



TO: Mayor and Council

FROM: Sumedh Bahl, Community Services Area Administrator
Nick Hutchinson, City Engineer
Craig Hupy, Public Services Area Administrator
Connie Pulcifer, City Planner, Systems Planning
Wendy Rampson, Planning Manager
John Seto, Police Chief
Colin Smith, Parks and Recreation Services Manager

CC: Steven D. Powers, City Administrator

SUBJECT: Council Agenda Responses

DATE: 3/16/15

CA-1 – Geddes Avenue Stormwater and Curb and Gutter Resolution No. 1

Question: Regarding CA-1 and DS-1 (Geddes Road), while the impacted neighbors on Geddes support many aspects of the plan that will result in needed access to the sanitary sewer, a smoother road, and improved sidewalks, there are (as staff and the consultants are aware and has been articulated on numerous occasions) changes to the plan they believe would minimize the adverse impacts to what's now an historic and very scenic road. Specifically, their recommendations are for a consistent 2 foot shoulder, 5 foot sidewalk, and 3 foot extension on the North side of Geddes. It's not clear to our residents or to me, for that matter, why their recommendations were not reflected. No explanation has been provided to address these specific concerns and why these relatively minor changes could or could not be accommodated, other than it's the standard engineering set of recommendations. (Councilmember Lumm)

Response: The project team has prepared a proposed typical cross section (5-ft sidewalk, 5-ft lawn extension*, 4-ft bike lane**, two 10ft vehicular lanes, 2-ft paved shoulder) taking into consideration the feedback that has been received and the City's guiding plans and policies. This proposed cross section minimizes pavement width and

associated right-of-way impacts, improves non-motorized access, and includes design features that have traditionally reduced vehicular speeds. The project team believes the proposed typical cross section provides the best compromise to meet engineering requirements, desires of the community, and policy guiding plans and principles. It should also be noted that the referenced cross section recommended by some neighbors would technically be 5-ft narrower; however, the construction impacts would be very similar.

*Lawn Extension: The project team believes that an extension narrower than 5-ft would be a substandard design that would negate the long term benefits of the extension. An appropriately sized extension is necessary to provide a buffer between pedestrians and vehicles and storage for plowed snow. Additionally, narrowing the width of the extension would not minimize the short-term construction impacts to right-of-way vegetation at most locations. However, in some locations, the extension will be narrowed to spare significant trees.

**Shoulders/Bike Lanes: The Non-Motorized Transportation Plan, adopted by City Council in 2007, proposes on-street bike lanes on both sides of Geddes Avenue and indicates sidewalk along the north side of the right-of-way. Four-foot wide shoulders/bicycle lanes on both sides of Geddes Avenue have been considered. In addition to achieving community goals for non-motorized transportation, 4-ft paved shoulder/bike lanes would provide additional structural stability to the roadway and a pull-off area for service and delivery vehicles such as garbage and mail trucks. However, providing bike lanes on both sides of Geddes Avenue would require consistently increasing pavement width through the corridor and would result in additional right-of-way impacts, which would not be aligned with the priorities that Geddes Avenue residents have expressed. The project team has proposed the cross section including one bike lane in the uphill/climbing direction as a compromise between the desire to keep the overall pavement width comparable to the existing footprint and the interests to provide exclusive, safe facilities for bicyclists separate from pedestrians and motorists.

Question: Impacted neighbors -- several of whom are avid cyclists -- have also questioned whether adding bike lanes to the road would be safe given the narrowness of the road and the road's sharp curves and dramatic undulations. Can you please speak to those concerns and how they might be addressed. Again, these concerns have been articulated consistently throughout the many meetings between staff, consultants and the neighbors. (Councilmember Lumm)

Response: The bike lanes planned for as part of the Geddes Avenue improvement will create a AASHTO compliant bike lane. Providing a facility that meets the nationally accepted guidelines for such facilities is one measure of safety. The city's non-motorized transportation plan also acknowledged the following advantages of the cross section proposed:

- “Highly visible, designate facilities encourage increased bicycle use
- Designated facilities alert motorists of the presence of bicyclists in the roadway
- May have a slight traffic calming impact in some situations
- Concurrent with AASHTO guidelines or most situations

- Motorists are much less likely to encroach into the adjacent lane when passing a bicyclists
- Motorists have less variation in their lane pavement”

In addition to the above, a separate bike lane allows a safer environment on the sidewalk. Recognizing the width of a sidewalk combined with the hilly terrain and conflicts between pedestrians and bicyclists would be increased if an attractive bike facility is not provided. Of note given the terrain, it is more likely that a higher speed bicyclist would not have the ability or space to avoid pedestrians along this sidewalk. Simply stated, the proposed cross section including a sidewalk, bike lane and roadway provides each user of the corridor a safe and exclusive area for walking, cycling or driving. Although the eastbound movement is limited to a shared use lane, this is acceptable in the situation here with the shared use lane in the downhill direction, allowing cyclists ability to move with vehicles with minimum impedence.

CA-12 – Resolution Authorizing the City Administrator to Proceed Toward Implementation of Recommended Best Practices to Receive Redevelopment Readiness Communities Certification

Question: Will changes council review site plans come to Council for approval?
(Councilmember Warpehoski)

Response: Yes. To change the site plan review process, Section 5:122 (Site Plans) of Chapter 57 (Subdivision and Land Use) would need to be amended. These ordinance amendments would require a public hearing and recommendation from Planning Commission and a public hearing and action from City Council.

Question: In our work session with the MEDC, I recall that their staff indicated a willingness to be flexible in terms of the criteria for becoming a redevelopment ready community. Would that flexibility extend to retaining some Council oversight in terms of site plan approval? (Councilmember Grand)

Response: Yes. MEDC recognizes that every community's approval process is unique, and they are open to solutions that are tailored to the community. MEDC's primary interest is in making sure standard, non-discretionary projects are reviewed and approved in the quickest, most straightforward way possible. They acknowledge that site plan projects requiring discretionary approvals, such as rezoning and approval of development agreements, are appropriate to be approved at the City Council level.

An approach the City can take is to move approval of the smaller, more straightforward site plans to the Planning Commission level only by applying the Citizen Participation Ordinance thresholds for Major and Small projects. Major projects, those that require a citizen participation meeting, would continue to be approved by City Council. Small projects, which only require a postcard notice, would be shifted to Planning Commission for final approval.

The attached matrix illustrates how site plans approved by City Council in the last two years fall in the Major and Small project categories . The thresholds for both types of projects are contained in Chapter 57 (Subdivision and Land Use) and noted below:

- Major Project: Citizen Participation Meeting Required:
 - o PUD Site Plan
 - o Planned Project Site Plan
 - o Rezoning
 - o Major Site Plan (i.e., containing over 80 residential units or over 65 feet in height or over 50,000 square feet of non-residential usable floor area or that may require citizen participation depending on the scope, nature or any unique or unusual characteristics as determined by the Planning & Development Services Unit Manager.
- Small Project: Citizen Participation Postcard Notice Required:
 - o All non-Major site plans, with the exception of Administrative Amendments

In this approach, the projects that needed the Citizen Participation Postcard Notice requirement would be approved by Planning Commission only.

