

**SECTION 3.04**  
**OF THE MUNICIPAL CODE OF THE TOWN OF SHEBOYGAN,**  
**SHEBOYGAN COUNTY WISCONSIN**  
**PROHIBITING THE DEPOSITING OF SNOW ON PUBLIC STREETS**

**Section 1. Creating Code.** The Municipal Code of the Town of Sheboygan, Prohibiting the Depositing of Snow on Public Streets is hereby created to read as follows:

- (1) **Prohibition.** No person shall remove or cause to be removed any snow or ice from a premises owned or occupied by that person or from any residence, parking lot, parking area, filling station, business property or other property owned or occupied by said person, by placing the said snow onto the traveled portion of any public right-of-way, including shoulders. Snow removed shall not be stored in any manner which shall obstruct or limit vehicular or pedestrian vision, movement or access.
- (2) **Removal Required.** No person shall deposit any snow or ice upon the traveled portion of any road or street of the Town of Sheboygan. It is hereby declared that any snow or ice so deposited in the traveled portion of any Town right-of-way is a public nuisance and the Town Chairman, Sheboygan County Sheriff, Town Constable, Director of Public Works and/or Supervisor of Public Works/Utilities be empowered to issue citations for this violation, as listed in Section 4 below. In addition to the penalties provided for in the violation of this Section, the Town of Sheboygan may summarily remove any snow or ice so deposited and cause the cost of said removal to be charged to the owner of the property from which the snow or ice has been removed, and upon failure to pay the same said may be charged as a special assessment upon the tax bill to the owner of the property from which the snow or ice removal was necessitated.
- (3) **Fire Hydrants.** No person shall interfere with the accessibility to any fire hydrant by piling or dumping materials (including snow or ice) near any fire hydrant without first obtaining permission from the appropriate municipal authority as listed in Section (2) above. Everyday during which such interference continues constitutes a separate offense and is punishable as provided in Section 4 below.
- (4) **Penalty.** Any violations of this section may result in the Town clearing and removing any snow or ice. The Town costs for the clearing and removal of any snow, ice or other materials may be levied as special charged pursuant to Wis State Statutes Sec. 66.0627 to the offending property owner. Each day a violation of this section is committed or permitted to continue shall constitute a separate offense and shall be punishable with fines of \$100 for each day of non-compliance and each occurrence.
- (5) **State Statutes:**

86.01	Materials Left in Highways
86.07	Digging in Right-of-way
88.01	Drainage of Lands
346.94 (5)	Placing Injurious Substances on Highway
941.3	Recklessly Endangering Safety

**Section 2. Effective Date:** This Ordinance shall be in effect upon adoption & publication.

Adopted this 17<sup>th</sup> day of March 2009.

TOWN OF SHEBOYGAN  
DANIEL W. HEIN, Chairman

I hereby certify that the foregoing Ordinance was duly adopted by the Town Board of the Town of Sheboygan on the 17<sup>th</sup> day of March 2009.

CATHY CONRAD, Clerk

Date of Publication: March 27, 2009