

TO: Sitka City and Borough Assembly

THRU: SCB Clerk

CC: City Administrator; Health Needs and Human Services Commission

RE: Report on Assembly's Request for Commission to address snow removal issues

Introduction:

On April 5, 2022, the Police and Fire Commission received a written request from the Assembly to investigate snow removal issues. The request specifically stated:

Snow removal: Sitka's winters have become unpredictable and current code does not adequately address the need for snow removal around the community. While there is likely room for improvement in the code using other communities as models, there is a longstanding tradition of volunteerism among many Sitka organizations (Boy Scouts, ATV riders, Rotary, high school sports teams, etc). Along with suggesting updates to the code perhaps a coalition of volunteers to assist elders and the disabled with snow removal would help solve the problems for future winters.

The request was directed to both the Police and Fire Commission and the Health Needs and Human Services Commission. That written request is attached to this report.

The Assembly sponsor of the request seemed to focus primarily on the lack of snow removal on city sidewalks, the danger it causes, and ways in which to enforce and effectuate that snow removal. The full assembly expanded the request to cover snow removal on both streets and sidewalks.

The Assembly request was placed on the next scheduled meeting; April 27, 2022. At that meeting the commission discussed how to proceed and tried to figure out what it was the Assembly was looking for the commission to accomplish.

The snow removal issue was on the agenda at three consecutive meetings: 5/25, 6/22, and 7/27.

#### 5/25/2022 Meeting

The chair researched ordinances from other Alaska communities (Anchorage, Juneau, Ketchikan, Kodiak, Petersburg) regarding snow removal from sidewalks. Sitka's ordinance requires property owners to clear snow off adjacent sidewalks, unless the snow is placed on the sidewalks by the government plowing the snow. The ordinance authorizes Public Works or the Police Department to pay to have the snow removed and for the city to bill the property owner and place a lien on the property until the bill is paid. Most ordinances require the property owner to shovel the adjacent sidewalks. The enforcement mechanism varies between a ticket being issued or the government shoveling the snow and billing the owner.

The commissioners had general discussions about the previous winter snow season and problems that the snow created. One commissioner noted that he regularly shoveled and put down ice-melt/salt to keep the sidewalk clean and safe for pedestrians and that the City regularly plowed snow back up on the section of sidewalk that he'd already shoveled. This resulted in a fair level of frustration, waste of time/energy and the money to purchase the ice-melt/salt.

Other commissioners noted that the winter snowfall varied, some winters almost no snow, other winters a considerable amount. There was really no consistency as to what might occur.

At least once commissioner opined that snowfall in Alaska went with the territory and was generally to be expected, but that Sitka's snowfall was minimal compared to other areas of the State.

Another commissioner noted that some communities remove the snow and don't just plow it to the sides of the road; but different equipment was generally used.

#### 6/22/2022 Meeting

Merrill Rice, with the State Department of Transportation, discussed State snow removal in Sitka. The State is responsible for HPR, Sawmill Creek Road and the road over to the airport, plus plowing the runway. He shared how and when DOT clears the highway of snow. Typically, they clear what they can along the highways for the school busses then proceed to the airport where the runway is their priority. DOT only has snowplows, no snow removal vehicles. DOT also does not have equipment to remove snow from the sidewalks.

Harry Greene, Public Works Maintenance and Operations Superintendent, shared how the city clears the city streets on snowy days. Public Works is working on a new snow removal plan as there isn't anywhere for the snow to go when it is just plowed and not removed. The city also does not have either the equipment or manpower to remove snow from sidewalks.

While both the State and City try not to plow snow onto the sidewalks, both indicate that it happens and that they don't return to clear those sidewalks that had snow pushed onto them as they have neither the manpower nor the equipment.