Since any changes to the site plan approval process will require amendments to Chapter 57, the thresholds for citizen participation meetings could also be revised at that time, for instance to require meetings for projects that use premiums or have an associated brownfield request.

Question: The proposed agreement suggests that the MEDC would offer financial assistance to meet certain goals. The plan mentions 415 W. Washington, but could we receive additional assistance (e.g., to train citizens on boards and commissions)? (Councilmember Grand)

Response: Yes. MEDC has indicated to us that they would fully fund the site assessment technical assistance contract and would make available financial and technical assistance for the other recommendations with a matching contribution from the City. The typical match is 50%, although MEDC indicates this is not a set criterion.

Question: In the previous discussions on this Redevelopment Ready Certification, including the work session with the MEDC folks in January, there wasn't a lot of clarity and specificity around what implementing their recommendations actually requires us to do or about the benefits we'd be receiving with certification. Can you provide detail on what the City actually will do to implement the 11 recommendations, by when, and about how much staff time will be required? A couple of the recommendations in particular -- drafting and adopting an economic development strategy and developing a marketing strategy would seem to be pretty workload intensive so please comment on

the cost-benefit equation in Ann Arbor for those. Also, what is SPARK's relationship and role in these strategies and in the overall Redevelopment Ready process?
(Councilmember Lumm)

Response: Below is a list of the 11 recommendations and an estimate for staff effort:

1. Complete work on the zoning ordinance reorganization to make the ordinance easy to read – Currently underway. Staff effort from the City Attorney's Office and Planning is already programmed for this effort.
2. Eliminate city council review of "permitted use" site plan – 40 hours of Planning/City Attorney staff effort. Staff has floated the idea of moving "Small Projects" under the Citizen Participation Ordinance criteria to the Planning Commission review level, and this appears to be acceptable to MEDC. (see response to question number 1 above for more detail)
3. Create a mechanism for customer feedback – Currently underway. 10 additional hours of Planning staff effort anticipated to create and implement a SurveyMonkey questionnaire that would be distributed to a project's development team at the completion of the development review process.
4. Create a training tracking mechanism for city boards, commission and staff – Currently underway. The Clerk's Office and Information Technology Unit are working on a request for proposals for agenda management software that would also include a module that would allow for tracking of board and commission activities. No additional staff effort beyond that already engaged is anticipated.
5. Establish a joint meeting with the city council, planning commission, zoning board of appeals, DDA, environmental commission and the development review board – Partially implemented. A Council/Planning Commission working session was held in January 2015, and staff is organizing a Sustainability Framework team meeting in September, which would include the Planning, Environmental, Energy, Housing and Parks Commissions, and the Housing and Human Services Board.
6. Prioritize the city's prime redevelopment sites – Partially implemented. The Council action to offer the Library Lot for development is a first step toward meeting this best practice. In addition, the MEDC is seeking a list of at least 3, and up to 10 priority redevelopment sites. This prioritization can take place as part of the work on an economic development strategy (Item 9).
7. Identify available resources for prioritized redevelopment sites – Not started. In this action, MEDC is looking for the City to identify a menu of incentives that are available, based on the specifics of the site. These might include existing programs, such as the DDA grant program, Affordable Housing Trust Fund, and Brownfield incentives. After these items are identified and

shared with the development community (i.e., added to the website), this action would be satisfied.

8. Assemble a property information package for identified prioritized redevelopment sites –Not started. The recent offering provided for the Library Lot is an example of this requirement. Once priority sites are identified, staff effort to assemble the property information package is estimated to be 20 hours for each, using staff from Planning, Project Management and Systems Planning.

9 and 11. Developing an economic development strategy and a marketing strategy will be accomplished over time and by using existing resources such as SPARK, DDA, the Ann Arbor-Ypsilanti Chamber of Commerce, and the Washtenaw County Office of Community and Economic Development. As requested by the City, SPARK will be convening an Economic Health Advisory Group to further collaboration and alignment of economic goals in the City and region. The outcomes from the Economic Health Advisory Group will help guide the development of an economic development strategy specific to Ann Arbor. A marketing strategy will follow completion of the economic development strategy.

10. Review the economic development strategy annually – Not started. Once the economic development strategy is developed, the need to review it annually would take about 3 hours of additional staff effort each year.

Question: Once certified, what are the specific benefits that accrue to the City? (Councilmember Lumm)

Response: The most direct benefit of certification is MEDC-funded technical assistance to the city to implement best practices and training of city staff and boards. The MEDC will also offer marketing assistance for redevelopment ready sites. In addition, once certification is achieved, communities meeting best practices receive priority for funding at the MEDC and MSHDA. The indirect benefit is assurance to investors in the community that Ann Arbor's development process is fair, transparent, and communicates the community's expectations and values up front.

Question: In terms of the specific recommendation that Council no longer approve site plans, it was not clear from our work session whether that must be done or not to obtain certification. Please clarify whether certification requires implementation of that recommendation as stated (and all recommendations for that matter). If not, how much flexibility is there? If so, and understanding that Council's concerns tend to be over the large, significant projects, is there a middle ground that could be adopted that would meet MEDC's recommendation? (Councilmember Lumm)

Response: Please see response above.

Question: Is there any reason this needs to be approved tonight and could not be postponed to allow time for a public hearing? (Councilmember Lumm)

Response: This resolution does not require a public hearing. The timing is such that delays may reduce the availability of technical assistance funding from MEDC, since these resources are shared with other Redevelopment Ready Community programs.

B-1 – An Ordinance to Amend Sections 4:60, 4:61 and 4:62, and to Delete Section 4:63 of Chapter 49 (Sidewalks) of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-15-04)

Question: Regarding additional enforcement activity that would result from eliminating the 1 inch trigger, I understand it would be weather-dependent, but would like your best estimates of the impact on the following of removing the 1 inch requirement. And I'd like the data for two scenarios (1) no change in current practice of always issuing warning notices first and (2) change in process where there would be just one warning notice per season:

- Increase in staff hours spent on snow removal (and associated cost)
- Increase in number of notices
- Increase in number of citations
- Increase in number of instances where city had snow cleared
- Increase in city revenues from added fines

The amount of staff time and the number of citations issued to property owners are both very important considerations. You are the experts, so however you want to do the projections is fine (average winter, estimate ranges etc), but I do want your best assessment so that Council has a sense of these important impacts on residents and on city staff time of eliminating the 1 inch requirement. (Councilmember Lumm)

Response: In addition to enforcement activity being weather dependant, it is also dependant on the number of complaints received. Community Standards is primarily complaint driven. There is no way to estimate how much more citizens will be inclined to report potential violations specifically due to the elimination of the 1 inch requirement.

If there is a significant increase in complaints, there will be a need to assign additional Community Standards Officers to respond. These additional officers will be reassigned from parking enforcement duties and as a result, there may be a reduction in the number of parking citations issued and its resulting fines.

