

Sec. 42-31. Removal of snow and ice.

(a) *Responsibility of owner; fine; abatement; lien.* The owner or designated agent having the care of land or buildings fronting on any street or public place in such town where there is any sidewalk shall, within 12 hours of daylight, or not to exceed 24 hours of elapsed time immediately following the cessation of a storm of snow, ice or sleet, or the accumulation of ice or snow thereon, cause the same to be removed from such sidewalk. If such accumulation cannot be completely removed sand or other proper substance shall be applied to make such sidewalk safe for travel. The provisions of this section shall apply to the falling of snow from any building and also to any footway or sidewalk of any bridge spanning any railroad in the town.

(b) *Throwing ice or snow in the streets from private property.* No person shall throw or place, or cause to be thrown or placed, any ice or snow into the public street or right-of-way within the town from private land or property without the authority or permission of the town council or its agent.

(c) *Penalties.*

(1) Any person who violates the provisions of subsection (a), above, shall pay a fine as set forth in appendix D of the Municipal Code. In addition, the town shall have the right to remove or treat such ice or snow which any owner or designated agent responsible for the maintenance of land fails to remove in a timely manner from a public sidewalk and charge the expense of such removal or treatment to the owner or designated agent. The town shall also have the right to place a certificate of lien upon the land records against said property for any expense incurred which remains unpaid.

(2) Any person who violates the provisions of subsection (b), above, shall receive a written warning for the first offense and shall pay a fine as set forth in appendix D of the Municipal Code for each offense that occurs within six months after receipt of the written warning.

(Ord. of 2-4-1957, §§ 1, 2; Ord. No. 05-08, 2-26-2008)

State law references: Municipal liability for snow and ice on sidewalks, G.S. § 7-163a