

CITY OF ANN ARBOR
CITY CLERK
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Ann Arbor, February 23, 2015

Dear Councilmembers,

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In 2013, Council created the Pedestrian Safety and Access Task Force to advise you on things the City of Ann Arbor should change to improve safety and system usability for pedestrians in Ann Arbor. The proposed changes to the snow clearing ordinance being submitted to you today are the result of one of the first recommendations from our Task Force, prepared in close coordination with City staff. The members of the Task Force agree that Ann Arbor's current ordinance, and the inability to effectively enforce the ordinance that the current wording creates, is one of the most significant impediments to walking in the City, and results in insurmountable obstacles for persons with disabilities and an unknown but likely significant number of winter-time injuries for pedestrians, while also increasing winter road traffic from people opting to drive over walking simply because their access on foot is blocked.

This winter is a bit of a surprise. While it is clearly not - at least not yet - as snow-filled as last year, the problem with our current ordinance is still abundantly evident. The current wording creates a loophole that allows property owners to avoid clearing their sidewalk as long as any amount of subsequent snow falls within 24-hours of a previous snowfall or a city attempt to enforce the ordinance. Even though this winter has had far fewer snow events than last year, there are still hundreds of locations city-wide where sidewalks, crosswalks, and bus stop pads still have not been cleared since the 14" snowfall of early February. Every one of these locations is a barrier to walking for anyone with any disability, and a tremendous hazard even for fully-able pedestrians. All owners have had ample time to clear these walks by now: yet many haven't, while neighboring property owners have cleared theirs many times over.

The Task Force passed a resolution in October 2014 asking for three changes to the ordinance. First, eliminate the loophole that allows any subsequent snowfall event to let a property owner shirk their responsibilities. Second, put in place a requirement, common in the peer communities we compared, that prohibits placing snow from private property on public streets and sidewalks. Third, make changes to the enforcement mechanisms that empower Community Standards personnel to treat snow clearing ordinance infractions more like any other ordinance infraction in Ann Arbor. City staff have taken our recommendations and created the proposed ordinance changes now before you, which the Task Force fully supports.

Even with these changes, the allowances for people to delay or have assistance clearing their sidewalks are extraordinary. Unlike commercial property owners, residential property owners have a full 24 hours after a snow fall event to clear their sidewalk. Unlike for other ordinances, a warning has to be given once per season for any property before enforcement can begin. The city annually conducts educational campaigns reminding people of the need to clear their sidewalks, and provides information about organization(s) that may provide assistance to those in need. Compared with peer communities, Ann Arbor goes to great lengths to make the requirements clear and easy to meet.

While the city expends tremendous money and effort every year to keep the public *streets* clear of snow and ice, the city transfers to its property owners, by law, the required duty to clear snow and ice from sidewalks, thereby enabling people to travel by foot in winter. If we are serious about ensuring snow and ice removal, serious about pedestrian access and safety, then let's walk the walk and not just talk the talk.

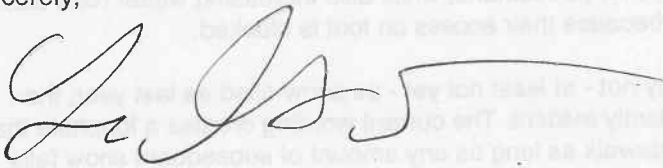
All property owners, whether commercial or private, sign on to this responsibility when they purchase their property. It is a mutual, social pact. For any property owner unable to remove snow and ice on time from their sidewalk due to time constraints, numerous extremely economical private contractors are available to perform this duty at a price that is thoroughly affordable to anyone who is a tax-paying property owner. Most owners comply. The ones who fail to comply, claiming they had no time or, worse, are simply indifferent and consider noncompliance a negligible cavalier's delict, pose serious, potentially deadly

hindrances to those who, in many cases, HAVE to walk and take public transportation because they cannot drive a motor vehicle.

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This ordinance, and the efforts of all of the residents who faithfully clear their own sidewalks and help their neighbors, are all that we do to help people walking in the winter. We must have an ordinance that is not hamstrung, but instead rigorously requires property owners to be responsible for clearing their sidewalks, and makes enforcement more timely and efficient. That enforcement is then combined with greater awareness of this vital transportation corridor, and support for homeowners who need assistance to fulfill their responsibilities.

Sincerely,



Linda Diane Feldt, on behalf of the Ann Arbor Pedestrian Safety and Access Task Force
[This letter was drafted and approved by the AAPSATF Winter Maintenance Committee.]