Question: Regarding the city's snow removal practices on city-owned land, can you please clarify the following for (1) park sidewalks along streets (2) interior park sidewalks and pathways (3) sidewalks at city-owned buildings:

- The city's snow removal obligations as defined under the current ordinance
- The city's snow removal obligations as defined under the new ordinance passed at first reading (e.g. no 1 inch rule)

- The city's current practices (and for this, I'm looking for what we actually are doing, not what we try to do)

There's also been a bit of discussion regarding the amount of discretion the Community Standards Officers (CSO) actually do have (and should have) and if/how that would change under the new ordinance. As I mentioned at the meeting, CM Petersen and I were contacted a year or so ago by 2nd ward folks – responsible folks who were trying to do what they were supposed to do – who felt they had been unjustifiably noticed and given a citation. CM Petersen/I met with police staff and the response was essentially that the ordinance didn't provide Community Standards Officers enough/the needed discretion. Anyway, I have a couple of questions related to the levels of discretion. (Councilmember Lumm)

Response: Regarding park sidewalks along streets and sidewalks at city owned buildings: Snow on sidewalks that abut non-residential parcels must be clear within 6 hours. Snowfall of 1" or more on sidewalks that abut residential parcels must be cleared within 24 hours. Regarding interior park sidewalks and pathways: the existing ordinance does not address these.

Regarding park sidewalks along streets and sidewalks at city owned buildings: Snow on sidewalks that abut non-residential parcels must be clear within 6 hours. Snow on City parcels that abut residential parcels must be cleared within 24 hours. Regarding interior park sidewalks and pathways: the proposed ordinance does not address these

When the snowfall event is <4" and when we are fully staffed, the City clears all paths within 24 hours. Many areas are complete within 8-10 hours. Downtown and heavy foot traffic areas are considered a priority and are cleared first. In snows >4", the majority of the crew is diverted to street work and as such, clearing of the lower priority areas takes longer than 24 hours.

Facilities maintenance handles the Municipal Center complex, fire stations, dental clinic, 721 N. Main and a number of smaller lots (some in residential districts) owned by the City. Current ordinance – the bulk of the city buildings are in the non-residential districts and we comply with the ordinance. New ordinance - would not change our current practice and we would comply with it. Current practice – During the weekday, any accumulation of snow or ice is removed/treated. We strive to have these clear before 8am. On weekends, staff is called in on overtime to ensure we have the sidewalks cleared before noon. Because of the small size of Facilities staff, the Municipal Center and fire stations are first priority, followed by other non-residential district building and then residential district buildings/lots.

Question: How much discretion are the Community Standards Officers granted under the existing ordinance and how much latitude are they actually executing in practice? Do you believe that level of discretion is appropriate and if not, what changes do you

think should be made? How would the level of discretion change (if at all) under the version of the ordinance Council passed at first reading? (Councilmember Lumm)

Response: Under our existing ordinance and current enforcement philosophy, there is limited discretion. Chief Seto believes there should be more discretion. Discretion will be based on safety and accessibility. Discretion will also be utilized when inspecting other residences on the same block as the original complaint. The current philosophy has been to enforce according to the ordinance and the 1 inch requirement. The new discretion will be based on safety and accessibility.

Question: Some now seem to be suggesting the city should eliminate the 1 inch accumulation requirement, but increase the amount of discretion in enforcement. Can you please clarify how that would work specifically and the criteria the Officers would use? And in addition to asking property owners to do a lot more work, wouldn't that also be sending a mixed message to property owners suggesting they too have some discretion (where none exists today) and isn't that likely to result in more problems, disputes and issues of interpretation? (Councilmember Lumm)

Response: As stated above, safety and accessibility will be used in determining the amount of discretion a C.S. Officer will utilize. We cannot speculate on what standard a homeowner will use in determining when they decide to clear their walks.

Question: While the responsibilities for homeowners in the new ordinance are pretty clear in terms of the regular residential sidewalks – shovel every time it snows vs. shovel if snow > 1 inch, the snow removal responsibilities regarding bus stops, ramps, walks, walkways, pathways that may be adjacent to a homeowners property are not well understood. Can you please clarify these other responsibilities under the existing ordinance, the ordinance passed at first reading, what's changed/new. (Councilmember Lumm)

Response: The Task Force inserted specific reference to bus stops in the ordinance amendment for all property owners. But under both the existing ordinance and the ordinance amendment all property owners are responsible for clearing the entire width and length of a sidewalk, walk, and ramp, which would include a bus stop that is a part of these areas.

Question: From the benchmark information provided, it's not clear how other municipalities handle the responsibility for clearing bus stops, crosswalks and/or the ramps leading to them. Can you please provide information on property owners' responsibilities in this regard. And specifically for bus stops, for those who require private property owners to bear this responsibility, how many of the municipalities also have a dedicated transit millage? (Councilmember Lumm)

Response: Neither staff nor the Task Force have polled benchmarked communities about the specifics of how their ordinances are managed or funded.

Question: There have been comments from Task Force members about advice they received from staff (legal and/or police) with regard to enforcement. Can you please share what advice (if any) has been provided. (Councilmember Lumm)

Response: Staff are not aware of advice from staff (legal and/or police) that has been shared with the Task Force with regard to enforcement.

Question: One alternative that was raised at the meeting was for the city to take on the responsibility for all sidewalk snow removal and a cost projection was requested. In developing the cost estimate, please identify any one-time costs as well as the recurring costs and please provide estimates under the two scenarios (1) accumulation > 1 inch and (2) any accumulation at all. (Councilmember Lumm)

Response: Start up costs for equipment: \$1,017,660.00. Annual costs, including FTE, materials and equipment maintenance: \$2,696,884.00. The cost does not change with the two scenarios.

Notes:

- This estimate is for the 427 miles of existing sidewalk. There are another 156 miles where no sidewalk currently exists but could be constructed (sidewalk gaps)
- The estimate does not include additional materials for repeat clearing or salting that may be needed to address drifting or plowing, or melt/freeze.
- The estimate does not include additional supervisor that may be needed for additional shift hours.
- The estimate does not include additional mechanic time that would be needed to maintain the extra 12 pieces of equipment.

Question: In assessing how much more work we are asking residents to do, can you please provide data on the number of Ann Arbor snowfall events in an average, heavy, and light snow year – how many are > 1 inch and how many <1 inch. Also, about how many private property owners are there in the city with sidewalks and how many of these are single-family residential properties? (Councilmember Lumm)

Response: According to the National Weather Service's UM Station, on average there are 17.6 days per year with >1 inch of snow accumulation. On average, there are 53.2 days per year with snowfall of any amount. We do not have data on the number of days of snowfall in heavy and light snowfall years. NOTE: This data does not factor in accumulation from drifting or melt/refreeze.

The City has an average of 70-80 days per year of material application.

251 miles are single family residential; 124 miles non-single family and approximately 52 miles City.

Question: Many property owners (including elderly and disabled) hire a contract service to clean their sidewalks and we have received anecdotal indications the cost of

these services will increase dramatically if the 1 inch requirement is removed. Can you please informally survey a small group to obtain a sense of the increases that residents who currently contract this out might expect. (Councilmember Lumm)

Response: Staff do not review third party contracts.

