

Chapter 115. LITTER AND COMMUNITY APPEARANCE STANDARDS

§ 115-24. Removal or covering of snow or ice required.

The owner, agent of the owner or occupant of premises bordering on any street or public place within the Town where there is an established sidewalk shall cause to be removed therefrom any and all snow and ice within 12 hours after the same shall have fallen or formed or within 12 hours after sunrise when the same shall have fallen or formed in the night season. When it is impracticable to remove ice, the sidewalk shall be made safe and convenient for travel by covering with sand or some other suitable substance.

← 12 hours

§ 115-25. Liability for injuries sustained on public sidewalks.

- A. The provisions of C.G.S. § 7-163a are hereby adopted and are set forth in Subsections **B** and **C** of this section.
- B. Notwithstanding the provisions of C.G.S. § 13a-149 or any other general statute or special act, the Town of West Hartford 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 Town of West Hartford 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 Town of West Hartford shall be liable for its affirmative acts with respect to such sidewalk.
- C. Responsibility of owners and abutters.
 - (1) 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 the owner's property as the municipality 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.
 - (2) 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 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.

**ARTICLE V. - SNOW AND ICE
REMOVAL^[91]**

- Sec. 31-141. - Enforcement of article.
- Sec. 31-142. - Defense available to owners for violations by tenants.
- Sec. 31-143. - Duty of property owner, occupant, etc., to remove **snow** from sidewalks.
- Sec. 31-144. - Fire hydrants to be cleared.
- Sec. 31-145. - Removing or sanding ice and sleet on sidewalks.
- Sec. 31-146. - Penalty for **snow** and ice violations.
- Sec. 31-147. - Liability of officers and directors of corporations.
- Sec. 31-148. - Duty of city officers to clear sidewalks owned by city; liability.
- Sec. 31-149. - **Removal** of **snow** from roofs.
- Sec. 31-150. - **Snow** and ice on public sidewalks.
- Sec. 31-151. - Throwing **snow** and ice into streets.
- Sec. 31-152. - Additional Code sections.
- Secs. 31-153—31-175. - Reserved.

Sec. 31-141. - Enforcement of article.

It shall be the duty of the department of police, under the direction of the chief of police, to see that the provisions of this article are complied with.

(Code 1977, § 30-103)

Sec. 31-142. - Defense available to owners for violations by tenants.

In prosecutions against any property owner arising from a violation of this article, the defendant shall be allowed to show that the occupant of the premises has agreed to conform to the provisions of this article and to save the owner harmless from all fines for violation thereof. Proof of such agreement shall be a sufficient defense to such prosecution.

(Code 1977, § 30-104)

Sec. 31-143. - Duty of property owner, occupant, etc., to remove **snow from sidewalks.**

The tenant, occupant, owner or agent of any premises abutting upon any street or public place in the City where there is a sidewalk graded, paved or planked, shall cause all **snow** to be removed from such sidewalk within six (6) hours after it has fallen, been deposited or found, or within three (3) hours after sunrise when the **snow** has fallen in the nighttime.

6 hours
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(Code 1977, § 30-105; Ord. No. 04-06, 3-13-06)

Sec. 31-144. - Fire hydrants to be cleared.

All snow and ice accumulating in the street higher than a point four (4) inches below the bottom of the lowest outlet on any fire hydrant, and within a radius of three (3) feet from the center of such hydrant, shall be removed by the tenant, occupant, owner or agent of the premises fronting on that portion of the street, within six (6) hours after such snow and ice has ceased to fall or accumulate, or within three (3) hours after sunrise when the snow has fallen in the nighttime.

(Code 1977, § 30-106, Ord. No. 04-06, 3-13-06)

Cross reference—Fire prevention and protection generally, Ch. 13.

Sec. 31-145. - Removing or sanding ice and sleet on sidewalks.

Whenever any sidewalk mentioned in section 31-143, or any part thereof, is covered with ice, the tenant, occupant, owner or agent of the premises shall, within six (6) hours thereafter or within three (3) hours after sunrise cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by covering the sidewalk with sand or some other suitable substance.