#### 7/27/2022 Meeting

Mike Finn, with Sitka All-Terrain Riders, spoke at this meeting. He indicated that members of his group have ATV's and are willing to help with snow removal. The group was talking about creating a plan to assign routes to different riders when sidewalk snow removal was needed. This potential "solution" carries with it some potential concerns such as liability issues if someone's property gets damaged. If the city sanctions this, does the city become liable for any damages? Also, who coordinates these efforts? Another question becomes where does the snow being plowed, end up? Answers to these questions would best be considered by the city attorney.

#### Opinions and Conclusions of Commission:

1. The current code DOES adequately address the need for snow removal around the community. The problem isn't the code. The code doesn't direct how snow is to be removed; that is a decision left to Public Works. The code does provide a means to enforce sidewalk snow removal by adjacent property owners; however, that is likely unenforceable because the entities ploughing snow cannot provide assurances that their plowing did push the snow onto the sidewalks. If aspects of the code are unenforceable, maybe they need to be removed from the code. In addition, the code seems never to have been enforced and as such has little use in mitigating snow related issues/problems

2. Coordination of volunteers to shovel/remove snow from sidewalks seems like a great idea. Some entity within the city should be directed to develop that volunteer group and establish the procedure for their use. That coordination work should begin in early fall to assure that the plan is in place when the snow flies. As mentioned above, liability concerns should be considered as well as what entity takes on this coordination and what are the risks the coordinating entity would be exposed to.

3. The use of temporary “city” employees, is another option to consider. Temps are utilized in the summer to help maintain buildings and grounds. Winter temps could be utilized for sidewalk clearing/snow removal. This would necessitate additional funds and other budgetary considerations as well as staff to coordinate/oversee these workers.

4. In areas where possible, could the snow be plowed from the sidewalk side of the street to the “non-sidewalk” side. A good example is Lincoln Street by Crescent Harbor. If plows started on the sidewalk side of the street, they could plow all the snow onto the greenbelt area. There are numerous locations in the city where this same concept could be applied. This would take some training by Public Works to make sure all plowing staff know of this procedure. There may be other considerations as well.

5. To fully address the snow problem, removing the snow from the roadway, rather than just plowing it, is the most effective solution. This already takes place in some areas such as the downtown commercial area. That said, new/additional equipment and more manpower would be required as neither the City or the State has the necessary equipment to fully implement this solution. That creates a budget issue, but would only cover the City’s equipment and manpower, but not the States.

An additional concern for this option is where to put the removed snow. Are there areas where the snow could be dumped. Is it permissible to push/dump the snow into the ocean? Can the area around the ballfields be used?

6. Not every year is a heavy snow year and predicting when we might have a heavy snow year is next to impossible. Further, decisions for budget expenditures that may not be used some years is a matter for the Assembly.

Underlying all considerations is the safety of the public and safe accessibility to locations and services such as mailboxes, stores, etc.. This includes both vehicular AND pedestrian safety. There may be a greater focus on vehicular safety/accessibility over pedestrian. Sitka has been designated as a walk friendly community. In winter, one must especially question this designation. Decisions are based on priorities and the Assembly is encouraged to discuss and decide what those priorities are related to snow plowing and removal.

Clear communication around snow related priorities/procedures are also encouraged. There appears to be set priorities as to what gets plowed first second and so on (i.e. bus routes, commercial areas, other priority areas). Clearly communicating this and other plowing related aspects would help the public understand the snow plowing process and hopefully reduce any frustration they may experience. This however does not address the sidewalk issue. Additionally, clearly articulating which streets/roads are the city’s responsibility and which ones are the state’s responsibility would be helpful.

From a philosophical point of view, it seems wise to consider what really is the underlying reason for a snow removal code???? Is it to ensure safety and accessibility for residents? One can meet the legality of the existing code OR one can meet the intent of the code which, supposedly, is to provide clean, snow/ice free sidewalks on which pedestrians can safely travel. These are the questions which may need to be answered first, before considering how to go about dealing with snow on our streets and sidewalks.

If the Police and Fire Commission can be of further assistance on this issue, please let us know.