Question: When the city has snow removed from the sidewalks of a residential homeowner, is it a standard charge or a function of the size of the sidewalk or amount of snow? For a residential homeowner who receives a citation and the city has the snow/ice removed, how much are they charged in total and what are the various pieces of the total charge? (Councilmember Lumm)

Response: The cost of the contractor depends on how long it takes and how many people it takes to clear the property. The current cost of the contractor is \$95 per hour and \$.40 per pound of salt. There is an additional \$50 administrative fee when a contractor is contacted. The cost of the citation is set by the Court.

Question: CM Briere provided language that would retain the 1 inch requirement for snow accumulation and adds a half inch “compacted snow” requirement. Can you please define “compacted snow” and indicate how that added element should be interpreted by property owners as compared to new snowfall and ice. Also, how would enforcement be handled for this added element? (Councilmember Lumm)

Response: Compacted snow could be interpreted as ice or snow that has been walked on and/or driven over with a vehicle. The dictionary definition of “compacted” is “closely packed or joined together.”

Question: There are a number of sidewalks in the city adjacent to property owned by AAPS, UM, County. What are their current snow/ice removal practices, and how would they be impacted (if at all) by the ordinance passed at first reading? (Councilmember Lumm)

Response: Staff do not know the snow/ice removal practices of AAPS, UM or the county and do not know how they will be impacted by the city ordinance.

Question: Can you give specific examples of major problems that removing the 1" specification of the new ordinance would solve, assuming the other changes go through? Asked another way, could the existing ordinance solve the majority of the problems with greater reporting and staffing? (Councilmember Westphal)

Response: The Task Force’s primary goal is to improve the community’s ability to provide a safe and accessible network for people who walk.

The ordinance as it currently reads: “within 24 hours after the end of each accumulation of snow greater than 1 inch” results in, at least, two identified issues:

- Removing the “snow greater than 1 inch” rule, will help to reduce hazards on sidewalks in all snow/ice conditions. For example, this winter has illustrated how some of the most minor accumulations have created the most hazardous conditions for pedestrians of all abilities. If a snow event results in less than 1 inch of snow, the owner/occupant does not have to currently attend to their sidewalks which can cause accessibility issues under a number of conditions:
 - compacted snow that turns to ice
 - melting snow that turns to ice
 - unevenly compacted snow that creates trip hazards and/or makes a route inaccessible for people with mobility concerns
 - snow obscuring ice
- Removing the 1 inch rule and replacing it with “within 24 hours after the end of each accumulation of snow or ice “ would require a owner/occupant to remove all snow from sidewalks, thereby, minimizing the potential for cumulative accumulations that add up to more than 1 inch, over time.

Question: Do you anticipate that residents would be fined for not removing a dusting of snow? (Councilmember Westphal)

Response: No.

Question: How much discretion are officers accorded? (Councilmember Westphal)

Response: Community Standards Officers have discretion which will be based on safety and accessibility. A dusting of snow would not be perceived as an issue of safety or accessibility.

Question: Would they prioritize major violations over minor? (Councilmember Westphal)

Response: Yes, Community Standards will prioritize enforcement.

Question: In general, is there an indication of whether Ann Arbor is in the majority or minority of peer communities when it comes to how we currently articulate expectations for snow removal? Can you give examples of cities where there is no measurement criteria? (Councilmember Westphal)

Response: The attached document, which outlines practices for many snow-belt cities, was prepared by the Winter Maintenance subcommittee of the Task Force. According to this document, it appears that Ann Arbor is in the minority of peer communities.

Question: Will snow removal companies be able to fulfill obligations to their clients under the new rules? How is this accomplished in other communities? Are services deployed with every snowfall? (Councilmember Westphal)

Response: Staff do not review third party contracts.

Question: In cities with ordinances similar to the proposed one in place, what has the resident feedback been? (Councilmember Westphal)

Response: Neither staff nor the Task Force have polled benchmarked communities about resident feedback.

Question: Are there any resources or programs in place (or could be adopted) to guarantee that homeowners unable to afford to clear snow would not be assessed? Or have payment plans? (Councilmember Westphal)

Response: The sections that currently exists in the ordinance are **4:61. - Removal by city.** *If snow or ice is not removed or treated as required [section 4:60](#), the city may notify the owner or occupant of the violation of [section 4:60](#). This notification may be made in person, by telephone, by mail or by written notice left at the property. If the owner or occupant fails to remove snow or ice within 24 hours of the notification of violation of [section 4:60](#), the city may cause such snow or ice to be removed. The owner (as indicated by the records of the assessor) of the adjacent property shall then be charged the actual cost of the sidewalk clearance, plus an administrative fee of \$50.00. If that charge is not paid within 45 days, it may be assessed against the parcel under [section 1:292](#) of this Code. (Ord. No. 83-70, 10-13-70; Ord. No. 46-77, 1-23-78; Ord. No. 81-81, 12-7-81; Ord. No. 5-86, 2-20-86; Ord. No. 77-92, § 2, 12-21-92)* **4:62. - Financial hardship** Upon proof of financial hardship the Administrator may authorize charges under [section 4:61](#) to be paid in installments, to be reduced, or to be cancelled and will be subject to Council approval.(Ord. No. 11-75, 2-10-75; Ord. No. 5-86, 2-20-86)

There are currently no city-assisted resources or programs in place.

Question: There has been a dramatic uptick in sidewalk snow removal citations issued over the past two years. Do you anticipate that overall more citations will be issued under the new ordinance versus what would be issued with the old ordinance continuing in place? (Councilmember Westphal)

Response: One reason for the increase in citations issued in the past winters is due to the large amounts of snow fall and low temperatures. If the revisions of the ordinance are adopted, yes, there could be more citations issued. However, it may also depend on how many more complaints are received. As stated above, discretion will also play a role on whether there will ultimately be an increase in citations issued.

Question: How much discretion do Community Standards officers currently have in issuing warnings and citations for snow/ice? (Councilmember Grand)

Response: Under our existing ordinance and current enforcement philosophy, there is limited discretion. Chief Seto believes there should be more discretion. Discretion will be based on safety and accessibility.

DC – 1 – Resolution in Support of State Ballot Proposal 15-1 on the May 5, 2015 Election Ballot

Question: If Proposal 15-1 should pass and assuming the numbers provided are correct that the state funding to Ann Arbor for roads were to increase by \$5M annually, are there any constraints (staff time, number of roads under construction at any one time) that would preclude the City's ability to utilize all of the funding expeditiously (in year received or following year). If so, please elaborate on the constraints, what the maximum capacity for the City is annually, how much the fund balance would build, and how much the City's street millage could be reduced to ensure the fund balance does not exceed one year? If Proposal 15-1 passes, what would be the impact on the City's alternative transportation fund and annual funding, and what restrictions (if any) would be placed on the use of the additional funding? (Councilmember Lumm)

Response: Initially, there would be a need to adjust the programs and staffing. There is no shortage of needs for transportation systems. The additional funds would allow for further adjustments in pavement management strategies for greater midlife investments to prolong pavement life. The pavement marking program could be accelerated, pedestrian crossing/RRFB installations could be considered at a faster rate, and various retaining walls could receive needed maintenance.

