is hereby approved and adopted.

BE IT FURTHER RESOLVED that said Schedule of Administrative Penalties shall be maintained on file in the office of the City Clerk and the Public Works Department for public reference, and that the fees therein established shall become effective upon and as of November 19, 2019.

(Council Communication No. 19 -) Moved By _____ to adopt.

APPROVED AS TO FORM:

Ann DiDonato

Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

I, P. KAY CMELIK, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

SCHEDULE OF ADMINISTRATIVE PENALTIES

**Public Works Department
SCHEDULE OF ADMINISTRATIVE PENALTIES
for Snow or Ice Removal from Sidewalk
City Code Section 102-124**

The following schedule of administrative penalties for violations of Section 102-124 of the City Code within a snow season (October 15 -April 15) shall be charged:

Violation	Penalty	Effective Date
First failure to remove snow or ice	\$75.00	11/19/19
Second failure to remove snow or ice	\$ 100.00	11/19/19
Third failure to remove snow or ice	\$125.00	11/19/19
Fourth failure to remove snow or ice	\$150.00	11/19/19
Fifth and subsequent failure to remove snow or ice	\$ 175.00	11/19/19

Notice of violation with the applicable penalty for such violation noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice at the City Clerk's office, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

Failure to Remove Snow or Ice from Sidewalk Administrative Penalties adopted by Roll Call No. 19-_____ on November 18, 2019.