

Ordinance No. 2019-_____

ORDINANCE AMENDING CHAPTER 152, SIDEWALK REGULATIONS

WHEREAS, the Municipal Code of the City of Ankeny addresses the responsibility for sidewalks; and

WHEREAS, the City Council desires to clarify the liability of property owners for sidewalks.

NOW THEREFORE, be it resolved by the City Council of the City of Ankeny, Iowa, as follows:

SECTION 1. The following sections are hereby amended as follows to delete the stricken language and to include the underlined language:

152.03 REMOVAL OF SNOW, ICE AND ACCUMULATIONS. It is the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner does not remove snow, ice or accumulations within twenty-four (24) hours after a snowfall or the deposit or formation of ice thereon, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax. The abutting property owner may be liable for damages caused by their failure to maintain the sidewalk by removal of snow, ice and accumulations.

152.04 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owner to maintain in a safe, ~~and hazard-free~~ and non-defective condition, any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street, free from defects, debris, nuisances, obstructions or any other hazard. The abutting property owner may be liable for damages caused by their failure to maintain the sidewalk or to remedy a defective sidewalk.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Ankeny City Council on this _____ day of _____, 2019.

Gary Lorenz, Mayor

ATTEST:

Denise Hoy, City Clerk