

ORDINANCE NO. 6-401

AN ORDINANCE TO IMPOSE FEES AND CHARGES FOR THE REMOVAL
OF SNOW AND ICE PLACED UPON FIRE HYDRANTS, STREETS, ALLEYS,
OR SIDEWALKS IN THE CITY OF ISHPEMING

THE CITY OF ISHPEMING ORDAINS:

Section 1. Every person who shall take any snow or ice from any private property and deposit or place the same upon any fire hydrant, street, alley, or sidewalk within the City of Ishpeming, where such fire hydrant, street, alley, or sidewalk is usually plowed or cleared for travel or use, shall reimburse the City of Ishpeming for the cost of removal of such snow and ice from the public right-of-way in accordance with the following schedule of charges:

- (a) \$50.00 per truckload, or any part thereof, when removed by bucket loader; and
- (b) \$90.00 per truckload, or any part thereof, when removed by snow go unit; and
- (c) \$25.00 per employee per hour, or any part thereof, when removed by City employees by hand or using hand implements such as a shovel, scoop, or similar instrument. This hourly charge shall be in addition to the truckload charges set forth in (a) and (b) above if City employees are required to do hand work to complete the snow and ice removal work.

Section 2. The Superintendent of Public Works, or his designee, shall keep a record of the number of truckloads of snow and ice removed, the equipment used, and the employee time involved in the event that hand work is necessary to complete the snow and ice removal.

Section 3. Upon completion of the snow and ice removal work from the public right-of-way, the City shall invoice the property owner from whose property the snow and ice was moved onto City owned or maintained property in accordance with the schedule of charges set forth in Section 1 above. The private property owner and each person having an ownership interest in the private property shall be liable for and shall be required to reimburse the City for all such costs and charges so invoiced. The charges so invoiced shall be considered delinquent if not paid within 30 days after the date of invoice.

Section 4. Failure of the property owner(s) to pay in full the invoice for the cost of snow and ice removal within 30 days after the date of invoice shall subject such owner(s) to a civil suit by the City to collect such charges, in addition to any civil fines and costs that may be imposed in a prosecution for a violation of City Ordinance No. 6-400. The City shall have the authority to prosecute a person under City Ordinance No. 6-400 and to also collect the charges imposed under this Ordinance No. 6-401 for the same offense or act.

Section 5. In addition to any other remedy the City may have, the City shall have a lien upon the private property from which the snow and ice was moved onto City owned or maintained property for all such charges invoiced. The lien created herein may be enforced by the City of Ishpeming in the manner prescribed by the general laws of the State of Michigan for the enforcement of tax liens, and all such delinquent charges under this Ordinance shall be added

to the delinquent tax rolls with respect to the real property from which the snow and ice was moved onto City owned or maintained property for the year when the charges became delinquent, after adoption of a resolution of lien enforcement by the Ishpeming City Council. Upon entry of such delinquent charges upon the delinquent tax rolls, the collection thereof shall in all respects be governed by the provisions of the general laws of the State of Michigan the same as if said delinquent charges were originally assessed as real property taxes.

Section 6. This Ordinance shall take effect upon legal publication.

Adopted: January 6, 2010