

**ORDINANCE NO. 2015-01**

**CITY OF ST. CLAIR**

**COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 50, ARTICLE I, SECTION 1, SUBSECTIONS (A) AND (B) OF THE CITY CODE "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES."**

**THE CITY OF ST. CLAIR ORDAINS:**

**SECTION 1. AMENDMENT.**

Chapter 50, Article I, Section 1 of the Code of Ordinances is hereby amended by amending Subsections (a) and (b) to read as follows:

**Section 50-1. Duty of property owner or occupant to remove snow, ice, dirt, etc., from sidewalks.**

(a) The occupant, and in case there is no occupant, the owner or person having charge, care or control of any house, building or lot within the city fronting or abutting on any street or highway within the city where sidewalks exist shall remove and clear away and keep removed and cleared away from the entire width of the sidewalk, all snow, ice, dirt, mud and other objectionable substances, within 24 hours of accumulation.

(b) The chief of police is hereby authorized and empowered, and it shall be his duty, if any person required by this section to remove or clear any obstruction from the sidewalks neglects or refuses so to do for 24 hours after receiving an order from the chief of police, Code Enforcement Officer, or their duly authorized representative, requiring him to remove and clear away such obstruction, to cause such snow, ice and other obstructions to be removed and cleared away at the expense of such person. If such person refuses or neglects to pay such expense of removal on demand, such person shall be deemed to be indebted to the city in the amount of the cost and expense incurred in causing such removal and such costs may be recovered before any court of competent jurisdiction. It is expressly provided that nothing in this subsection shall be construed to excuse the neglect or failure to comply with the requirements of subsection (a) of this section or release from the penalty provided therefore.

**SECTION 2. SEVERABILITY.**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.**

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

**SECTION 4. RATIFICATION.**

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

**SECTION 5. PUBLICATION.**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the city of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

**SECITON 6. EFFECTIVE DATE.**

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

**ORDINANCE DECLARED ADOPTED.**

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William Cedar, Jr., Mayor  
City of St. Clair, Michigan

## CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 1<sup>st</sup> day of June, 2015, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Cedar, Foley, Kindsvater, Klieman, Kuffa, LaPorte, McCartney

Members Absent: None

It was moved by Member McCartney and supported by Member Kindsvater to adopt the Ordinance.

Members voting yes: Foley, Kindsvater, Klieman, Kuffa, LaPorte, McCartney, Cedar

Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

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Annette Sturdy, City Clerk  
City of St. Clair, Michigan

INTRODUCED: March 16, 2015  
ADOPTED: June 1, 2015  
PUBLISHED: June 10, 2015  
EFFECTIVE: June 10, 2015