

ORDINANCE NO. 6-300

AN ORDINANCE TO KEEP CERTAIN ROOFS CLEAR FROM SNOW, ICE AND RUBBISH

THE CITY OF ISHPEMING ORDAINS:

Section 6-301. That it shall be the duty of the owners and the occupants of the whole or any part of a building in the City of Ishpeming which stands within four feet of any street or public highway in said City, the roof of which slopes toward said street and is not provided with a splash board or other device that will prevent the fall therefrom of any snow, ice or other material upon the street, to keep the roof of said building free from ice and snow, rubbish or other material which might fall upon said street and endanger the lives or persons of the public.

Section 6-302. In every instance where snow or ice shall accumulate or remain upon any roof in said City such as is above described, it shall be the duty of the City Marshall to serve a written or printed notice either personally on the owner or occupant of the premises or by posting the same up in some conspicuous place on said premises requiring such owner or occupant to clean such roof and remove the snow or ice therefrom within the time specified in such notice, which shall not be less than four (4) hours from the time of service or posting thereof, or that the same will be done by the City authorities at an expense to be stated in such notice and in case the requirement of such notice shall not be complied with within the time specified and according to the spirit and intent of this ordinance, it shall be the duty of the City Marshall to proceed immediately, unless otherwise instructed by the common council, and cause such roof to be cleaned and the snow and ice removed therefrom and every person or corporation who shall wilfully hinder or delay, oppose or obstruct the said marshall or any person acting by or under his authority in discharge of the aforesaid duty shall be subject to the punishment prescribed in Section 5 of this ordinance.

Section 6-303. When the City authorities, upon the failure of any person or corporation to observe the notice provided in the preceding section, shall have completed the work contemplated in said section, an action of assumpsit may be brought in the name of the City against such person or corporation owning or occupying such building so cleaned of ice and snow in a sum equal to the actual cost of such work and not exceeding the sum mentioned in the said notice.

Section 6-304. It shall be the duty of the marshall of the City to see that this ordinance is strictly enforced.

Section 6-305. Violation of any of the provisions of this ordinance shall constitute a municipal civil infraction. A person, firm or corporation determined to be responsible or responsible "with explanation" for a municipal civil infraction shall be subject to a civil fine of not more than One Hundred (\$100.00) Dollars plus costs, and if applicable, damages and expenses as provided by law. A municipal civil infraction action brought for any violation of this ordinance shall follow the procedures set forth in Act No. 12, P.A. 1994, as amended, and a Defendant charged with a municipal civil infraction violation shall have all of the rights, duties, responsibilities and obligations set forth therein.

Section 6-306. This ordinance shall take effect on March 1st, 1894.

Adopted: February 7, 1894

Amended: June 8, 1994