

PEOPLE'S ORDINANCE NO. 8

SERIES 1988

AN ORDINANCE CONCERNING SNOW REMOVAL WITHIN
THE TOWN OF BRECKENRIDGE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE:

Section 1. Section 6-3C-10 of the Town Code of the Town of Breckenridge, entitled "Sidewalk Snow and Ice Removal", is repealed.

Section 2. Section 10-1-5 of the Town Code of the Town of Breckenridge, entitled "Definitions and Abbreviations", is amended by the inclusion of the following definitions:

ROADWAY That portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

SIDEWALK That portion of a street between the curb-lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Section 3. Section 10-1-14 of the Town Code of the Town of Breckenridge, entitled "Encroachments, Litter Prohibited", is amended so as to read in its entirety as follows:

10-1-14 ENCROACHMENTS, LITTER PROHIBITED:

- A. No person shall obstruct or place an encroachment upon any town public way or other public place except as authorized by Town Council or Town ordinance.
- B. No person shall litter, track, deposit, or cause to be littered, tracked or deposited, sand, gravel, rocks, mud, dirt, or any other debris upon any public way or any portion thereof.
- C. No person owning or operating trucks and other vehicles shall fail to clean such vehicles to eliminate their tracking or depositing, sand, gravel, rocks, mud, dirt, or any other debris or material, except snow, upon any public way or any portion thereof.
- D. If the Director of Public Works finds that any person has violated the provisions of subsections B or C of this Section, the Director of Public Works shall direct the person to remove any sand, gravel, rocks, mud, dirt, or any other debris or material so deposited within twenty-four (24) hours from the date of the notice. Notice under this subsection is sufficient if hand delivered to the person or an employer of such person. No such notice shall be required if the Director of Public Works determines that an emergency exists.
- E. If the person so notified fails to remove debris as required by the notice prescribed by subsection D of this Section, or if the Director of Public Works determines that an emergency exists, the Director of Public Works may remove the debris or cause it to be removed and charge the costs thereof, plus a penalty of 50% of such costs, to the person violating the provisions of this Section. Such costs and penalty shall be in addition to any fine imposed by the Municipal Court for the violation of this Section.

- F. If any person fails or refuses to pay when due any charge imposed under this Section, the Town Manager may, in addition to taking other collection remedies, certify due and unpaid charges to the Summit County Treasurer for collection.

Section 4.

Section 10-1-16 of the Town Code of the Town of Breckenridge, entitled "Removal of Snow and Ice", is hereby amended so as to read in its entirety as follows:

10-1-16 SNOW AND ICE:

- A. The owner, occupant, manager or agent of the owner of real property abutting or fronting on a paved sidewalk shall remove and clear away any snow and ice from such sidewalk within eighteen (18) hours after each snowfall. The responsibility of such owner, occupant, manager or agent for compliance with this subsection shall be joint and several.
- B. No person shall deposit or cause to be deposited any snow and ice on or against a fire hydrant.
- C. No person shall plow, shovel, or otherwise deposit, or cause to be deposited, any snow upon any public way or any portion thereof. It is a specific defense to a charge of violating this subsection that the snow was shoveled or swept directly from a sidewalk in front of a residence in a residential area, and that the snow so deposited did not impair the use of the street by vehicular traffic. The provisions of this subsection do not apply to persons brushing off snow which has accumulated naturally upon a motor vehicle parked on or driven upon a public way.
- D. If the Director of Public Works finds that any person has violated the provisions of this Section, the Director of Public Works shall notify the person to correct such violation within 24 hours from the date of the notice. Notice under this subsection is sufficient if hand delivered. No such notice shall be required if the Director of Public Works determines that an emergency exists. If the person so notified fails to correct such violation as required by the notice given by the Director of Public Works or if the Director of Public Works determines that an emergency exists, the Director of Public Works may remove the accumulated snow and ice and charge the costs thereof, plus a penalty of 50% of such costs, to the person violating the provisions of this Section. Such costs and penalty shall be in addition to any fine imposed by the Municipal Court for the violation of this Section.
- E. If any person fails or refuses to pay when due any charge imposed under this Section, the Town Manager may, in addition to taking other collection remedies, certify due and unpaid charges to the Summit County Treasurer for collection.

Section 5.

Except as specifically amended hereto, the Town Code of the Town of Breckenridge, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

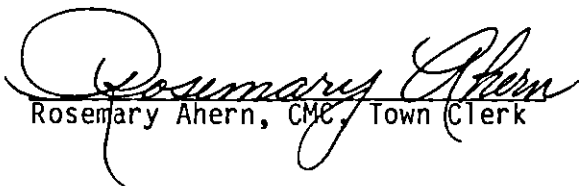
Section 6.

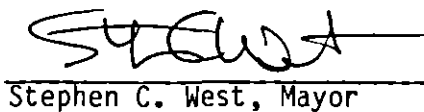
This Ordinance shall be published and become effective as provided by law.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED
IN FULL this 26th day of April, 1988. A Public Hearing shall be held at
the regular meeting of the Town Council of the Town of Breckenridge,
Colorado on the 10th day of May, 1988, at 7:30 p.m. or as soon thereafter
as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Rosemary Ahern, CMC, Town Clerk

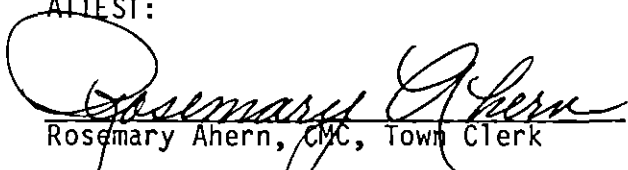

Stephen C. West, Mayor

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE
this 10th day of May, 1988.

A copy of this Ordinance is available for inspection in the
office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE


Rosemary Ahern, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney


Date