



CITY of NOVI CITY COUNCIL

Agenda Item 4
October 24, 2011

SUBJECT: Approval of Ordinance Text Amendment 11-115.05, as recommended by the Ordinance Review Committee, to amend Chapter 33, Traffic and Motor Vehicles, of the City of Novi Code to designate certain streets as snow routes to prohibit on-street parking during a snow emergency declared only for snow routes, and to clarify the conditions under which a snow emergency would be declared. **FIRST READING**

SUBMITTING DEPARTMENT: Department of Public Services *RZ*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The objective of this change is to get residential streets cleared as quickly as possible for people to return to work and school, and to conduct business, among other activities. The current system and processes are good (even with our reduced staffing and financial resources), but they could be better with a rather limited change for residential collector streets in just two large subdivisions. By declaring a limited snow emergency on only these streets in the event of a major snow or ice storm (there were only three such occurrences in last year's heavy snow season), there will be exponential improvement in this critical public service. Notice will be made in advance to the neighborhood, signs posted, and continued strong communication in the event weather dictates the changes as recommended by the ORC and staff, as discussed in detail below.

The attached strike-through/red-line version of the Traffic and Motor Vehicle Ordinance provides a text amendment recommended by staff, the City Attorney's office and the Ordinance Review Committee. The proposed Chapter 33 changes relate to the designation of certain residential streets as snow routes to prohibit on-street parking during declared snow emergencies for snow routes only, and to clarify the meaning of a snow emergency.

City Council referred this issue to the Ordinance Review Committee to develop policy recommendations following an update on the status of implementing winter maintenance improvement initiatives at the September 12, 2011 City Council meeting. The Ordinance Review Committee met on September 22 and 29, and October 13, 2011 and has recommended this ordinance amendment to the City Council. The revisions to

the ordinance are discussed in detail in the attached memorandum dated September 20, 2011 and summarized below.

A select number of narrow collector streets through certain large residential subdivisions pose safety and operational issues when DPS crews try to clear them during major winter storms that produce a significant accumulation of snow. As shown on the attached map (yellow line with black dots), these streets are:

- Cedar Springs Subdivision: Petros Boulevard, Buckminster Drive and Christina Lane.
- Meadowbrook Glens Subdivision: Cherry Hill Road, Park Ridge Road and Kings Pointe Drive.

The streets listed above were selected because they are generally narrow (pavement is only 23 feet wide in several areas, while our current standard is a minimum pavement width of 24 feet), they collect a relatively high volume of traffic from other streets in the subdivision, and they have historically had cars parked on both sides of the street during major winter storms that have made clearing the streets dangerous and inefficient. Several incidents have occurred over the years during which private vehicles and City snow plows were damaged because vehicles were parked on both sides of the street, making it nearly impossible for the City's snow plows to effectively and efficiently clear the street. Private vehicle damage has typically included scraped and dented fenders, as well as damaged tires caused by plow blades. From an operational standpoint, when vehicles are parked on both sides of the street, the snow plow has to travel at a very low speed to prevent hitting the vehicles, which means the snow collects in front of the blade as opposed to being thrown off the end of the blade – resulting in the operator having to back-up and push the snow to the sides of the street. Instead of clearing the street curb-to-curb relatively quickly in two to three passes, operators can only make one marginally effective pass until cars are moved off of the street. This also creates a major inconvenience to all residents on the street, who often have to clear the area of the street in front of their driveways in order to access the cleared part of the street because the City plow did not have enough maneuver room to do so. In addition, there is the shared resident and City challenge of again clearing streets and driveways as vehicles are moved and more of the street is cleared.

The attached proposed ordinance text amendment to Section 33-681 designates the streets listed above as snow routes and gives the Director of Public Services the discretion, within the designated parameters, to declare a snow emergency on these snow routes when warranted by winter weather conditions. Section 33-682 prohibits on-street parking when a snow emergency has been declared (either City-wide or only for snow routes) and has been revised accordingly. Finally, Sections 33-681 and 33-683 have been revised to clarify the meaning of a snow emergency. Currently, a snow emergency occurs whenever any one of these conditions exists or is forecasted: the accumulation of four inches or more of snow, freezing rain or sleet. As proposed, a snow emergency would only occur when conditions warrant it and it has been declared.

