

Ordinance No. _____ ORDINANCE: To amend Chapter 5, “Buildings and Building Regulations,” Article XII, “Property Maintenance Code,” so as to amend the requirements for snow and ice removal from sidewalks and other public areas

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Chapter 5, “Buildings and Building Regulations,” article, “Property Maintenance Code,” Section 5-287 “Same-Amendments,” be amended by amending Section PM-303.3 “Public areas” as follows:

CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XII. PROPERTY MAINTENANCE CODE

Division 2. Technical Standards

Section 5-286. BOCA National Property Maintenance Code – Adopted

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Section 5-287. Same - Amendments

The BOCA National Property Maintenance Code, Fourth Edition, 1993, is amended in the following respects:

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Section PM-303.3 is amended to read as follows:

"PM-303.3 Public areas: All sidewalks, steps, driveways, parking spaces and similar paved areas for public use, and the paved right of way sidewalk immediately fronting or abutting the property, including access ramps and curb cuts designed and intended for use by persons with disabilities, shall be kept in a proper state of repair and free of all snow, ice, mud and other debris. If any sidewalk or driveway or portion thereof by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion shall be replaced.

Snow must be removed from these areas within twenty-four (24) hours after the end of a snowfall resulting in three (3) inches or less accumulation[, and]; within forty-eight (48) hours after the end of a snowfall resulting in more than three (3) inches and less than ten (10) inches accumulation; and within seventy-two (72) hours after the end of a snowfall resulting in more than ten (10) inches accumulation, in such a manner as to provide a safe, unobstructed, passable

path of travel between and within properties, said path to be a minimum of thirty-six (36) inches width.

Fire Hydrants immediately fronting or abutting these areas must be cleared of snow within seventy two (72) hours after the end of a snowfall resulting in more than ten (10) inches accumulation.

The National Weather service snow accumulation figure at National Airport will be used to determine which timeframe for snow removal is applicable. In icy conditions, the ice must be removed or treated within twenty-four (24) hours after the end of icy precipitation in a manner sufficient to provide a reasonably non-slick surface. Public areas must be treated and maintained in a manner sufficient to prevent the repeated melting and refreezing of ice. If snow or ice is not treated or removed from public areas within the time specified, the City may, in its sole discretion and in addition to any other remedies provided for in this code, cause the snow and/or ice to be removed or treated and charge the cost of its removal or treatment to the property owner, operator and/or occupant. The cost and expenses incident to such removal shall become a tax lien against the property and shall be collected in the same manner as taxes."

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Note: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

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I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of

Glenda P. Evans, City Clerk