(Code 1977, § 30-107, Ord. No. 04-06, 3-13-06)

Sec. 31-146. - Penalty for snow and ice violations.

The tenant, occupant, owner or agent of any premises whose duty it is to clear the sidewalk adjacent thereto who violates any of the provisions of sections 31-143 through 31-145, section 31-149, or section 31-151 or who refuses or neglects to comply with such sections shall be subject to the issuance of a citation and a fine of ninety-nine dollars (\$99.00). Each day such violation continues shall constitute a separate violation.

(Code 1977, § 30-108, Ord. No. 04-06, 3-13-06)

Sec. 31-147. - Liability of officers and directors of corporations.

Whenever a corporation violates the provisions of sections 31-143 through 31-145, the officers and directors of such corporation shall be personally liable to pay any fine incurred by such corporation.

(Code 1977, § 30-109)

Sec. 31-148. - Duty of city officers to clear sidewalks owned by city; liability.

It shall be the duty of the Director of Public Works to cause to be cleared and cared for, in accordance with this article, all sidewalks belonging to the City not adjoining the land of private persons, except such sidewalks as are under the special charge of other officers. It shall be the duty of all such city officers to cause to be cleared, in accordance with this article, all sidewalks fronting on land under their official charge. The Director of Public Works and other city officers shall be personally liable to the same penalties for any neglect in relation to the sidewalks under their official charge as are private persons for a like offense.

(Code 1977, § 30-110)

Sec. 31-149. - Removal of snow from roofs.

Every tenant, occupant, owner or agent having control of a building standing upon or so near the line of a street that snowslides from the roof may endanger public travel shall, within a reasonable time after the termination or abatement of a snowstorm, cause the snow to be removed from the roof thereof, in such manner as will not endanger travelers.

(Code 1977, § 30-111, Ord. No. 9-85, 2-25-85)

Sec. 31-150. - Snow and ice on public sidewalks.

(a)

State law adopted. The provisions of G.S. § 7-163a are hereby adopted, and are set forth in subsections (b) and (c).

(b)

Liability of city. Notwithstanding the provisions of G.S. § 13a-149 or any other general statute or special act, the City 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 is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street provided the City shall be liable for its affirmative acts with respect to such sidewalk.

(c)

Liability, duty of abutting landowner.

(1)

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 municipality had prior to the effective date of this section adopted pursuant to the provisions of G.S. § 7-163a and shall be liable to persons injured in person or property where a breach of such duty is the proximate cause of such injury.

(2)

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 a 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.

(Code 1977, § 30-112; Ord. No. 5-85, §§ 1-3, 1-16-85)

Sec. 31-151. - Throwing snow and ice into streets.

No person shall throw or put, or cause to be thrown or put, any snow or ice from any private property or from any area in the rear or outside of the legally laid-out sidewalk into any street in the City that creates a safety hazard.

(Code 1977, § 30-114; Ord. No. 04-06, 3-13-06)

Sec. 18-21. Size and Location of House Numbers.

CHAPTER 18. Streets and Sidewalks

Sec. 18-23. Removal of Snow and Sleet From Areas Around Fire Hydrants.

days after the receipt of the statement or erection of the building, whichever is later, then the Director of Public Works may do so and the expense of so doing, including material and labor, shall be borne by the owner.

(e) The Director of Public Works shall deliver to the Director of finance the bill for numbering premises in the Town. The Finance Department shall collect from the property owner, designated by the Director the total amount of such bill, plus a penalty of eight per cent (8%) of such amount; provided, that on each bill the minimum penalty shall be two dollars and fifty cents (\$2.50) and the maximum shall be fifteen dollars (\$15.00). Such expenses shall become a lien upon the premises in connection with which it was incurred and such lien shall exist from the date such numbers were affixed. Such lien shall expire six (6) months after the date on which it begins to run, unless a certificate thereof containing a statement of the amount of such lien and a description of the premises upon which it is claimed shall be lodged for record by the Finance Department in the office of the Town Clerk.