The new policy for snow routes would be implemented as follows:

1. After passage of the ordinance change and before this winter season, DPS will meet with both homeowners associations and Community Relations will send a letter to each affected homeowner to explain the new policy and how it will be implemented, including instructions on how to sign-up for the opt-in Nixle individual notification system in order to receive a real-time message when a snow emergency is declared.
2. Each snow route will be designated with appropriately spaced "Snow Route" signs.
3. When a snow emergency for designated snow routes is declared, a Nixle message will be sent to Nixle subscribers who live on a snow route. In addition, email messages will be sent to each homeowners association and the declaration will be posted on the City's website.
4. If vehicles remain on the street after the snow emergency has been declared, they will be subject to being towed.

For comparison, during last winter there would have been three snow emergencies declared for these particular streets: February 1-2, 2011 (7.6" snow accumulation), February 5 (3.2" of extremely wet snow), and the February 20-21 storm (9.0" snow accumulation).

RECOMMENDED ACTION: Approval of Ordinance Text Amendment 11-115.05, as recommended by the Ordinance Review Committee, to amend Chapter 33, Traffic and Motor Vehicles, of the City of Novi Code to designate certain streets as snow routes to prohibit on-street parking during a snow emergency declared only for snow routes, and to clarify the conditions under which a snow emergency would be declared. **FIRST READING**

	1	2	Y	N
Mayor Landry				
Mayor Pro-Tem Gatt				
Council Member Fischer				
Council Member Margolis				

	1	2	Y	N
Council Member Mutch				
Council Member Staudt				
Council Member Wrobel				

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 11-115.05

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF NOVI, CHAPTER 33, "TRAFFIC AND MOTOR VEHICLES," ARTICLE III, "PARKING, STOPPING AND STANDING," DIVISION 5, "SNOW EMERGENCIES," IN ORDER TO ELIMINATE LANGUAGE ESTABLISHING SNOW EMERGENCIES EXCEPT BY ORDER OF THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SERVICES AND TO CREATE CERTAIN SNOW ROUTES ON CERTAIN STREETS THAT CAN BE THE SUBJECT OF NO PARKING ORDERS DURING SNOW EMERGENCIES.

THE CITY OF NOVI HEREBY ORDAINS

Part I. That Chapter 33, "Traffic and Motor Vehicles," Article III, "Parking, Stopping and Standing," Division 5, "Snow Emergencies," is hereby amended to read as follows

Sec. 33-681. - Determination of snow emergency.

(a) A snow emergency shall be deemed to exist whenever:

~~(1) Freezing rain, sleet or four (4) or more inches of snow has been forecast for the area by a newspaper circulated in the city, or by a radio or television station with a normal operating range covering the city;~~

~~(2) Freezing rains or sleet has fallen or four (4) or more inches of snow have accumulated in the city; or~~

~~(3) The the director of the department of public services, or his designee, on the basis of falling snow, sleet or freezing rains or on the basis of a forecast of snow, sleet or freezing rains, finds that it is necessary for plowing or salting purposes that parking be prohibited, and causes a declaration of such snow emergency to be publicly announced on the municipal access channel on cable television, or by broadcast from a radio or television station with a normal operating range covering the city, and, if time permits, by publication within the official paper or a paper of general circulation in the city or by other communication method designed and intended to directly convey to the owners of property in the City the existence of such snow emergency, including, but not by way of limitation, telephone or wireless communication.~~

(b) The following streets that are too narrow to allow safe and efficient snow clearing when vehicles are parked on them are hereby designated as “snow routes”:

(i) Cedar Springs Subdivision: Petros Boulevard, Buckminster Drive and Christina Lane.

(ii) Meadowbrook Glens Subdivision: Cherry Hill Road, Park Ridge Road and Kings Pointe Drive.

