

Omaha Municipal Code
Sidewalk Snow & Ice Removal, Sections 34-332 & 34-333
(Ordinance No. 38831 Adopted 9/28/10)

Sec. 34-332. Removal required.

It shall be the duty of the occupant, as well as the duty of the owner, of any lot or land or real estate in the city to clear all ice and snow from the sidewalks adjoining the said lot, land or real estate within 24 hours after the city has declared that snow removal operations on the city's major streets are complete.

The said snow and ice shall be placed between the back of the curb and the sidewalk, on private property, or on any portion of the sidewalk provided that a clear area at least four feet in width on the sidewalk is maintained.

The aforesaid duty shall not apply to a sidewalk that is both (a) along the rear of a the lot, land, or real property, and (b) along a designated emergency snow route. Notwithstanding this section and other sections of this code, an owner of property within the boundary of an active downtown improvement district or business improvement district may place snow or ice from his or her property and adjacent sidewalk onto approved collection areas within the right of way, if there is a written agreement in effect between such district and the public works director to allow such placement of snow and ice during the first 24 hours after the conclusion of a snow storm.

It shall be unlawful to place snow and ice on any alley or street right of way from private sidewalks, driveways, parking lots, roofs or other private property.

It shall be the duty of the occupant, as well as the duty of the owner of any lot or land or real estate in the city, to clear all obstructions and accumulations from the sidewalks adjoining said property within 24 hours of becoming aware of the presence of such obstructions or accumulations by notice from the city or otherwise. Such obstructions or accumulations shall include, but are not limited to, glass and other sharp objects, grease and mud or other slick material, loose gravel, leaves, tree limbs, animal waste material, and other hazardous material.

Sec. 34-333. Removal by city.

If any sidewalk adjoining any lot, land or real estate within the city shall not be cleared of ice or snow or other accumulations or obstructions by the occupant or owner as required by this division, the public works director may cause said sidewalk to be cleared forthwith. Furthermore, if a property owner or occupant places snow, ice or other accumulations from his/her property, or from the right of way for which he/she is responsible, onto a public street, alley or sidewalk, then the city may remove the said material. The public works director may thereafter report the cost and expense of the city's clearance or removal under this section to the city council.

The council may thereupon levy a special tax on such lot or land sufficient to pay the costs and expenses of clearance or removal of ice or snow or other accumulations or obstructions. The special tax shall be due and payable at the date of the levy and become delinquent 50 days after the date of levy, and from and after becoming delinquent shall bear interest at the rate of one percent per month until paid. When any such special tax is levied, the city clerk shall forthwith deliver a copy of the ordinance levying the same to the city treasurer; and to every such copy of such ordinance so delivered to the city treasurer the city clerk shall append a warrant in the usual form, requiring the city treasurer to collect such special taxes in the same manner as for other special assessments if the same be not paid before the time fixed for the same to become delinquent.