

ARTICLE V. MAINTENANCE OF SIDEWALKS AND SWALE AREAS

Sec. 98-166. Duty to maintain sidewalks and swale area.

- (a) *Swale area defined.* A swale area is that area between the property line and the back of the street curb or the edge of the paved roadway.
- (b) *Persons liable.* In the case of rental property, the occupant shall be held jointly and severally liable for compliance with those duties and obligations imposed upon the owner by this section.
- (c) *Sidewalks, alleys and rights-of-way to be kept clean.* All owners of unimproved property and occupants, or occupants and owners of improved property, shall maintain their property in a clean and litter-free manner, including sidewalks, grass strips, alleys up to and including the median point of the alley, curbs, swale areas, or rights-of-way up to the edge of the pavement of any public street. Every merchant, storekeeper or operator of a business in the city shall sweep or cause to be swept the sidewalks adjoining his respective place of business, and continuing as often as necessary thereafter to keep the area clean, on each day such business shall be operated. The sweepings shall be picked up and not swept into the gutter as prohibited by section 46-92. The use of round concrete buttons on swale areas is permitted, but the use of triangular concrete buttons is prohibited in such areas. All other objects of any size or material are deemed hazardous.
- (d) *Enforcement; fines.* The provisions of this section shall be enforced as provided in section 1-14. Fines shall be as follows:
 - (1) First violation \$ 50.00
 - (2) Second violation within 12 months of the first violation 100.00
 - (3) Third violation within 12 months of the first violation 500.00

For purposes of this section, "violation" shall mean either an uncontested citation issued by a code compliance officer or a finding of violation by a special magistrate. Appeals from citations issued by a code compliance officer shall be as provided in chapter 30.

(Code 1964, § 39-23; Ord. No. 93-2892, § 1, 12-15-93; Ord. No. 2000-3240, § 1, 4-12-00; Ord. No. 2021-4431, 7-28-21)