



Hamilton

CITIZEN COMMITTEE REPORT

To:	Mayor and Members Committee of the Whole
From:	_____ Tim Nolan, Chair Advisory Committee for Persons with Disabilities
Date:	March 11, 2008
Re:	Sidewalk Snow Removal in the City of Hamilton Report ACPD08001

RECOMMENDATION:

- 1) That Council for the City of Hamilton review and appropriately amend By-Law No. 03-296 being the by-law to provide for the removal of snow and ice from sidewalks so that citizens in general and persons with disability in particular can navigate city sidewalks safely and expeditiously.
- 2) That Council and City Staff review the Enforcement Procedure of the above noted by-law, in an effort to have snow and ice more quickly removed from sidewalks.

BACKGROUND:

The Advisory Committee for Persons with Disability has been dealing with snow removal concerns on a perennial basis with little or no resolution in sight. This is a serious matter regarding accessibility to health care, employment, groceries, etc. after even a minor snow event. The situation is very nearly becoming a Human Rights issue.

Persons with disability have challenges with accessibility throughout the community at the best of times. Snow and ice on commercial and residential sidewalks exacerbate these accessibility problems exponentially. Many of these people become prisoners in their own homes for weeks at a time, where getting to work, seeking health care or simply getting groceries become Herculean tasks.

**SUBJECT: Sidewalk Snow Removal in the City of Hamilton
Report ACPD08001 - Page 2 of 3**

ANALYSIS/RATIONALE:

The February 2008 meeting of the Advisory Committee for Persons with Disabilities was entirely consumed with snow removal and how it pertains to accessibility. Concerns included:

- HSR bus stops being only half cleared so that access via the rear doors was virtually impossible.
- Commercial property owners not clearing snow at all, or if they did, only a twenty-centimeter path being made.
- Curb cuts rendered useless due to banks of snow
- Many Seniors' Residences were inaccessible.
- Residents with corner lots clearing only their frontage while ignoring the side of their properties.
- Many landlords are negligent in clearing sidewalks.
- Most who are negligent are chronically negligent.

Suggestions and recommendations from the committee included:

- 1) Requiring snow removal within twenty-four hours after the **START** of a snow event. (Waiting for twenty-four hours after the snow event ends, means snow is walked on, hardened, and virtually impossible to remove, even were one inclined to do so).
- 2) Ensure that all HSR bus stops are cleared entirely to allow access through the rear doors of the bus.
- 3) Council consider a no tolerance policy for failure to comply as is done with parking. Allowing for a 24 hour grace period after an event, then issuing another 24 hour warning, and likely another 24 hours before city staff or a contractor can remedy the situation is untenable.
- 4) Council consider vigorously enforcing the by-law rather than acting on a complaints basis only.
- 5) Council consider having staff or contractors remove snow immediately upon complaint (as is done with parking violation complaints).
- 6) Council consider making commercial and government property violators more accountable, i.e. by imposing more punitive fines. (anecdotal evidence suggests

**SUBJECT: Sidewalk Snow Removal in the City of Hamilton
Report ACPD08001 - Page 3 of 3**

that these are some of the worst offenders).

- 7) Council consider reminding residents of the by-law and their responsibilities, perhaps to be included with the tax levy notice.
- 8) Council consider making a declaration that they are as committed to making pedestrian safety as important as vehicular safety.
- 9) Council considers placing a priority for snow removal in areas deemed essential for persons with disability.
- 10) Council consider subsidizing persons with disability for their own snow removal.
- 11) Council considers having residents with curb cuts abutting their property clear.
- 12) Council consider having the Public Works Communications staff take a more aggressive approach in informing the residents of their obligations under the by-law.

In conclusion, while this is a concern for persons with disability, it affects all citizens of this wonderful city. Mothers with strollers, seniors, able bodied people all have difficulty navigating this city during winter, and it would seem that from the City's perspective, liability would be mitigated with a more pro-active approach to the snow removal problem