

Chapter 95. STREETS AND SIDEWALKS

§ 95-10. Snow and ice removal from sidewalks.

- A. The provisions of Section 7-163a of the Connecticut General Statutes are hereby adopted and are set forth in Subsections **B**, **C**, **D** and **E** hereof.
- B. Notwithstanding the provisions of Section 13a-149 of the Connecticut General Statutes or any other general or special act, the City shall not be liable to any person for injury to person or property due to the presence of ice or snow on a public sidewalk unless the City is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided that the City shall be liable for its affirmative acts with respect to any such sidewalk under its possession and control.
- C. 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 had prior to the effective date of this chapter and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury.
- D. No action to recover damages for injury to person or property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two years from the date when the injury is first sustained.
- E. Whenever the public sidewalk shall be wholly or partially covered by snow or ice, it shall be the duty of the owner or person in possession and control of land abutting a public sidewalk to cause such sidewalk to be made safe and convenient by removing the snow therefrom within the first six hours of daylight immediately following the accumulation of such snow thereon or, in the case of ice, by covering the same with sand or other suitable material within the first six hours of daylight following the accumulation of such ice, and then renewing such treatment as often as may be necessary to keep such sidewalk safe and convenient. In case of the failure or neglect of the owner or person in possession and control of land abutting the public sidewalk to comply with this subsection, the Director may cause the same to be done, and the expense thereof shall be collectible from the person so failing or neglecting, in an action of debt brought in the name of the City under this section. Any person who fails or neglects to comply with this subsection shall also be liable for a penalty or fine in an amount established in accordance with § **90-4**, Approval of rates and fees.

[Amended 6-23-2009]