The director of the department of public services, or his designee, may at his discretion declare a snow emergency under subsection (a) as to only those streets designated as snow routes in this subsection (b). The director or his designee shall be responsible to post and maintain signs on and around the designated streets identifying them as snow routes, indicating that parking shall not be permitted in a snow emergency on such streets, and referring to this section of the city code.

(c) The director of the department of public services, or his designee, shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with subsection (a)(3) of this section.

Sec. 33-682. - Parking—Restricted, exceptions.

(a) No person shall park a motor vehicle on a street, highway, roadway, or other public right-of-way under the jurisdiction of the city during a snow emergency until such time as the street, highway, roadway or public right-of-way shall have been plowed of snow, or until salt shall have been spread for the control of freezing rain.

(b) An owner of a motor vehicle who resides at a premises which does not have a driveway or other off-street parking facility shall not be deemed in violation of subsection (a) of this section if such motor vehicle is parked in front of his residence, provided that the vehicle is parked as close to the curb or edge of the street as possible to make room for snow plows and other emergency vehicles. This exception to subsection (a) shall not apply to snow routes as described in section 33-681(b) above.

(c) The parking prohibition of this section shall not apply to any street, highway, roadway or other right-of-way designated by the city manager, where such street, highway, roadway, or other right-of-way is not plowed or salted by the city and where signs are posted indicating that the area is exempt from the parking prohibition of subsection 33-682(a) pursuant to section 33-683(b). The designation of such street, highway, roadway or other right-of-way shall be in writing with copies delivered to the superintendent of public works, the police chief and the city clerk.

Sec. 33-683. –~~General notice by publication; exemptions~~Reserved.

~~(a) It is hereby made the duty of the director of the department of public services to give general notice to the public that a snow emergency may be declared. Such general notice shall be made by publication in the official newspaper of general circulation in the city at least twice in each year, once during the first half of the month of October and again during the first half of January of each year, and shall read substantially as follows:~~

Sec. 33-684 – 33-705 [Unchanged]

Part II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Part III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

Part IV. Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part V. Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the Novi City Council, Oakland County, Michigan, at a meeting of the Council duly called and held on the _____ day of _____, 2011.

CITY OF NOVI

By: _____
Maryanne Cornelius, City Clerk

ADOPTED:

EFFECTIVE:

PUBLISHED:

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 11-115.05

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Sec. 33-681. - Determination of snow emergency.

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- (b) The following streets that are too narrow to allow safe and efficient snow clearing when vehicles are parked on them are hereby designated as "snow routes":
 - (i) Cedar Springs Subdivision: Petros Boulevard, Buckminster Drive and Christina Lane.
 - (ii) Meadowbrook Glens Subdivision: Cherry Hill Road, Park Ridge Road and Kings Pointe Drive.

The director of the department of public services, or his designee, may at his discretion declare

a snow emergency under subsection (a) as to only those streets designated as snow routes in this subsection (b). The director or his designee shall be responsible to post and maintain signs on and around the designated streets identifying them as snow routes, indicating that parking shall not be permitted in a snow emergency on such streets, and referring to this section of the city code.

- (c) The director of the department of public services, or his designee, shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with subsection (a) of this section.

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- (a) No person shall park a motor vehicle on a street, highway, roadway, or other public right-of-way under the jurisdiction of the city during a snow emergency until such time as the street, highway, roadway or public right-of-way shall have been plowed of snow, or until salt shall have been spread for the control of freezing rain.
- (b) An owner of a motor vehicle who resides at a premises which does not have a driveway or other off-street parking facility shall not be deemed in violation of subsection (a) of this section if such motor vehicle is parked in front of his residence, provided that the vehicle is parked as close to the curb or edge of the street as possible to make room for snow plows and other emergency vehicles. This exception to subsection (a) shall not apply to snow routes as described in section 33-681(b) above.
- (c) The parking prohibition of this section shall not apply to any street, highway, roadway or other right-of-way designated by the city manager, where such street, highway, roadway, or other right-of-way is not plowed or salted by the city and where signs are posted indicating that the area is exempt from the parking prohibition of subsection 33-682(a).. The designation of such street, highway, roadway or other right-of-way shall be in writing with copies delivered to the superintendent of public works, the police chief and the city clerk.