(f) The Director of Public Works shall report to the prosecuting attorney of the circuit court any case of refusal or neglect to comply with the statement provided in Subsections (a), (b), (c), and (d) within thirty (30) days after the issuance of such statement.

Sec. 18-21. Size and Location of House Numbers.

(a) The numbers required by Section 18-20 shall be at least two and one-half (2-1/2) inches in height and of a design that is easily readable. The numbers shall be displayed immediately above the main doorway or entrance of the house or structure or to the immediate left or right of such entrance at a height of not less than three (3) feet above the bottom of the entranceway. In the event that such house or structure shall have a porch or other addition which obstructs or hinders the view of such front entranceway, then such numbers shall be attached to the front of the porch or other addition so that the numbers shall be easily discernable during daylight, from the street or roadway in front of such house or structure.

(b) This Section shall not preclude the display of house numbers easily readable from the street on any post or other fixture in lieu of the above requirement.

Sec. 18-22. Accumulation of Snow on Roof Near Public Way.

No occupant or owner shall permit any snow to remain on the roof, awnings or overhangs of any building in such a condition that the same may slide therefrom upon any street, sidewalk or public way of the Town. July 8, 1994

Sec. 18-23. Removal of Snow and Sleet From Areas Around Fire Hydrants.

(a) The owner, agent of the owner or occupant of any property which abuts any fire hydrant shall, within eight (8) hours after the cessation of any fall of snow and/or sleet, remove any snow or sleet which may have accumulated on top of and within a radius of three (3) feet from any part of such hydrant and shall thereafter, ensure that such hydrant remains clear of snow and sleet and visible from the street.

(b) Every owner, agent or occupant found to have violated any provision of subsection

8 hours ←

Sec. 18-24. Definitions.

CHAPTER 18. Streets and Sidewalks

Sec. 18-25. Compliance with Procedures and Regulations; Methods of Initiating

(a) above shall be issued a written warning by the town's Fire Chief or his designees directing such owner, agent or occupant to cure such violation within three (3) hours after the issuance of the warning. If such violation is not corrected within the time set out in the warning, the owner, agent or occupant will be issued an infraction ticket by the Fire Chief or his designees which will subject such owner, agent or occupant to a fine of fifty (\$50.00) dollars for the first violation. Failure by the owner, agent or occupant to cure the violation after issuance of the infraction ticket will result in the issuance of an additional infraction ticket by the Fire Chief or his designees for each day the violation remains unabated, each of which will subject the owner, agent or occupant to a fine of ninety (\$90.00) dollars.

(c) The town may, at any time after the issuance of the first infraction ticket to an owner, agent or occupant, cure such owner, agent or occupant's continuing violation by causing the removal of the snow and sleet obstruction which caused the issuance of the citation and recover its costs from the offending owner, agent or occupant, plus legal interest thereon, as provided in Connecticut General Statutes Section 7-148(c)(6)(C)(v), by filing a lien against the property owned, managed or occupied by the offending owner, agent or occupant.

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ARTICLE 2. CONSTRUCTION AND MAINTENANCE OF SIDEWALKS AND CURBS.

Sec. 18-24. Definitions.

- (a) As used in this Article:
- (1) Curb and walk layer shall mean any person legally holding a license as curb and walk layer from the licensing authority in this jurisdiction.
 - (2) Sidewalk shall mean cement concrete walkways four (4) feet wide and five (5) inches thick constructed in such a manner as to meet all specifications set forth by the Director of Public Works.

Sec. 18-25. Compliance with Procedures and Regulations; Methods of Initiating Construction.

(a) Original or initial sidewalks shall be installed in accordance with the procedures, rules, regulations and specifications as set forth by the Director of Public Works upon such streets and portions thereof as the Director of Public Works shall determine under the authority granted him by Chapter V, Section 8 of the Charter.

(b) The proceeding for the installation of sidewalks may be initiated by either of the following methods:

- (1) Whenever the Director of Public Works, pursuant to a property owner's petition, finds the same to be necessary and in the public interest.