

**ORDINANCE NO. 2019-3147**

**AN ORDINANCE REPEALING CONCORDIA CODE SECTION 18-115 AND ADDING NEW CONCORDIA CODE SECTION 18-115 PROVIDING FOR IMMEDIATE ENFORCEMENT FOR FAILURE TO REMOVE SNOW FROM SIDEWALKS IN A TIMELY MANNER.**

BE IT ORDAINED by the governing body of the City of Concordia, Kansas:

SECTION 1. Section 18-115 of the Code of Ordinances of the City of Concordia is hereby repealed as of the effective date set forth below.

SECTION 2. The Code of Ordinances of the City of Concordia is hereby amended, by adding a new Section 18-115 which shall read as follows:

**Sec. 18-115. Removal of snow and ice from sidewalks**

- (a) It shall be unlawful for the owner or occupant of any lot abutting any public sidewalk to fail to cause to be removed from such sidewalk all snow and ice promptly but not later than 24 hours from the time such snow has fallen or ice has accumulated.
- (b) It shall be unlawful for the owner or occupant of any lot abutting any public sidewalk to cause snow to be placed in the public street, except that the downtown business district shall be exempt from this provision.
- (c) Failure to abide by these regulations shall result in a fine assessed to the owner or occupant of the property abutting the sidewalk in the following amounts:
  - (1) \$25.00 for the first offense within the previous six months
  - (2) \$50.00 for the second offense within the previous six months
  - (3) \$100.00 plus court costs for the third and subsequent offense within the previous six months
- (d) Liability for fines under this ordinance for the purposes of the landlord/tenant relationship, shall be governed by the lease agreement upon who is responsible for maintenance of the exterior of the leased structure, including but not limited to snow removal and overall care of the exterior of the dwelling. When such an agreement is absent either from a written lease agreement or the absence of a lease agreement overall, responsibility shall lie with whomever caused such violation to occur.
- (e) For the purposes of this ordinance, commercial snow removal for hire, including but not limited to snow removal and overall maintenance of the exterior of the dwelling, responsibility for fines assessed for violation of this ordinance shall be the responsibility of the individual hired to conduct work on the exterior of the property. For the purpose of this ordinance a commercial snow remover for hire, shall be defined as any individual hired for any type of compensation to conduct work on the exterior of a property, including but not limited to snow removal.

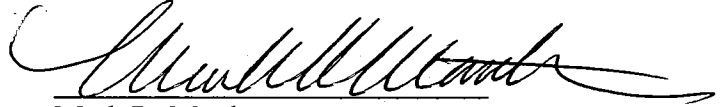
SECTION 3. This ordinance shall be summarized for publication as follows:

On March 20, 2019, the City of Concordia adopted Ordinance No. 2019-3147, amending Concordia Code Section 18-115 to provide for immediate enforcement for failure to remove snow from sidewalks in a timely manner. The complete text of this ordinance may be obtained and viewed free of charge at the office of the city clerk. A reproduction of this ordinance will be available for not less than one week following the publication of this ordinance at the website address of the City of Concordia, <http://www.concordiakks.org>. This summary is certified by the city attorney to be legally accurate and sufficient.

SECTION 4. This ordinance shall be in full force and effect from after publication of the above ordinance summary. The provisions hereof are severable, and in the event of invalidity, for any reason, of any portion of this ordinance, the remaining provisions of the ordinance shall remain in full force and effect, with the invalid provisions deemed excised.

PASSED by the governing body and signed by the mayor this 20th day of March, 2019.

(Seal)



Mark R. Matthew  
Mayor

ATTEST:



Stacey Smith  
City Clerk

#### ORDINANCE CERTIFICATE

I hereby certify that the foregoing is an original ordinance; that said ordinance was passed on the 20th day of March, 2019; that the record of the final vote on its passage is found on page \_\_\_\_ of the minutes journal; that the ordinance summary was published in the Concordia Blade-Empire on the 22nd day of March, 2019.



\_\_\_\_\_, City Clerk