DB-1 – Resolution to Approve the Nixon Farm Annexation, 69 Acres, 3381 Nixon Road (CPC Recommendation: Approval - * Yeas and 0 Nays)

DB-2 – Resolution to Approve the Nixon Farm South Annexation, 41 Acres, 2999 Nixon Road (CPC Recommendation: Approval – 8 Yeas and 0 Nays)

Question: When the Woodbury Club Apartments annexation was approved, staff responded to a question I had that approving the annexation did not legally obligate the City to zoning or a specific site plan. Can you please confirm that's the case here as well? (Councilmember Lumm)

Response: Annexation is an independent action from any other land use decision. Upon annexation (or within 2 years), a zoning classification must be assigned to the land but it can be different from what is requested or recommended.

Question: Can you please provide an update on the current status of the Nixon/Green/DhuVarren intersection studies/discussions as well as any other traffic-related studies/discussions for this area? (Councilmember Lumm)

Response: The consulting traffic engineers have provided their final draft report to the City for consideration. They have identified the pros and cons to two different redesign

options. Staff has met throughout the process to review preliminary and final drafts of the report and will meet once again before the end of the month to identify a preferred option.

Question: For all the projects in this area (Woodbury and Nixon Farms North and South), what do you see as the likely timing for:

- Approval of annexations
- Council consideration of zoning
- Council consideration of site plans (Councilmember Lumm)

Response: Staff advises petitioners that the State Boundary Commission can take up to 90 days to review an annexation. If the Nixon Farms annexation resolutions are passed this evening, March 16, 2015, the annexation is anticipated to be finalized by mid-June, 2015.

Based on a mid-June finalization of the annexation, the first readings for each Nixon Farm zoning petitions could be scheduled for a City Council agenda approximately 4 weeks later. Second reading for the zonings and action on each site plan could then be scheduled a month after first reading is approved.

Question: Also, are there any additional neighborhood meetings scheduled on the projects themselves or the intersection improvements? (Councilmember Lumm)

Response: No additional meetings have been scheduled to our knowledge.

DS-1 – Resolution to Petition the Washtenaw County Water Resources Commissioner to Improve Geddes Road (Stormwater portion: \$2,086,550.00; Project total: \$9,810,780.00)

Question: The petition to the WCWRC in DS-1 related to the Geddes project does not include any project detail -- by approving the petition tonight, are we essentially approving any specific details of the plan? (Councilmember Lumm)

Response: No.

DS-2 – Resolution to Approve an Agreement with the Michigan Department of Transportation for the Fuller Road and Maiden Lane Bridges Rehabilitation Project (\$2,499,000.00)

Question: Could we please see the finished design, including any pedestrian and cycling improvements such as grade separation, barriers, etc.? (Councilmember Briere)

Response: A copy of the project plans will be attached to Legistar. The project does not include any non-motorized improvements, as it is only a bridge rehabilitation project, which consists of performing capital maintenance on the structures, not replacing or

reconstructing them. Therefore, the extension of the border to border trail is not related to, and thus not a part of, the scope of this project. In addition, the funding sources being utilized for this project (Street Millage & State Local Bridge Funds) would not be able to fund the path project described.

The non-motorized connection in question was, as a citizen request from the WBWC, added to the Capital Improvement Plan ("CIP") in Fall 2014 as project TR-AT-16-04 ("Non-Motorized Connection Under E Medical Center Drive Along S Side of Fuller"). A funding source needs to be identified for this work and, per discussion during the CIP prioritization process, this work will likely be coordinated with the planned reconstruction of the Fuller Road/Maiden Lane/East Medical Center Drive Intersection Improvements (also in the CIP as project TR-SC-08-01).

Question: The cost of improving the border-to-border trail through this intersection (across Medical Center Drive) and whether that could be done at the same time as this bridge work? (Councilmember Briere)

Response: The estimated cost of the portion of the border to border trail as proposed in CIP Project TR-AT-16-04 is \$220,000.

Question: Whether there is a current traffic count of both pedestrians and bike users in this intersection, and what that count indicates? (Councilmember Briere)

Response: The analysis of pedestrian and non-motorized traffic at the intersection of Maiden Lane and Fuller will be conducted as part of the future intersection reconstruction project (described above). There is no current data presently available.

Question: Is it too late to consider funding the design work now ...?" Craig/Nick, can we incorporate design and engineering for the trail within these project specs, and, if not, do we have any sense of the added cost/funds that would be required? (Councilmember Lumm)

Response: The current project is a bridge rehabilitation project, which is performing capital maintenance on the structure, not replacing or reconstructing them. Therefore, the extension of the border to border trail is not related to, and thus not a part of, the scope of this project. In addition, the funding sources being utilized for this project (Street Millage & State Local Bridge Funds) would not be able to fund the path project described.

The non-motorized connection in question was, as a citizen request from the WBWC, added to the Capital Improvement Plan ("CIP") in Fall 2014 as project TR-AT-16-04 ("Non-Motorized Connection Under E Medical Center Drive Along S Side of Fuller"). A funding source needs to be identified for this work and, per discussion during the CIP prioritization process, this work will likely be coordinated with the planned reconstruction of the Fuller Road/Maiden Lane/East Medical Center Drive Intersection Improvements (also in the CIP as project TR-SC-08-01).

DS-3 – Resolution to Approve a Professional Service Agreement with Alfred Benesch & Company, Inc. for the Fuller Road and Maiden Lane Bridges Rehabilitation Project (\$420,730.85)

Question: Although I understand the firm will be doing the construction engineering and project management work, the \$420K cost seems a bit high for a \$2.1M project(\$2.5M total less this \$400K). Since we only received one bid, how did staff become comfortable the fees were reasonable? (Councilmember Lumm)

Response: After receiving only one proposal for the project, staff thoroughly reviewed the proposed hours and rates to verify that they were reasonable before recommending approval of the contract by Council. The number of hours were reduced somewhat through negotiation with Alfred Benesch & Co. to an amount that staff found reasonable for the scope of work requested. The company's hourly rates were also compared with other rates typically seen in the engineering industry and found to be reasonable. In addition, the contract with Alfred Benesch is not a lump sum contract, so the company will be reimbursed only for the amount of actual work performed.

DS-11 – Resolution to Approve a Contract with Oak Construction Corporation for Island Park Pedestrian Bridge Abutment Repairs (\$119,000.00)

DS-12 – Resolution to Award a Construction Contract to Terrafirma Landscape for the Olson Park Irrigation System Improvements Project and Appropriate Funds from the Park Maintenance and Capital Improvement Millage Fund Balance (\$49,100.00; Bid No. ITB-4359) (8 Votes Required)

Question: For Parks projects, there is usually mention of PAC review/approval. I know this is a relatively small project, but did PAC review/discuss? Funding is recommended from Parks Millage fund balance, but for DS-11, it says, "funding is available in the Parks Millage budget." What is the difference -- was DS-11 specifically budgeted for and not DS-12, or did DS-11 just use up the budget for the year, so DS-12 needs to come from fund balance? (Councilmember Lumm)

Response: PAC did review the Olson Park Irrigation System Improvements Project (Item DS12), and unanimously recommended its approval. This information was inadvertently left out of the memorandum. In regards to funding, funds for DS-11 are included in the approved FY2015 capital projects. The extent of repairs needed for the irrigation system is more extensive than was anticipated and cannot be funded from the current fiscal year approved maintenance budget. Hence the request for appropriation of funds from the Parks Maintenance and Capital Improvements Millage fund balance.