Sec. 33-683. -Reserved.

Sec. 33-684 – 33-705 [Unchanged]

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CITY OF NOVI

By: _____
Maryanne Cornelius, City Clerk

ADOPTED:

EFFECTIVE:

PUBLISHED:

1733741.2



2011-2012 City of Novi Major Snow Plow Routes

Map Print Date: October 18, 2011

Snow Plow Route

- Route 1—74.37 Lane Miles
- Route 2—51.39 Lane Miles
- Route 3—41.45 Lane Miles
- Route 4—13.03 Lane Miles
- Route 5—52.86 Lane Miles
- Route 6—14.77 Lane Miles

Route 6 Subsets

- Neighborhood Collector Snow Route
- Emergency Snow Route

Non-Asphalt Surface Type

- Chip Seal
- Gravel
- Unpaved - Unspecified

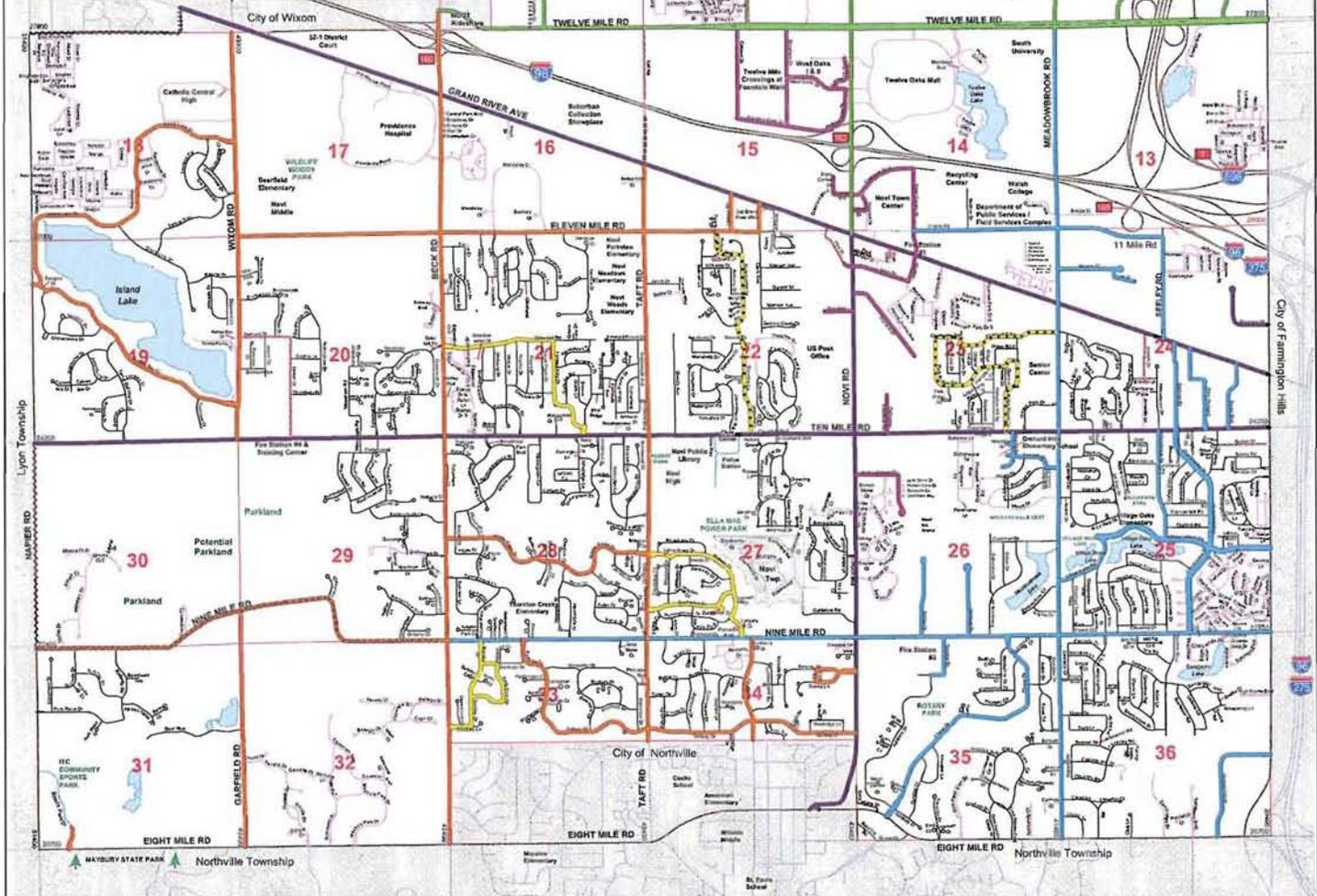
Road Jurisdiction

- Private
- City-Local
- City-Major
- Other Jurisdiction
- Access Road
- Road Outside Novi
- Section Line

Scale: 1 inch = 1,000 feet

SNOW PLOW ROUTE	LENGTH IN MILES	NUMBER OF LANE MILES (Number of Lanes x Length in Miles)
Route 1	74.37	74.37
Route 2	51.39	51.39
Route 3	41.45	41.45
Route 4	13.03	13.03
Route 5	52.86	52.86
Route 6	14.77	14.77
Neighborhood Collector	4.95	4.95
Emergency	7.56	7.56
Unpaved Road Jurisdiction Excluding Snow Routes	28.94	28.94

Geographic Information Services
Dept. of Information Technology
40775 W. Nine Mile Rd.
Novi, MI 48275
novi@novi.org
Map Author: S. Saurman, GIS Technician



Route 1 (All Trucks) 74.37 Lane Miles	Route 2 (All Trucks) 51.39 Lane Miles	Route 3 (All Trucks) 41.45 Lane Miles	Route 4 (One-Ton Dumps) 13.03 Lane Miles	Route 5 (All Trucks) 52.86 Lane Miles	Route 6 (All Trucks) 14.77 Lane Miles

MEMORANDUM



TO: VICTOR CARDENAS, ASSISTANT CITY MANAGER
FROM: ROB HAYES, DIRECTOR OF PUBLIC SERVICES/CITY ENGINEER *RH*
SUBJECT: ORDINANCE REVIEW COMMITTEE MATERIAL - 9/22 MEETING
