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**CITY OF DANBURY**  
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July 21, 2008

Hon. Mayor Mark D. Boughton  
Hon. Members of the Common Council  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Amendment to Code of Ordinances Section 17-7  
Removal of Snow, Ice, Sand and Debris from Sidewalks and Private Property

Dear Mayor and Council:

The proposed amendment to Code Section 17-7 by the addition of subsections (g) and (h) is intended to prohibit individuals from depositing snow, ice, sand or other debris from their property onto City walks, roads or other public passways or properties. This amendment proposal was by request of the City's sidewalk inspector. While the existing provisions of Code Section 17-7 serve to regulate the removal of snow and ice from *sidewalks* in accordance with specified guidelines, the addition of (g) and (h) extend farther to protect the public from materials on specified public property and the costs of removal of such materials.

Please note that enforcement of violations of this ordinance is intended to be through the City's citation process. While the fine presently proposed is \$90.00, you may, in accordance with the recent adoption of Code Section 1-7, set the fine at another amount, and up to \$250.00.

In the event you wish to consider this amendment, please refer it to the appropriate committee and department(s). Please call if you have any questions.

Very truly yours,

Laszlo L. Pinter  
Deputy Corporation Counsel

**Attachment**

cc: Antonio Iadarola, Director Public Works  
Frank Lollie, Construction Services

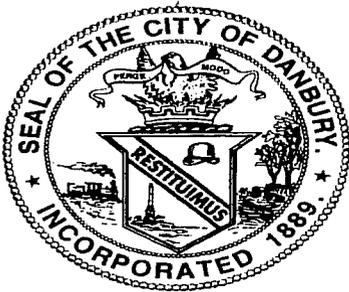
Llp/debris

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**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

Be it ordained by the Common Council of the City of Danbury:

THAT Section 17-7 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of two subsections, designated as subsections (g) and (h), which said subsections read as follows:

**Sec. 17-7. Removal of snow, ice, sand and debris from sidewalks and private property.**

(a) Every person owning or occupying any land fronting upon any sidewalk within the city shall, within four (4) hours of daylight immediately following the cessation of any fall of snow, or accumulation of ice thereon, cause the same to be removed, so that travel upon said sidewalk shall not be obstructed, dangerous or inconvenient, and upon failure so to do within the time limit, shall be punished as provided in Section 1-7. After the expiration of the time limit as aforesaid, if such snow and ice shall not have been removed, the superintendent of highways or his designee shall cause the same to be removed at the expense of such owner or occupier, such expense to be recovered from either the owner or occupier in an action brought in the name of the city.

(b) Every person, firm, corporation, association or partnership owning any land fronting on any sidewalk within the City of Danbury shall be responsible for the maintenance and repair of said sidewalk. The superintendent of highways or his designee may issue an order to any such owner requiring him to repair any sidewalk abutting his property within such period of time as is specified in said order. If the owner of any such property fails to comply with a proper order of the superintendent of highways or his designee, the superintendent of highways shall cause repairs as specified to be made at the expense of such owner, such expense may be recovered from the owner of said abutting property in an action brought in the name of the City of Danbury.

(c) All lawful expenses incurred by the City of Danbury by virtue of subsection 17-7(a) or 17-7(b) shall accrue interest at a rate of twelve (12) per cent per annum and shall be a lien upon the premises adjoining such walk provided that the superintendent of highways shall cause a certificate of lien to be recorded in the town clerk's office within sixty (60) days of the completion of any necessary repair or removal authorized herein.

(d) Pursuant to the provisions of Public Act 81-340 and notwithstanding the provisions of Section 13a-149 of the General Statutes or any other General Statute or Special Act, the City of Danbury shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the City of Danbury is the owner or person in possession and control of land abutting such sidewalk. The provisions hereof shall not relieve the City of Danbury from any liability imposed bylaw resulting from its affirmative acts with respect to such sidewalk.

(e) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his property as the City of Danbury had prior to the effective date hereof and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of such injury.

(f) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against the person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two (2) years from the date when the injury is first sustained.

(g) No person shall place or cause to be placed any snow, ice, sand or debris upon any street, road, public highway, sidewalk or other public property in the City.

(h) Any Danbury Police Officer and the Director of Public Works or his designee, shall be authorized to issue citations providing for penalties of Ninety Dollars (\$90.00) per day for violations of this section.

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Section 17-7 of the Code of Ordinances of Danbury, Connecticut is hereby amended by the addition of two subsections, designated as subsections (g) and (h), which said subsections read as follows:

**Sec. 17-7. Removal of snow, ice, SAND AND DEBRIS from sidewalks AND PRIVATE PROPERTY.**

(G) NO PERSON SHALL PLACE OR CAUSE TO BE PLACED ANY SNOW, ICE, SAND OR DEBRIS UPON ANY STREET, ROAD, PUBLIC HIGHWAY, SIDEWALK OR OTHER PUBLIC PROPERTY IN THE CITY.

(H) ANY DANBURY POLICE OFFICER AND THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE SHALL BE AUTHORIZED TO ISSUE CITATIONS PROVIDING FOR PENALTIES OF NINETY DOLLARS (\$90.00) PER DAY FOR VIOLATIONS OF THIS SECTION.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.