

## ORDINANCE NO. 2012-37

**AN ORDINANCE**, amending Ordinance No. 97-32 and Ordinance No. 1703 regarding snow and ice removal.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE DO ORDAIN** as follows:

### SECTION I

Ordinance No. 97-32, and Ordinance No. 1703, Sections I through VI, also cited as Chapter 7.24 WCC, are hereby amended to read as follows:

#### **Chapter 7.24 SNOW AND ICE REMOVAL**

Sections:

- 7.24.010 Property owner to remove snow and ice from sidewalks.**
- 7.24.020 Sidewalks impossible to clear.**
- 7.24.030 Throwing snow and ice into streets.**
- 7.24.040 Penalty for violations.**
- 7.24.050 Person defined.**
- 7.24.060 Presumption.**
- 7.24.070 Chapter 7.80 RCW sections adopted by reference.**

#### **7.24.010 Property owner to remove snow and ice from sidewalks.**

It shall be the duty of the owner of every parcel of record in the City of Wenatchee abutting or bordering upon any street, avenue, highway or public place, to remove or cause to be removed all snow and ice from the sidewalk in front of or adjacent to such premises. Within commercial zones, snow shall be cleared the full sidewalk width. Residential zones shall be cleared a minimum of three feet in width immediately adjacent to the abutting property. Snow may be piled in planter strips and around street trees, or along the curb where no other reasonable option for disposal is available. Sidewalks shall be cleared within 24 hours after such snow or ice shall have fallen or accumulated. Where footways or sidewalks have not been paved or duly established, snow and ice shall be removed to a width of not less than four feet from that portion of the street which is used in common as a footway in such street.

**7.24.020 Sidewalks impossible to clear.**

In the case where snow and ice on the sidewalk cannot be physically removed, the owner of every parcel of record shall within 24 hours, apply sand, de-icer or other suitable material to thoroughly clean such sidewalk.

**7.24.030 Throwing snow and ice into streets.**

It shall be unlawful for any person, by any means, to throw, scrape, plow, pile, dump, push or deposit snow and ice from private property on, into or upon any street, highway, alley or any public property.

**7.24.040 Penalty for Violations.**

Violations of this chapter shall constitute a class 4 civil infraction and shall be enforced and punishable as set forth in Chapter 7.80 RCW, as now or hereafter amended. Each day the violation continues shall be a separate violation.

**7.24.050 Person defined.**

“Person” as used in this chapter means and includes one or more persons of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies or all other entities of any kind capable of being sued.

**7.24.060 Presumption.**

It shall be a rebuttable presumption that the owner of a parcel of record is the owner that is listed on the Chelan County Assessor records on the date the violation occurred.

**7.24.070 Chapter 7.80 RCW sections adopted by reference.**

The following sections of the Revised Code of Washington (“RCW”), as now or hereafter amended, are hereby adopted by reference as part of this chapter in all respects as though such sections were set forth herein in full: RCW 7.80.005, 7.80.010, 7.80.020, 7.80.030, 7.80.040, 7.80.050, 7.80.060, 7.80.080, 7.80.090, 7.80.100, 7.80.110, 7.80.120, 7.80.130, and 7.80.160.

**SECTION II**

If any section, subsection, sentence, clause, phrase or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

**SECTION III**

This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

**PASSED BY THE CITY COUNCIL OF THE CITY WENATCHEE,**  
at a regular meeting thereof, this 13 day of December, 2012.


CITY OF WENATCHEE

By:   
FRANK KUNTZ, Mayor

ATTEST:

By:   
TAMMY STANGER, City Clerk

APPROVED:

By:   
STEVE D. SMITH, City Attorney