Streets and Alleys Committee

October 2, 2018

Present: Committee Members Larmore and Buxton; Council Members Clausen and Scott; Law Director Moore; Safety-Service Director Hitchcock.

Committee Chairman Larmore called the meeting to order at 6:32 pm for continued discussion of grass clippings being blown into the streets and decide if the existing Ordinance for nuisance can be amended.

CM Clausen stated he had a comment from a citizen on how it will be policed. Director Hitchcock responded it will be handled dependent on how the Ordinance is written.

CM Larmore explained the reason we are discussing this is if it rains, the grass goes into the storm sewer causing drainage problems.

Law Director Moore distributed copies of the current Codified Ordinance 521.08 Littering and Deposit of Garbage, Rubbish, Junk, etc. and 521.13 Deposit of Snow on Public Ways.

CM Scott stated if a time constraint is given to allow the property resident to clean it up, it could blown away on its own or be washed away before the end of the time frame. Members agreed immediate removal needs to be indicated in the Ordinance. Director Hitchcock explained there would be no notice given, a police officer would give an immediate citation. He stated a judgement call should not be used for a standard of who will be charged, a specific amount needs to be written in the Ordinance. CM Scott stated it could be written as a visual obstruction.

Director Hitchcock stated he thinks this will be a hard case to enforce. The grass clippings are not a main concern for plugging the storm sewers. The safety of motorcycle riders is more of an issue of the grass clippings on the street. Director Hitchcock explained if there is no law, the City cannot get sued. If there is a law in place, but not enforced, it puts liability on the City.

A member of the public asked why the equipment that sweeps the street could not be ran more times per week. Director Hitchcock explained this would add additional cost to the City. Anything the street sweeper picks up is considered industrial waste and must go to the landfill.

CM Larmore suggested grass be added to the Ordinance where necessary. Law Director Moore recommended the wording of “No person, firm or corporation shall deposit, or cause to be deposited, any grass clippings upon any public street, alley, sidewalk or other public property that would create an unsafe hazard for the public.”

CM Larmore made a recommendation to add the statement made by Law Director Moore, seconded by CM Buxton. Recommendation passed with a voice acclamation vote 2-0 Aye.

Chairman Larmore adjourned the meeting at 7:02 pm.

Submitted by Joan S. Wurster, Clerk of Council