Council Approved Site Plans
January 2013 – February 2015

Major Projects that require Citizen Participation Meeting

- PUD Site Plan
- Planned Project Site Plan
- Rezoning
- Major Site Plan (i.e., meets one or more of the following criteria)
 - Contains over 80 residential units
 - Over 65 feet in height
 - Over 50,000 square feet of non-residential usable floor area
 - May require citizen participation depending on the scope, nature or any unique or unusual characteristics as determined by the Planning & Development Services Unit Manager.

Project Name	Citizen Participation Meeting Required	Required Council Approvals	Required Planning Commission Approvals	Other Approvals
116 W. Huron Retail/Hotel	Yes	Site Plan Development Agreement		Design Review Board
121 Kingsley West Condominiums (22 units)	Yes	Rezoning Site Plan Development Agreement		Design Review Board
413 E. Huron Apartments (216 units)	Yes	Site Plan Development Agreement		Design Review Board
414 Main Condominiums (16 units)	Yes	Rezoning Site Plan Development Agreement		Design Review Board
515 Oxford Sorority	Yes	Rezoning Site plan	Special Exception Use	
624 Church Apartments (122 units)	Yes	Site Plan Development Agreement		Design Review Board
AAHC North Maple Estates (42 units) 701 N. Maple	Yes	Rezoning Site Plan Development agreement Street Vacation		

Council Approved Site Plans
January 2013 – February 2015

Major Projects, continued

Project Name	Citizen Participation Meeting Required	Required Council Approvals	Required Planning Commission Approvals	Other Approvals
AAHC Platt Road East (32 units) 3451 Platt Rd.	Yes	Rezoning Site Plan Planned Project Development Agreement		
Briarwood Restaurants 760 Briarwood Circle	Yes	Rezoning (withdrawn) Site Plan Development Agreement		
Delta Chi Fraternity (34 occupants) 1705 Hill	Yes*	Site Plan	Special Exception Use	
Gift of Life Addition 3861 Research Park Dr.	Yes	Rezoning Site Plan Development Agreement		
Hampton Inn Hotel 2910 Jackson	Yes	Site Plan Planned Project Development Agreement		
MAVD Financial Institution (rezoning, site plan, street vacation)	Yes	Rezoning Site Plan Street Vacation	Special Exception Use	
Plum Market 3601 Plymouth Rd.	Yes	Rezoning Site Plan		
Shell Station PUD 2679 Ann Arbor-Saline Rd.	Yes	Rezoning Site Plan	Special Exception Use	
State Street Village (78 units) 2223 S. State St.	Yes	Rezoning Site Plan Development Agreement		
Traverwood Apartments (216 units) 2225 Traverwood Dr.	Yes	Site Plan Wetland Use Permit Development Agreement		

Council Approved Site Plans
January 2013 – February 2015

* Required by the Planning Manager

Small Projects that Require Postcard Notice Only

- All other site plans, except Administrative Amendments

Project Name	Citizen Participation Meeting Required	Required Council Approvals	Required Planning Commission Approvals	Other Approvals
2625 Jackson Retail (5,040 sf)	No	Site Plan	Special Exception Use	
278 Collingwood Office Addition (2,451 sf)	No	Site Plan		
515 N. Fifth Avenue Multiple-Family (4 units, 8,404 sf)	No	Site Plan Development Agreement		Zoning Board of Appeals
Ann Arbor Christian Reformed Church Addition (12,850 sf) 1717 Broadway St.	No	Site Plan	Special Exception Use	
Bank of Ann Arbor Addition (9,440 sf) 125 S. Fifth Ave.	No	Site Plan	Special Exception Use	Design Review Board
Belle Tire Store (9,735 sf) 590 W. Ellsworth Rd.	No	Site Plan Street Vacation		
Dusty's Collision (30,537 sf) 2310 South Industrial Hwy	No	Site Plan		
Germain Motors Additions (11,306 sf) 2575 S. State St.	No	Site Plan		
Honda Testing Facility Addition (24,116 sf) 3947 Research Park Dr.	No	Site Plan		
Montgomery Building Addition (32 units, 21,100 sf) 210 S. Fourth Ave.	No **	Site Plan		Historic District Commission
Rudolf Steiner High School (19,780 sf) 2230 Pontiac Tr.	No **	Site Plan	Special Exception Use	
Running Fit Addition (6 units, 6,015 sf) 121 E. Liberty St.	No **	Site Plan		

Council Approved Site Plans
January 2013 – February 2015

Project Name	Citizen Participation Meeting Required	Required Council Approvals	Required Planning Commission Approvals	Other Approvals
Ruth's Chris Restaurant Addition 314 S. Fourth Ave.	No	Site Plan		Design Review Board
State Street Shell Drive-thru (4,250 sf) 2991 S. State St.	No	Site Plan	Special Exception Use	
The Mark Condominiums (7 units, 11,910 sf) 318 W. Liberty St.	No **	Site Plan Development Agreement		Historic District Commission
Theta Delta Chi Additions (2,366 sf) 700 S. State St.	No	Site Plan	Special Exception Use	
U-Haul Moving Additions (17,936 sf) 3655 S. State St.	No	Site Plan		

** Petitioner opted to hold citizen participation meeting

Snow clearing requirements of various communities in the snow belt

(Please see end notes for methodology and some specific notes.)

Municipalities requiring clearing if 1", 2", or 4" of snow has fallen (5)

Ann Arbor, MI - if 1" or more has fallen, all snow must be cleared.

Ypsilanti, MI (*) - "must clear from those surfaces all snow, fallen, drifted, or in any other manner accumulated, within 24 hours from the first accumulation of 1 inch or more as measured at the parcel"

Novi, MI - "shall clear all ice and snow from sidewalks adjoining such lot or premises to the front or side (but not to the rear) within the time required in this section. Within forty-eight (48) hours after the end of each accumulation of snow of two (2) inches or more, the owner or occupant of every property shall remove the accumulation from the adjacent public sidewalk and walks and ramps leading to a crosswalk"

Iowa City, Iowa - "The snow ordinance in Iowa City states that the entire width of a public sidewalk must be cleared of a 1 inch or greater snowfall within 24 hours after the snow has stopped."

Jackson, MI - "shall clear accumulations of ice and snow, constituting a threat to the public safety, from sidewalks adjoining such lot or premises within the time specified herein. Clearing of ice or snow, for purposes of this section, shall be clearing to a minimum of thirty-six (36) inches in width and the entire length of sidewalk adjoining said property.

