



Montgomery County Council

For Immediate Release

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Focus on Protecting Schoolchildren, Pedestrians, Seniors, ...

COUNCIL BILL TO REQUIRE CLEARING OF SNOW FROM COUNTY SIDEWALKS BECOMES LAW

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Montgomery County has joined the list of local jurisdictions requiring homeowners to clear snow from their sidewalks under legislation that will become law tomorrow and be in effect for next winter.

On April 10, the Council approved the "Pedestrian Winter Safety Act of 2001," introduced by Councilmember Phil Andrews and co-sponsored by Councilmembers Isiah Leggett and Steve Silverman. County Executive Doug Duncan returned the bill unsigned today, allowing it to become law without his signature.

The legislation is similar to residential snow-clearing requirements already in effect in County municipalities such as Rockville, Gaithersburg, Takoma Park, Kensington, Poolesville, and Chevy Chase Village. Similar requirements also exist in Prince George's County, Baltimore County, Howard County, the City of Frederick, the District of Columbia, and Alexandria, Virginia.

"This is a huge victory for pedestrian safety in the County," said Councilmember Phil Andrews, chair of the Council's Public Safety Committee. "Pedestrian safety is a growing problem in our County. Sidewalks filled with snow force our schoolchildren to walk in the street and force our seniors and disabled to stay indoors altogether."

The legislation will officially go into effect 90 days from tomorrow.

The legislation would require County residents to clear or arrange to clear their
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sidewalks within 24 hours of the end of a snowfall, unless the deadline is extended by the County Executive. Current County law requires snow clearing only for commercial properties and multi-family residential properties

“Most folks in the County already clear their walks,” said Andrews. “For those who don’t, here’s an incentive to pitch in.”

The bill drew support from the municipalities of Rockville, Gaithersburg, and Takoma Park, as well as from the senior, environmental, transit, and disabilities communities. The Montgomery County Council of PTAs backed the legislation, as did the Montgomery County Education Association and the County’s own Commissions on Aging and on People with Disabilities.

The County Executive, in allowing the bill to become law without his signature, cited the potential impact on people who are physically or financially unable to meet their responsibilities. He indicated that he would rely “less on civil fines and more on education and outreach efforts.”

“That’s exactly right,” said Councilmember Andrews. “Education and outreach are key and we have plenty of time to work on that before next winter. Let’s all pitch in to make this work – as it already does in neighboring communities.”

The law requires a written warning about a violation before allowing a \$50 civil fine if, within 24 hours after the warning, the situation is not corrected. It provides that single-family-home violators could be fined only once during a given snowfall. Violations on commercial and multifamily properties would still be treated as separate violations for each day that a violation continues.

In addition, the law prohibits piling snow in handicapped parking spaces. Such an action would be a Class B violation, with fines up to \$100 for the first offense and \$150 for subsequent offenses.

“It is already difficult to keep others from parking in those few spaces set aside for handicapped persons’ cars,” said Councilmember Leggett, who authored that piece of the law. “It is equally important that people be prevented from obstructing these spaces by storing snow or other debris in them.”

The legislation would repeal the current law providing for the Police Department to enforce the snow-clearing requirement and requires the County Executive to

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designate an enforcement agency or agencies. The law also allows the County Executive to order a different deadline or different requirements if conditions warrant.

Other provisions allow the use of sand, salt, or other abrasives if ice or hardpacked snow are unreasonably difficult to remove and an additional 24 hours to clear walkways if a snowplow redeposits snow or ice on a sidewalk.

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