

Newton's current ordinances pertaining to snow or sidewalks

Sec. 26-8. Removal of snow and ice from sidewalks in certain districts.

Every owner or occupant of a building or lot of land abutting upon a sidewalk which is within a business district, as defined by chapter 30, and every owner or occupant of a building situated in other than a business district as defined by such chapter and which is used for a purpose permitted in districts zoned for business but not permitted in districts zoned for single, private or general residences, whether or not such use is a nonconforming use under the provisions of such chapter, which building abuts upon a sidewalk, or stands upon a lot of land abutting upon a sidewalk, shall cause any snow to be removed from the sidewalk and any ice on the sidewalk to be removed, sanded or salted within twenty-four (24) hours after such snow has ceased to fall or such ice has come to be formed. The preceding provision shall apply to snow and ice which falls from buildings, other structures, trees or bushes as well as to that which falls from clouds. (Rev. Ords. 1973, § 19-8; Ord. No. T-127, 3-4-91; Ord. No. T-165, 8-12-91; Ord. No. U-3, 2-22-94)

State law references—Removal of snow from sidewalks, G.L. c. 85, § 5; G.L. c. 40, § 21(2), (3), (4)

Sec. 26-8A. City snow clearing—Clearing of sidewalks used as school routes.

The commissioner of public works shall clear snow from certain city sidewalks including portions of both school pedestrian routes and specific arterial and collector roadways, subject to appropriation and the availability of city personnel and equipment. The commissioner, after consultation with the superintendent of schools, chief of police and other appropriate city personnel, shall determine the total number of miles of city sidewalks to be cleared for the purposes of this ordinance based on the availability of personnel, vehicles and funding. Each year during the month of November, the commissioner shall publish a list of said sidewalk snow clearing routes. Said list shall include the street names and, where appropriate, the names of intersecting streets up to which the sidewalks will be cleared. The commissioner shall send a copy of said list to the chief of police and the superintendent of schools. (Ord. No. U-23, 7-11-94)

Sec. 26-8B. Same—Snow clearing assistance.

The commissioner shall annually prepare lists of persons available to provide snow clearing assistance either for a fee or on a volunteer basis. The lists shall be prepared in consultation with appropriate school and senior services department personnel, interested neighborhood organizations, houses of worship, parent-teacher associations, and other similar groups that indicate a willingness to participate in snow clearing assistance. Said lists shall be made available during the month of November each year. The list of persons available to provide snow clearing assistance for a fee shall be available upon request to any Newton resident. Low income elderly or low income handicapped persons requesting volunteer snow clearing assistance shall be referred to the senior services department to be matched with available volunteers. For the purposes of this section, "elderly" shall be defined as a person sixty (60) years of age or older, "handicapped person" shall be defined as a person with a physical condition which substantially limits the ability to engage in physical snow clearance activities and "low income" shall be defined in accordance with guidelines established by the United States Department of Housing and Urban Development for the Community Development Block Grant Program. (Ord. No. U-23, 7-11-94; Ord. No. 175, 05-26-05)

Sec. 26-8C. Same—Snow clearance standards.

The commissioner of public works shall endeavor to minimize the blocking of sidewalks and intersections with plowed snow so as not to hinder pedestrian passage. The commissioner shall remove plowed snow from sidewalks and intersections that block pedestrian access, to the extent that such

removal is feasible, as determined by the commissioner, and subject to appropriation. (Ord. No. U-23, 7-11-94)

Sec. 26-9. Putting snow and ice upon streets, sidewalks and bridges.

(a) No person shall block, obstruct or otherwise hinder or impair pedestrian or vehicular traffic on the public ways of the city by placing snow or ice or permitting or causing snow or ice to be placed upon a street, sidewalk or bridge, except that snow or ice removed from a sidewalk may be piled in the adjoining gutter or on the loam border between the sidewalk and the street. This section shall not apply to municipal snow removal operations.

(b) Without limiting the applicability of the foregoing paragraph (a), the owner or occupant of property whose driveway or sidewalk is cleared of snow shall be responsible for promptly removing snow placed on the public way (street, sidewalk and/or bridge) adjoining the owner's property as a result of clearing snow from the driveway or sidewalk of the owner. For purposes of this paragraph, "clearing snow" shall include, but is not limited to, plowing, shoveling, sweeping and any other similar means of removing snow from the driveway or sidewalk. This section shall not apply to municipal snow removal operations. (Rev. Ords. 1973, § 19-9; Ord. No. T-166, 8-12-91; Ord. No. X-97, 07-12-04)

Sec. 26-14. Obstructing sidewalks generally.

No person shall place or cause or permit to be placed upon any sidewalk any snow or ice, lumber, iron, coal, trunk, bale, box, crate, cask, package, article or thing whatsoever, so as to obstruct free passage for travelers. (Rev. Ords. 1973, § 19-14)

Sec. 26-15. Obstructing free passage on sidewalks.

No person shall willfully or negligently obstruct the free passage of foot travelers upon a sidewalk in any street of the city, or willfully or negligently congregate with others upon a sidewalk or in a street or other public place of the city and obstruct the free passage of foot travelers or vehicles that are rightfully and properly passing thereon. (Rev. Ords. 1973, § 19-15)

Sec. 26-16. Vehicles on sidewalks; permit fee; bond.

(a) No person shall park a vehicle upon, obstruct, damage or destroy any sidewalk, berm or curbing.

Sidewalk: That portion of a public street or highway set aside for pedestrian travel.