- (1) Snow, constituting a threat to the public safety, shall be cleared from all sidewalks in the city within twenty-four (24) hours after cessation of such snowfall.
- (2) Ice, constituting a threat to the public safety, shall be cleared from all sidewalks in the city immediately upon cessation of the storm producing the ice.
- (3) For purposes of this section, an accumulation of snow four (4) inches or greater, or any accumulation of ice upon any sidewalk, shall be deemed to be a threat to public safety."

Municipalities requiring clearing if any snow has fallen (35)

Adrian, MI - "shall clear all ice and snow from sidewalks adjoining such lot or parcel of land within the time required in this subsection When any snow shall fall or drift upon any sidewalk, the owner or occupant of the lot or parcel of land adjacent to such sidewalk shall remove such snow as shall have fallen or accumulated during the nighttime by 12:00 noon, and snow falling or drifting during the day shall be removed before 12:00 noon of the following day. "

Battle Creek, MI - “shall remove such snow or cause the same to be removed within the periods of time herein prescribed. Snow that has accumulated during the night shall be removed before 12:00 noon. Snow that has fallen or drifted during the day shall be removed before 12:00 noon of the following day. “

Bay City, MI - “No person shall allow the accumulation of snow or ice on the sidewalk adjoining any premises owned or occupied by him for a greater length of time than 24 hours after the cessation of any storm of snow or sleet. “

Brighton, MI - “Whenever any snow shall fall or drift on or across any sidewalk, the owner or occupant of the lot, building or other premises adjacent to or abutting upon the sidewalk, shall remove such snow or cause the same to be removed within periods of time herein limited:
(1) Snow that has accumulated in or during the nighttime shall be removed by 6:00 p.m. of the day thereof;
(2) Snow falling or drifting during the day shall be removed before 12:00 noon of the following day.”

Buffalo, NY - “shall be the duty of every owner or occupant of any premises abutting any public street to remove, before 9:00 a.m., all snow and ice which may have fallen upon the sidewalk abutting said premises”

Chelsea, MI - “It shall be the duty of the owner or occupant of every parcel of real estate within the city which adjoins a public right-of-way upon which there has been constructed a public sidewalk, to remove any accumulations of ice and snow which obstruct the free use of the sidewalk by pedestrians, within 48 hours after the accumulation of such snow or ice. “

Chicago, IL - “shall remove the snow and ice from the sidewalk in front of such building or lot of ground.” ... “The snow which falls or accumulates during the day (excepting Sundays) before four p.m. shall be removed within three hours after the same has fallen or accumulated. The snow which falls or accumulates on Sunday or after four p.m. and during the night on other days shall be removed before ten a.m.”

Cleveland, OH - “shall clear the whole sidewalk in front of the tenement, building, lot or land, of snow and ice, before 9:00 a.m. of each day”

Dearborn, MI - “No occupant of any premises or owner of premises or property shall fail to keep the sidewalks in front of or adjacent to such premises or property clear of ice and/or snow, so far as to facilitate pedestrian use.”

Dexter, MI - “(a) Businesses and residents shall clear the sidewalks adjoining their property of snow. Failure to clear the sidewalks in a timely manner constitutes a violation of this division.
(b) Owners/residents shall have such sidewalks clear within 48 hours of snow cessation.”

Ferndale, MI - “Whenever any snow shall fall or drift on or across any sidewalk in any street or other public place of this city, the occupant or agent of such occupant having charge of the lot, building or other premises adjacent to or abutting upon said sidewalk, shall remove the said snow or cause the same to be removed within the periods of time herein limited, to wit: Snow that has accumulated in or during the nighttime shall be removed by 12:00 noon; snow falling or drifting during the day shall be removed before noon of the following day. “

Garden City, MI - “shall clean all snow from sidewalks adjoining the lot or parcel of land within 24 hours of the time that snow has accumulated.”

Grand Rapids, MI - “shall clear any accumulation of ice or snow from the public sidewalks adjoining such property within twenty-four (24) hours of the accumulation or placement of snow or ice on said sidewalks.”

Grosse Pointe, MI - “No person shall permit any snow or ice to remain accumulated on sidewalks within the public right-of-way in the front, rear or sides of any business, house, building or lot owned, occupied or controlled by him longer than 24 hours after the same has fallen. “

Kalamazoo, MI - “It shall be unlawful for the owner or occupant of any lot or building within the corporate limits of the City to permit or suffer to remain, on the sidewalk opposite and in front of such lot or building or on any alley adjacent thereto, any snow, ice or rubbish of any kind. “

Lansing, MI - “No person shall permit any snow or ice to remain on any public sidewalk adjacent to any house, building or lot owned or occupied by that person, or on the public sidewalk adjacent to any multifamily dwelling or unoccupied house, building or lot owned by that person, for more than 24 hours after the same has fallen or formed.”

Livonia, MI - “shall clean all ice or snow from sidewalks adjoining such lot or parcel of land within the time herein required. When any snow falls or drifts upon any sidewalk, the owner or occupant of the lot or parcel of land adjacent to the sidewalk shall remove such snow as shall have fallen or accumulated during the nighttime, by twelve noon; snow falling or drifting during the day shall be removed before twelve noon the following day”

Madison, WI - “To make public sidewalks safe for pedestrians, the owner or occupant of property immediately adjacent to a public sidewalk is responsible for the removal of any snow or ice that accumulates on the sidewalk. Residents are required to clear snow from their sidewalk by noon of the day after the snow stopped.”

Manchester, MI - “Except as provided in divisions (B)(3) or (B)(4) below, snow and ice shall be so removed from all residential sidewalks within 24 hours after the cessation of any fall of snow, sleet, or freezing rain.” [(B)(3) refers to treating ice, (B)(4) is a hardship provision.]

Marquette, MI - “shall clear all ice and snow from sidewalks adjoining such lot or premises within the time herein required. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be cleared from the sidewalks within two hours after such cessation. When a fall of snow or ice shall have ceased during the nighttime, it shall be cleared from the sidewalks by 10:00 a.m. of the day following.”

Minneapolis, MN - “shall cause the snow and/or ice to be removed from the public sidewalk abutting or adjoining the lot upon which such building is situated, within the first twenty-four (24) hours after the ceasing to fall of any snow, and shall cause sand to be sprinkled on the sidewalk where there is snow or ice upon the sidewalk that cannot be removed.”

New York, NY - “shall, within four hours after the snow ceases to fall, or after the deposit of any dirt or other material upon such sidewalk, remove the snow or ice, dirt, or other material from the sidewalk and gutter, the time between nine post meridian and seven ante meridian not being included in the above period of four hours.”

Northville, MI - “Where either snow or ice has fallen or formed on any such sidewalk, such owner, occupant or his agent shall, within 24 hours after the snow or ice has fallen or formed, remove such snow or ice, or cause a sufficient quantity of salt, sand or ashes to be strewn thereon in such a manner as to render the same safe for persons walking thereon”

Petoskey, MI - “shall clear all ice and snow from sidewalks adjoining such lot or parcel of land within the time herein required. When any snow shall fall or drift upon any sidewalk, the owner or occupant of the lot or parcel of land adjacent to such sidewalk, shall remove such snow as shall have fallen or accumulated during the nighttime, by 12:00 noon; snow falling or drifting during the day shall be removed before 12:00 noon of the following day.”

