City of Duluth

Master

File Number: 19-048-O

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Title: AN ORDINANCE AMENDING CHAPTER 33 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING SNOW EMERGENCIES, INCREASING THE NOTICE TIME REQUIREMENT, EXTENDING THE DURATION OF DESIGNATIONS, DELETING REQUIREMENTS FOR NON-SNOW EMERGENCY ROUTES AND PROVIDING FOR DESIGNATION OF ROUTES BY RESOLUTION, AMENDING SECTIONS 33-97.1 AND 33-97.2.

Internal Notes: REA:sl

Sponsors:		**Enactment Date:**	11/12/2019
Attachments:	2019.11.06 Motion to amend 19-048-O. Anderson	**Enactment Number:**	10661
Recommendation:		**Hearing Date:**	
Drafter:	slapaugh@duluthmn.gov	**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	10/28/2019	read for the first time				
1	City Council	11/12/2019	adopted				

Text of Legislative File 19-048-O

AN ORDINANCE AMENDING CHAPTER 33 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING SNOW EMERGENCIES, INCREASING THE NOTICE TIME REQUIREMENT, EXTENDING THE DURATION OF DESIGNATIONS, DELETING REQUIREMENTS FOR NON-SNOW EMERGENCY ROUTES AND PROVIDING FOR DESIGNATION OF ROUTES BY RESOLUTION, AMENDING SECTIONS 33-97.1 AND 33-97.2.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 33-97.1 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 33-97.1. Snow emergency routes--parking regulated.

(a) Whenever the director of public works, or his representative, determines that existing weather conditions or forecasted weather conditions require that traffic be expedited or snowplowing be carried out, he shall declare~~put into effect the snow emergency prohibitions established by this Article by declaring, in a manner prescribed by this Article,~~ that a snow emergency exists in the manner prescribed in Section 33-97.5; such declaration shall be made no later than 4:00~~6:00~~ P.M. on any day and shall be effective at 9:00 P.M. on that day;

(b) Upon declaration of a snow emergency, said declaration shall be effective for all streets and avenues and portions thereof identified as snow emergency routes pursuant to section 33-97.2.

(c~~b~~) Once in existence, a snow emergency under this Article shall remain in effect until terminated as provided for in subsection (d) below and in section 33-97.6~~by announcement of the director of public works, or his representative, in accordance with this Article~~;

(d~~c~~) No person shall park or allow to remain parked, any vehicle on any portion of any public street or highway in violation of the snow emergency provisions of this Division when a snow emergency exists;

(e~~d~~) Not withstanding any other provision of this Chapter to the contrary, no person shall park or allow to remain parked any vehicle on any street designated a snow emergency route from 9:00 P.M. on the day of declaration of any snow emergency until 6:00 P.M.~~8:00 A.M.~~ on the day following such declaration except that the director of public works and utilities may, by an announcement conforming to the requirements of section 33-97.5, extend or reduce the duration of any declared snow emergency;

~~(e) Not withstanding any other provision of this Chapter to the contrary, commencing at 8:00 a.m. on the morning next following the declaration of a snow emergency, as described in paragraph (a) above, and for 24 hours thereafter, vehicular parking on streets and highways other than a snow emergency routes shall be prohibited on the side of the street or highway upon which parking is prohibited by Section 33-97.8(a) below;~~

~~(f) Not withstanding any other provision of this Chapter to the contrary, commencing at 8:00 a.m. on the second morning next following the declaration of a snow emergency, as described in paragraph (a) above, and for 24 hours thereafter, vehicular parking on streets and highways other than a snow emergency routes shall be prohibited on the side of the street or highway upon which parking is permitted by Section 33-97.8(a) below.~~

Section 2. That Section 33-97.2 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

The city council may, by resolution, designate and establish certain streets or avenues, or portions thereof, as snow emergency routes to which the provisions of Sections 33-97.1 through 33-97.6 shall apply.

