## OFFICE OF THE TOWN ADMINISTRATOR



## **MEMORANDUM**

DATE:

December 23, 2016

TO:

Town Council

FROM:

Jeffrey D. Nutting, Town Administrator

RE:

Chapter 147, Snow and Ice Removal

Chapter 147 of the Town Code requires owners of businesses that abut a public way to clear the sidewalks within 12 hours after a snow storm. This bylaw has not been enforced for a long time.

While I was not around in 1975 when the bylaw was adopted my guess is that it focused on the Downtown. Now with the businesses all along Route 140, the two industrial parks, Union Street, Kenwood Circle, Earls Way, West Central Street after 495, etc. it would seem impractical for each business to plow their section of the sidewalk. Does the Town Council want to consider repealing the by-law?

I am happy to answer any questions that you may have.

cc: Mark Cerel, Town Attorney

# TOWN OF FRANKLIN



#### DEPARTMENT OF PUBLIC WORKS

257 Fisher Street Franklin, MA 02038

November 12, 2015

Mr. Jeffrey Nutting, Town Administrator Town of Franklin 355 East Central Street Franklin, MA 02038

Re: Chapter 147. Snow and Ice, Removal of

Dear Jeff,

On January 10<sup>th</sup>, 1975 the Franklin Town Council adopted a bylaw, Chapter 147, which requires that businesses remove snow and ice from the sidewalks that abut public way within a specific time frame or they may be fined. Specifically it states:

#### 147-1. Time limit for Removal.

Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

### 147-2. Violations and penalties.

Whoever violates the provision of §  $\underline{147-1}$  above shall forfeit and pay for each violation a fine not exceeding \$25.

This bylaw has not been enforced in my tenure at DPW Director. I respectfully suggest that we come up with a plan for enforcement or remove it from the Town Code.

Thank you

Robert A. Cantoreggi

Director

CC: Deacon Perrotta, Director of Operations

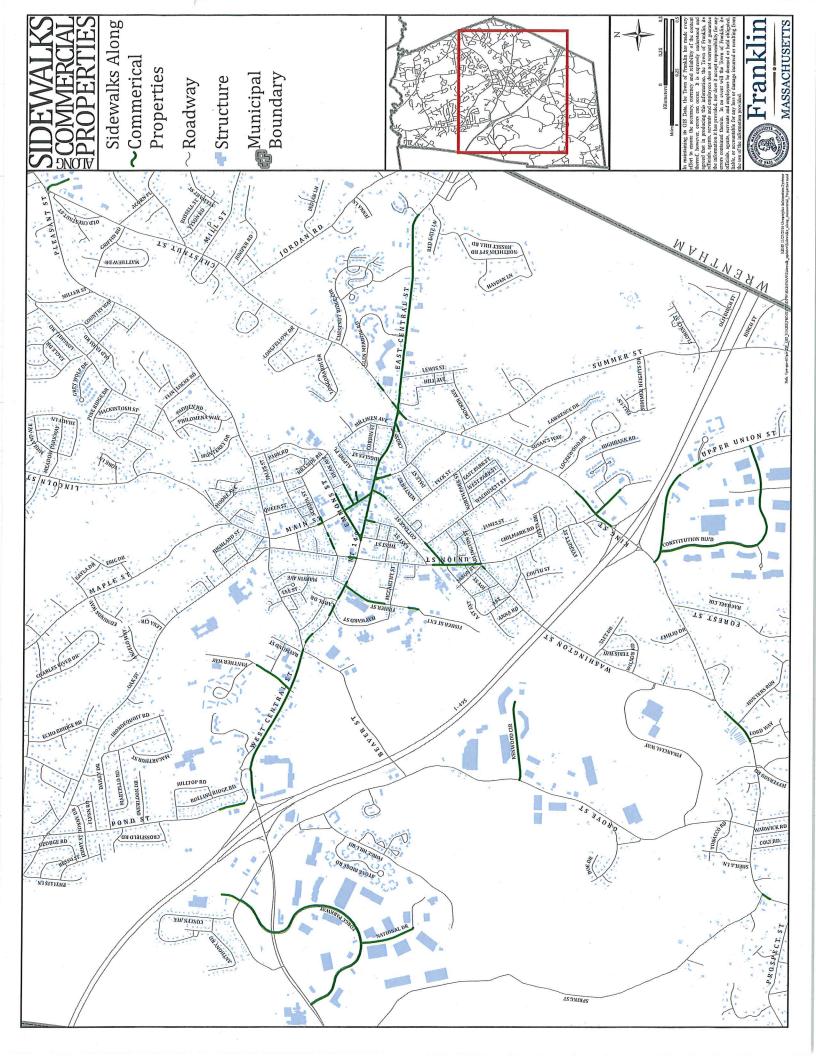
Carlos Rebelo, Highway and Grounds Superintendent

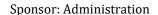
Mark Cerel, Town Attorney

File

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## **TOWN OF FRANKLIN**

#### **BYLAW AMENDMENT 17-785**

#### CHAPTER 147, SNOW AND ICE, REMOVAL OF

### A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 147.

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Chapter 147 of the Code of the Town of Franklin is amended by striking Chapter 147 in its entirety:

## Chapter 147: Snow and Ice, Removal of

§147-1 Time limit for removal.

Owners of premises in which business may be conducted and which premises abut a public way shall, within 12 hours after a snowstorm, remove all accumulations of snow and ice from the sidewalk in front of said premises.

§147-2 Violations and penalties.

[Added 12-9-1987 by Bylaw Amendment 87-114]

Whoever violates the provision of § <u>147-1</u> above shall forfeit and pay for each violation a fine not exceeding \$25.

This bylaw amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

<b>*</b>		
DATED:	, 2017	
		VOTED: UNANIMOUS
A True Record Attest:		YES NO
		ABSTAIN
Teresa M. Burr		
Town Clerk		ABSENT

Total mileage of = 41 milessidewalks currently (business/and plowed by DPW residential) Structure Roadway Sidewalks: Business (8.2 miles) Sidewalks: Residential\* OW ROUTES SIDEWALK