

Elsen, Nikki

From: Kabat, Tim
Sent: Monday, March 15, 2021 1:14 PM
To: 'Nate Jones'
Cc: Elsen, Nikki
Subject: RE: Snow Removal

Nate,

Thank you for the note.

The Board of Public Works acts in a quasi-judicial role in hearing and determining appeals to the snow shoveling ordinance charges. I can only speak for myself, but I base my decisions on whether to grant an appeal in whole or in part to:

1. The documentation showing whether an ordinance violation existed. This is usually demonstrated by a copy of the enforcement letter stating when the snowfall occurred and when the sidewalk was cleared by the city contractor. In your case, snow fell between February 11 and 13 and was cleared on February 16. The photos and testimony confirmed that snow was on your walk on February 16, more than 24 hours after the snowfall stopped.
2. Testimony by the public to dispute the facts of the case as to whether a violation existed, the amount of snow removed, etc. I did not hear any argument disputing that the violation existed or the linear feet of snow removed at the property. These were accepted as fact.
3. Testimony by the applicant for appeal as to any compelling reasons why their walk was not shoveled in accordance with the ordinance. Again, I did not hear any compelling reasons why your walk was not shoveled. Arguments that other properties were worse, that city streets were not plowed, etc. are not compelling in my view.

An applicant for appeal has to convince a simple majority (three of the five members) to overturn the charges in whole or in part. As you know, the Board denied your request by a unanimous vote. Sidewalks serve many residents, especially those using mobility devices. Keeping them clear of snow and ice is a significant and serious safety issue. For these reasons, the La Crosse Common Council has adopted high charges and administrative fees for those properties that violate the ordinance.

Regarding your comments about face coverings. I asked our staff to remind our contractors to wear face coverings to help slow the spread of COVID-19.

Nikki – please see Nate’s comments below – he would like his comments as part of the record.

Sincerely,

Tim

Tim Kabat

Mayor
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601
(608) 789-7500

From: Nate Jones <jonenp@gmail.com>
Sent: Monday, March 15, 2021 11:27 AM
To: Kabat, Tim <kabatt@cityoflacrosse.org>
Subject: Snow Removal

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Good morning Tim,

Can you please provide a written explanation with documentation (with supporting evidence) of why my request to have the snow removal charges removed from 517 Winnebago St was upheld. In your documentation can you explain/define the winter snow removal definition as it is very loose in terms. I wanted to ask you this information via the chat but my raised hand was not answered (could you also add this to the minutes).

Also can you explain why the contracted workers were not under local government ordinances even though they were acting under the local government's request?

Thank you in advance.

-Nate

Sent from [Mail](#) for Windows 10