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Assistant City Manager/DPD Director

R. Eric Slagle
Director of Development Services

David Fuller
Building Commissioner

TO: Eileen Donoghue, City Manager *EMD*
FROM: R. Eric Slagle, Director of Development Services
DATE: March 7, 2019
RE: Motion by C. Leahy - Req. City Mgr. Have Development Services Provide a Report Regarding Winter Shoveling Ordinance Compliance and Ticketing.

This memorandum addresses the request from Councilor Leahy regarding the clearing of snow from sidewalks.

Pursuant to § 243.3 of the Lowell Code of Ordinances, Development Services inspectional staff, along with the Lowell Police Office, have jurisdiction over sidewalk snow removal in the City. The ordinances require that a property owner remove snow from an adjacent sidewalk within 12 hours after the snow has ceased falling, unless that time falls after 6:00 pm, and then sidewalks must be cleared by 1:00 pm the following day. Given the volume of regular inspections and complaints handled by Development Services staff, we typically respond to snow removal issues when we receive a complaint from a member of the public. If an inspection finds the complaint to be founded, a warning is given to the property owner, requiring them to immediately remove the snow. Our inspectors track which properties have been warned. Should either a follow up inspection or a subsequent complaint indicate that the snow has not been removed from the sidewalk, the property owner receives a violation with a \$100 fine.

There are challenges that our inspectors face in the enforcement of this ordinance. First, in some of the neighborhoods in the City, not all of the streets have sidewalks, and this fact can be difficult to ascertain once a large amount of snow has fallen. Also, a subsequent snowfall can start the clock ticking again for shoveling. Finally, weather conditions and/or weekends can render a warning moot if the snow would disappear naturally.

For the winter of 2017-2018, Development Services staff issued 105 warnings for snow removal, and wrote 13 violations for a total of \$1,300. For the winter of 2018-2019 thus far, Development Services staff issued 85 warnings for snow removal, and wrote 6 violations for a total of \$600.

ES

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