Pittsburgh, PA - “shall, within twenty-four (24) hours after the fall of any snow or sleet, or the accumulation of ice caused by freezing rainfall, cause the same to be removed from the sidewalk.”

Plymouth, MI - “shall, within 24 hours after the same has fallen or formed, remove or cause to be removed any snow or ice which may have fallen”

Pontiac, MI - “shall remove and clear away, or cause to be removed and cleared away, snow and ice from so much of such sidewalk as is in front of or abuts on such building or lot or piece of land. Except as provided in subsection (c) of this section, snow and ice shall be so removed from sidewalks within 24 hours after the cessation of any fall of snow, sleet or freezing rain.” [(c) refers to treating ice.]

Port Huron, MI - “shall clear all ice and snow from sidewalks adjoining such lot or premises within the time required in this section. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be cleared from the sidewalks within 12 hours after such cessation. When a fall of snow or ice shall have ceased during the nighttime, it shall be cleared

from the sidewalks by 6:00 p.m. of the day following. “

Rochester, NY - “must keep the sidewalks adjoining such building or lot free and clear from snow and ice and must not suffer or permit snow or ice to collect or remain on such sidewalk later than 9:00 a.m. if such snow shall have fallen or collected after 8:00 p.m. of the previous evening; or later than 8:00 p.m. if such snow shall have fallen and collected after 9:00 a.m.”

Rochester Hills, MI - “a. When any snow or ice shall cease to fall or form during the daylight hours, such snow or ice shall be cleared from the sidewalk within 48 hours after such cessation.
b. When any snow or ice shall cease to fall or form during the nighttime, such snow or ice shall be cleared from the sidewalk within 48 hours after sunrise.”

Saline, MI - “shall remove and clear away, or cause to be removed and cleared away, snow and ice from a path of at least 42 inches in width from so much of the sidewalk as is in front of or abuts on the building or lot of land.” “Except as provided in subsection (b) hereof, snow and ice shall be so removed from all other sidewalks within the city within 24 hours after the cessation of any fall of snow, sleet or freezing rain.” [(b) refers to ice and requires sand/salt, ashes, etc in the same timeframes as above.]

South Lyon, MI - “shall remove and clear away, or cause to be removed and cleared away, snow and ice from so much of such sidewalk as is in front of or abuts on said building, lot or piece of land. Except as provided in subsection (2) of this section, snow and ice shall be removed from sidewalks within 24 hours after the cessation of any fall of snow, sleet or freezing rain.”

Syracuse, NY - “shall clear and keep cleared any snow or ice which has accumulated on the surface. This clearing of the snow and ice shall be completed by 6 p.m. of the day following the accumulation”

Toledo, OH - “shall clear the walk of snow, ice, dirt, or any other debris within twenty-four hours after such deposit.”

Warren, MI - “Whenever any snow or ice has fallen or accumulated, it shall be cleared within twelve (12) hours after it has fallen or accumulated.”

Westland, MI - “No person shall permit any snow or ice to remain on the sidewalks in the front, rear or sides of any house, premises, building or lot owned or controlled by such person longer than 24 hours after any snow or ice has fallen or formed”

Municipalities with unclear requirements (2)

Cadillac, MI - “The occupant of any premises, or the owner of any unoccupied premises is required to keep the sidewalks in front of or adjacent to such premises cleared, so far as is practicable and reasonable, from snow and ice to facilitate pedestrian use. “

East Lansing, MI - “(c) Snow that accumulates before noon on a sidewalk, as the result of a snowfall, shall be cleared from the sidewalk so as to afford reasonably unimpeded passage by the public by midnight of that date and any snow accumulating after noon on a sidewalk, as a result of a snowfall, shall be cleared to the same extent by midnight of the following day.
(d) Snow that accumulates on a sidewalk as the result of plowing or drifting shall be cleared from the sidewalk so as to afford reasonably unimpeded passage by the public within 24 hours.”

Notes:

1. * - Ypsilanti is a special case. While its current ordinance is listed above, the ordinance recorded in Municode is still their ordinance from 2009 and prior. That ordinance says that snow should be cleared when any snow has fallen. At some point between then and 2014, Ypsilanti changed the ordinance to be more like Ann Arbor’s, but with a 48-hours-after-accumulation-beginning grace period. In 2014, Ypsilanti changed that ordinance again to the current version listed above.
2. This list was created after the Pedestrian Safety and Access Task Force and its Winter Maintenance Committee created the recommended ordinance changes presented to Ann Arbor City Council in March 2015. The Winter Maintenance Committee used a smaller but more comprehensive list to create the recommended ordinance changes.

Methodology:

First, four separate searches were performed to attempt to find communities with a trigger like that of Ann Arbor’s current ordinance, in which nothing need be done until 1” or more of snow has fallen. This search turned up only one community, Iowa City, Iowa.

Next, a search was done of Municode for communities in Michigan and their sidewalk snow clearing ordinances. Municode is the software system provider that Ann Arbor uses to house its on-line ordinances. The system is a top-provider of this service in Michigan, so many cities’ codes can be evaluated quickly. After this search, the search was expanded to significant cities in the snow belt across the country. After that, AmLegal.com, another provider, was also searched.

Finally, another search was done for Brighton, Michigan and Ypsilanti, Michigan separately. Brighton is a significant community close to Ann Arbor, but that didn’t show up in either Municode or AmLegal. Ypsilanti showed up in another search as a city with an ordinance like Ann Arbor’s, though their Municode ordinance showed an ordinance unlike Ann Arbor’s. This led to an Mlive.com article that showed that Ypsilanti had updated their code. However that change hadn’t been posted to Municode. Further searching found the current ordinance on the Ypsilanti City website.

Cities were selected if they met one or more of the following, and were available on Municode or AmLegal:

- Michigan city/village within Washtenaw County
- Significant Michigan city outside of Washtenaw County that had some name recognition
- City outside of Michigan that has similarities to Ann Arbor
- City outside of Michigan that is noted for being pedestrian friendly
- City outside of Michigan that receives significant snowfall

A large number (not all) of cities that met those criteria were searched, and if they had a sidewalk snow clearing ordinance, it was included in the list. If there was no snow clearing ordinance, it was not included in this list. For example, Farmington Hills and Detroit were both checked, but neither had any ordinance at all about sidewalk snow clearing. Farmington Hills' website says that they feel pedestrians can fend for themselves, and Detroit apparently recently revoked that section of their Municipal code. There were other cities checked that also had no ordinance that was apparent.

A few important points need to be emphasized:

1. This is not intended to be a comprehensive list. This was a semi-random sampling of similar communities to determine some of the wording of their sidewalk snow and ice clearing ordinances.
2. The person doing the analysis did not know/remember the result for any community in this list before checking that community for their ordinance. The earlier listing the committee used was produced by a different member of the committee, had about 1/3 the number of communities in it, were mostly large university towns, and looked at many more aspects than just the trigger for clearing.
3. As noted above, for every community searched, if a sidewalk snow-clearing ordinance was found at all, it is included in the list above. There was no filtering of the results based on the content of the ordinance if one was found.