DATE: SEPTEMBER 20, 2011

This memorandum provides information for the Ordinance Review Committee's use relative to the level of service for winter maintenance operations, and specifically as it relates to clearing the newly designated major residential collector route and sidewalks and pathways. This information is based on questions and comments received from City Council at the September 12, 2011 meeting.

Parking Restrictions on New Major Residential Collector Route

As discussed last Monday and as presented in the attached September 2nd memorandum, a new major route (Route 6) will be added for residential collector streets through selected subdivisions to allow clearing of those subdivisions to occur simultaneously with the City's major roads and sooner than other subdivision streets. Because of on-street parking in the winter, there are two subdivisions with streets on Route 6 that pose safety and operational issues for DPS snow plows:

- Cedar Springs Subdivision: Petros/Buckminster/Christina in Section 22.
 - Meadowbrook Glens Subdivision: Cherry Hill/Park Ridge/Kings Pointe in Section 23.

As currently recommended by staff, these streets would be designated as "Snow Routes" with appropriate signage, and on-street parking along them would be prohibited when there is a snow accumulation of at least four inches, which is a threshold amount consistent with both DPS's overtime labor and the City's snow emergency "triggers". Vehicle owners would be warned, then ticketed and towed if vehicles are not moved to allow the streets to be plowed. Prohibiting parking would allow DPS to quickly plow these streets curb-to-curb without damaging vehicles.