~~The following streets or portions of streets within the city are hereby designated as snow emergency routes:~~

~~Michigan Street from Carlton Avenue to Lower Michigan Street.~~
~~Lower Michigan Street from Michigan Street to Superior Street.~~
~~Superior Street from Carlton Street to 60th Avenue East.~~
~~London Road from Tenth Avenue East to the Lester River Road.~~
~~24th Avenue West from Michigan Street to Piedmont Avenue.~~
~~Piedmont Avenue from Trinity Road to Haines Road.~~
~~Mesaba Avenue.~~
~~Second Street from Mesaba Avenue to 12th Avenue East.~~
~~Fourth Street from Mesaba Avenue to Woodland Avenue.~~
~~Sixth Avenue East from Second Street to Skyline Parkway.~~
~~Skyline Parkway from Mesaba Avenue to Kenwood Avenue.~~

Kenwood Avenue from Skyline Parkway to Arrowhead Road.
Arrowhead Road from Arlington Avenue to Woodland Avenue.
Lake Avenue from Superior Street to Railroad Street.
Railroad Street from Lake Avenue to South Lake Avenue.
South Lake Avenue from Railroad Street to Minnesota Avenue.
Woodland Avenue from Fourth Street to Martin Road.
Ninth Street from Sixth Avenue East to and including Chester Creek Bridge.
Eighth Street from Chester Creek Bridge to Kent Road.
Kent Road from Ninth Street to 24th Avenue East.
24th Avenue East from Kent Road to Superior Street.
Snively Road from Woodland Avenue to Glenwood Street.
Glenwood Street from Snively Road to Crosley Street.
Crosley Street from Glenwood Street to Oakley Street.
Oakley Street from Crosley Street to 60th Avenue East.
60th Avenue East from Crosley Street to London Road.
45th Avenue East from London Road to Glenwood Street.
Carlton Street from Michigan Street to Grand Avenue.
Grand Avenue from Carlton Street to Commonwealth Avenue.
Arbor Street from Grand Avenue to 88th Avenue West.
88th Avenue West from Arbor Street to Idaho Street.
Idaho Street from 88th Avenue West to Grand Avenue.
Commonwealth Avenue from Grand Avenue to Evergreen Memorial Highway.
40th Avenue West from I-35 ramp to Eighth Street.
Eighth Street from 40th Avenue West to 59th Avenue West.
59th Avenue West from Grand Avenue to Highland Street.
Highland Street from 59th Avenue West to Stebner Road.
Vinland Street from Stebner Road to Boundary Avenue.
Swan Lake Road from Arrowhead Road to Basswood Avenue.
Basswood Avenue from Swan Lake Road to Central Entrance.

Section 3. That Section 33-97.5 (a) of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 33-97.5.   Same--Declarations of director of public works.

(a) The director of public works, or his representative, shall cause each declaration made by him pursuant to this Article to be publicly announced by means of broadcasts or telecasts from stations with a normal operating range covering the city and by such other medium which the director deems to be appropriate, and he may cause each declaration to be further announced in newspapers of general circulation when feasible.   Each announcement shall describe the action taken by the director of public works, or his representative , including the time it became or will become effective, and shall specify the streets or areas affected ;

Section 4. That Section 33-97.6 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 33-97.6.   Same--Termination of snow emergency.

A snow emergency declared pursuant to this Division shall be effective until terminated pursuant to the time set forth in section 33-97.1 (e) such termination shall be above or until terminated in whole or in part by the director of public works and utilities in the same manner as provided for the declaration of a snow emergency in section 33-97.5, except that such termination shall be Whenever the director of public works, or his representative, shall find that some or all of the conditions which gave rise to the snow emergency no longer exists, he may declare that the snow emergency has terminated, in whole or in part and in a manner prescribed by this Article, effective immediately upon announcement thereof.

Section 5.   That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: The purpose of this ordinance is to make modifications in the City's current ordinances related snow emergencies.

First, it changes the notice requirement for declaring a snow emergency from 6:00 p.m. on the day of declaration to 4:00 p.m., providing for an additional two hours' notice; the declaration continues to go into effect at 9:00 p.m. that night. It also provides that the declaration is effective through the entirety of the day following declaration until 6:00 p.m., as opposed to terminating at 8:00 a.m. on that morning.

Next, it eliminates special requirements for non-snow emergency routes. The existing ordinance requires that on such streets, vehicles be moved to the side of the street specified by "alternate side parking" the day following a snow emergency declaration, even if alternate side parking would not normally apply to those streets and that the next day all vehicles park on the other side of the street. Street maintenance has determined that this is not necessary to their plowing operations and so has recommended that it be eliminated.

The amendment to Section 33-97.2 also provided for designating snow emergency routes by resolution rather than by ordinance to allow a shorter response time to any needed changes in such designations.

In addition, the amendment cleans up some internal inconsistencies in the existing ordinance and clarifies the ability of the Director to shorten or extend the duration of a snow emergency declaration as appropriate and needed.