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TO: Whom It May Concern
RE: Town of Athol – Sidewalk Snow Removal Bylaw

Mother Nature is putting her icy grip on the region this week so it is a good time to remind owners of properties that abut sidewalks of their obligation to ensure sidewalks are cleared of snow and ice within 48 hours after a storm concludes.

While most property owners comply with Chapter V, Section 15 of the Bylaws, there are exceptions, notably along the Main Street and Pleasant Street corridors. This memo is a reminder of the obligation to comply with the Bylaw or be subject to fine, or, in the event of litigation, potential liability (see below):

Chapter V: STREETS, SIDEWALKS, PUBLIC PLACES, AND UTILITIES

Section 15. The owner of any real estate abutting upon any sidewalk now in use - or hereafter constructed within the Town shall, except when exempted as noted below, within forty eight (48) hours after the ceasing to fall or form of any snow, ice or sleet; shall cause the same to be removed from such sidewalk, and if the same cannot be wholly removed, shall sprinkle thereon sand, or other proper substance, so that such sidewalk shall be safe for travel.

15.1 The property owner shall not be responsible for removing snow on an abutting sidewalk if an excessive amount of snow is plowed onto the sidewalk by municipal or state vehicles (in the course of plowing a public way) which cannot be reasonably removed by hand shoveling, or by a mechanical snow blower marketed as a residential model.

15.2 The property owner shall not be responsible for removing snow on an abutting sidewalk if a law enforcement agency, or other agency having jurisdiction, determines a police detail is necessary.

15.3 The property owner shall not be responsible for removing snow on an abutting sidewalk if an extreme hardship is determined to exist. This determination to be made by the Town Manager or the Town Manager's agent.

15.4 No fines will be imposed on any property owner until the Town has completed clearing and/or treating all sidewalks that abut Town property.

15.5 With the written approval of the Town Manager, any Owner, or owner's agent, when compliant with Chapter V, S15 will be held harmless by the Town and the Town shall defend the owner, or the owner's agent, at town cost in the event of litigation regarding snow removal from said sidewalk. If the Town Manager does not agree to defend the owner, or owner's agent, then the owner, or owner's agent, has the right to appeal the decision to the Board of Selectmen.

The Town truly has no desire to issue fines and therefore requests and appreciates your efforts to keep sidewalks clear in compliance with the bylaw. We wish you all a safe winter season.