Currently, the Ordinance only addresses a City-wide snow emergency during which on-street parking on *all* City streets would be prohibited. Staff recommends that the attached changes to the Ordinance be considered to specifically address parking restrictions on snow routes (see redlined Ordinance Sections 33-681 through 33-683, attached). Residents on these streets would receive a phone message via Dialogic (reverse 911 system) from police dispatchers when conditions warrant parked vehicles to be removed from the street, as determined by the DPS director. Unlike the Nixle system, Dialogic can be pre-programmed with all addresses on the designated snow route streets.

This past winter, many communities in southeast Michigan declared snow emergencies and restricted parking on city streets, including the neighboring cities of Livonia and Farmington.

Issues that the Ordinance Review Committee may wish to consider in regard to restricting parking include the following:

1. Should the Route 6 streets listed above be designated as snow routes so that DPS crews can clear them in a safe and expeditious manner?
2. If so, should enforcement of parking restrictions on these streets be handled as they would for a declared City-wide snow emergency?
3. Should a snow accumulation threshold greater than four inches be established?
4. Should the status quo be maintained by not imposing special parking restrictions on snow routes?

Sidewalk/Pathway Clearing

Clearing by Novi Residents and Businesses. The City's Ordinance states that:

Sec. 21-126. - Sidewalks to be cleared.

The occupant of every lot or premises adjoining any street or the owner of such lot or premises if the same are not occupied, shall clear all ice and snow from sidewalks adjoining such lot or premises within the time required in this section. Within twenty-four (24) hours after the end of each accumulation of snow greater than two (2) inches, the owner or occupant of every property shall remove the accumulation from the adjacent public sidewalk and walks and ramps leading to a crosswalk. The accumulation may be from any source including precipitation and drifting. Immediately after the accumulation of ice on such sidewalk, it shall be treated with sand, salt or other substance to prevent it from being slippery and the ice shall be removed within twenty-four (24) hours after accumulation.

Many residents and businesses City-wide have a practical difficulty meeting the 24-hour requirement of the Ordinance. This is especially true in cases where an owner has sidewalk/pathway segments abutting more than one property line, or where a pathway's width exceeds the normal width of a sidewalk (i.e., greater than 5-foot wide).

As it pertains to private sidewalk/pathway clearing, the Committee may wish to relax the 24-hour clearing requirement, or alternatively exempt owners from having to clear more than one abutting segment.

Clearing by City Crews. Please refer to the attached August 9th memorandum from Charles Boulard that discusses maintenance of sidewalks and pathways. Items that pertain specifically to winter maintenance are highlighted in yellow.

As discussed in the September 2nd memo, DPS crews frequently cannot meet the requirements of Section 21-126 of the Ordinance by clearing sidewalks abutting City property within 24 hours of the end of the storm, let alone the additional mileage that DPS has historically cleared. The following table summarizes the amount of sidewalks/pathways that DPS currently clears:

City Frontage		5.6 Miles
Walk to School Routes		
	School Frontage	1.5 Miles
	Non-School Frontage	6.5 Miles
Non-Walk to School Routes		5.7 Miles
	Total:	19.3 Miles

Of the total 19.3 miles that DPS clears, 1.5 miles that front school property will be cleared by Novi Community Schools and Walled Lake Consolidated Schools beginning this winter. Staff recommends that the remaining 12.2 miles (5.7 miles that are not on walk to school routes and 6.5 miles that are) be eliminated from the City's responsibility and that the responsible land owners be held accountable for keeping their abutting sidewalks/pathways clear.

Issues that the Ordinance Review Committee may wish to consider in regard to the City's clearing of sidewalks and pathways are:

1. Should the City clear more miles of sidewalks/pathways than it is obligated to do?
2. If so, which additional routes should the City continue to clear?
3. Should the status quo be maintained by continuing to clear all 19.3 miles in the current inventory?

Please feel free to contact me at any time if you have any questions, concerns or comments in regard to this information prior to the September 22nd Ordinance Review Committee meeting.

cc: Matt Wiktorowski, Field Operations Senior Manager
Tom Lindberg, Deputy Police Chief
Tia Gronlund-Fox, Human Resources Director
Charles Boulard, Director of Community Development