

Snow Removal Law Gets More Flexible

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Lexington City Council earlier this month approved an amended snow removal ordinance that makes assessing fees for not clearing sidewalks more flexible.

The amended ordinance allows for \$200 fines to be issued “as may be necessary,” City Manager Jim Halasz said at the April 7 Council meeting. It also keeps in place the policy of making residents pay for snow removal if the \$200 fine is not enough to motivate them to clear their part of the sidewalk.

Previously the sidewalk snow removal ordinance required people to pay a \$200 fine if they did not clear their sidewalks.

Halasz explained that the fine will now be used when “chronic conditions exist.”

However, two residents who spoke at the meeting remained hesitant about the fines.

“I am concerned we as homeowners are making a good effort to shovel the sidewalks,” Mary Ellen Cook said. “Only to find the next morning the city snow compactors have come in during the night and have piled the snow up on the sidewalks.”

City Council members responded to this hesitation by attesting to their trust in local law enforcement.

“I feel confident the police and enforcement will take into consideration people’s efforts to clear [the sidewalks],” Mayor Frank Friedman said.

“I am exceedingly confident that our police and our city will use excellent judgment,” Councilman David Sigler said. “I think the ordinance is really strong and gives the city exactly what it needs and actually raises awareness for citizens.”

“Some organizations have gone out to help shovel snow for some of the elderly in our neighborhoods,” Councilwoman Marylin Alexander said.

The new focus on the city snow ordinance comes after Winter Storm Izzy dumped about 6 to 8 inches of snow and ice on yards, streets and sidewalks across the Rockbridge area in January.

Nearly two weeks after the storm, many Lexington sidewalks were still covered in snow which caused many complaints from residents, in particular concerning children having to walk through the snow-covered sidewalks to and from school.

After sending out notices informing residents and businesses about the need to clear the sidewalks and noting the fine, one larger business was eventually fined.

Councilman Sigler explained that “When we dusted off the ordinance in January ... we saw it had a summons before a judge and you could face potential jail time [and] we thought it was out of date.”

Halasz said that there are a number of steps that can be taken before the fine is now issued to a resident.

“With this selection of enforcement tools, the city is well equipped to handle a broad array of circumstances,” Halasz said. “We can initially warn and assist those residents that may require assistance, charge those who may be delinquent in fulfilling their obligation and arrange for snow removal or fine those who seem to believe this ordinance can be ignored.”

Halasz went on to say that the city rarely has to use the snow ordinance to keep the sidewalks clear of snow.

“It will not be a standing practice for the city to routinely clear or arrange to clear sidewalks for those with difficulties doing so due to health, age or financial circumstances,” Halasz said. “Like the grass and weeds ordinance, the owner is ultimately responsible for performing property maintenance and other responsibilities of property ownership.”

Still, the use of the snow ordinance remains rare in Lexington.

“Even though this may seem harsh to some people, we are talking about one or two events a year,” Halasz said. “A property owner ... is far more at risk of penalties during the longer grass growing period, than during a typical winter, with very few snow or ice events.”