

## Section 11.35 Removal of Snow and Ice from Sidewalks

1. The owner, occupant or agent in charge of any land, estate or building abutting a public sidewalk in the City of Malden shall make said sidewalk safe and convenient for public use by removing any snow, ice or slush from said sidewalk to bare pavement. Sidewalks must be cleared from property line to property line. Throwing, pushing, or causing snow to be cast into public streets or sidewalks is prohibited. Owner, occupant, or agent in charge of any land, estate or building abutting a public sidewalk shall:
  - a. Remove snow, slush and ice from said sidewalk within 24 (twenty-four) hours after snowfall has ended and the Public Works Director has declared that snow removal operations are complete. This also pertains to snow that has drifted from a residence or building onto sidewalks. In the event of an unusually heavy snowfall, the time limit for removing snow from sidewalks may be extended at the discretion of the Director of Public Works. Shoveled sidewalks may also be made safe by covering pavement with sand, salt or other appropriate material to prevent slipping.
  - b. Clear sidewalks in accordance with the Americans with Disabilities Act (ADA) requirements to a minimum passage width of forty-two (42) inches to accommodate wheelchair passage. Where 42 inch width clearance is not possible due to existing obstructions, sidewalk shall be cleared to the widest extent possible between the obstructions.
  - c. Clear a minimum passage of 42 inches in width from the door of every residence or business to the street or sidewalk to accommodate for emergency response personnel in the case of a medical, fire or other emergency situation.

Every attempt should be made to provide full access to handicapped ramps, or other access points.

2. This ordinance may be enforced in the manner provided in Massachusetts General Laws Chapter 40, section 21D by the Malden Police Department, Malden Board of Health, Malden Parking Enforcement and the Department of Public Works storm supervisory personnel. Penalties for violations of this Ordinance will be strictly enforced, and are as follows:
  - a. For Non-Commercial Properties:
    - i. first offense - \$50
    - ii. second offense - \$100
    - iii. third and subsequent offense - \$150
  - b. For Commercial/Business Properties:
    - i. first offense - \$100
    - ii. second offense - \$200
    - iii. third and subsequent offense - \$300

Failure to comply within three (3) days of initial violation may cause the City to remove said snow, slush or ice. The City may seek reimbursement (in addition to any violations incurred) for removal of snow, slush or ice.

3. Severability: If any provision of this ordinance is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

Effective Date: January 1, 2018