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TOP STORY

## Clearing public sidewalks of snow? Some in Buffalo want a better way

**Deidre Williams**

Dec 12, 2022



Nicholas Harelick removes snow in Buffalo on Nov. 18, 2022. Harelick spent the day clearing off roads and sidewalks so his neighbors would have a place to walk and drive.

Joseph Cooke / Buffalo News

Deidre Williams

**A**fter each Buffalo snowstorm, property owners are expected to shovel or snowblow the public sidewalks in front of their homes and businesses.

But in other upstate cities, property owners get help from the municipality.

Now another push is being made for that kind of government help in Buffalo – but not finding any encouragement from the mayor.

“Buffalo, like Rochester, should have municipal sidewalk snow clearing,” Elmwood Village resident Cynthia Van Ness said. “Rochester’s been doing it for about 100 years. They do it for about \$40 a household per year, which is way less than it would cost me if I wanted to hire the neighbor kid to do it.

“That \$40 a year gets you not just your sidewalk plowed, it gets you your entire city plowed so you know that wherever you go, you’re going to be able to use a sidewalk no matter where you are in Buffalo,” she said. “I think this is the deal of the century.”

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Elmwood Village resident Cynthia VanNess poses for a portrait in Delaware Park in Buffalo on Dec. 7, 2022. She has started an online petition asking the city to consider a municipal snow removal plan.

Joseph Cooke / Buffalo News

Van Ness, who often walks to her librarian job about a mile and a half away, posted her **Top Twenty Reasons for Municipal Sidewalk Plowing in Buffalo** on her **Buffaloresearch.com** website, along with a link to a **petition calling on the city to implement a municipal snow removal plan**. It has more than 500 signatures.

But Mayor Byron W. Brown said such a program would be "pretty expensive," and it is not on his administration's to-do list.

"That's been talked about before. We're not looking at that right now," Brown said. "It might be brought up by others, but to implement a sidewalk snow removal plan is going to cost the residents more money. There's a cost to it. So if people want to pay for it, we can do it, but it's going to be pretty expensive."

In Buffalo, the owner of any building abutting a public sidewalk is responsible for removing snow and ice from the sidewalk within 24 hours after the snowfall stops. The penalty for not doing so is a \$75 ticket.

Van Ness said Buffalo officials should start thinking about implementing a municipal sidewalk snow removal program.



**Better weather is helping snow-clearing efforts, but some Buffalo residents are still feeling forgotten**

“It’s simply, I think, a violation of equal protection when taxpayers who are inside motor vehicles are entitled to rights-of-ways cleared at public expense. And taxpayers who are outside of motor vehicles are not, and both traveling on public rights-of-way,” she said. “It’s also, I think, an ADA violation. People who cannot drive or should not drive because they’re too old or have too many disabilities ... cannot use sidewalks if they’re not plowed.”

**'Somebody's going to get hurt'**

North Common Council Member Joseph Golombek brought up the idea of municipal sidewalk snow removal at a public meeting around the time of **last month's snowstorm** that blasted the region with record amounts of snowfall. He introduced Van Ness' Top 20 list during a recent meeting of the Common Council's Community Development Committee.

"I just want to keep it in front of us," Golombek said. "I know there's nothing we can do this winter season, but I've always kept that in front of us and beaten the drum for years on doing something."

Golombek said the majority of the properties that are not shoveled in his district are absentee rentals and businesses on main thoroughfares.



**As snowstorm cleanup efforts near completion, calls grow for additional federal aid for Western New York**

“I probably have in parts of my 14207 ZIP code up to a third of my residents who are not automobile owners,” he said. “And so they have to walk from Riverside, from parts of Black Rock ... to Tops or to Wegmans or to or grocery stores to get their food. And if there is a storm, and if the businesses have not come out and plowed or shoveled their sidewalks, these poor people have to go into the street, and it’s only a matter of time before somebody’s going to get hurt.”

That happened in **December 2020**, when a woman who uses a wheelchair and her boyfriend were hit by a car from behind while out admiring Christmas decorations at Middlesex and Lincoln Parkway.

### **A relief district in Amherst**

The Town of Amherst has a sidewalk relief district funded by residents in the district to provide sidewalk snow relief, Highway Superintendent Patrick Lucey said. Homeowners pay 75 cents per linear foot. The total linear footage of the district is about 60,000 feet.

“The key word, here, being relief,” Lucey said. “Our town equipment goes out during a snowstorm and we plow a sidewalk, but the understanding is it’s still the homeowner’s responsibility to make sure that that sidewalk is clear.”



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The sidewalk relief district does not include commercial property owners, generally, but there can be exceptions, Lucey said.

On Maple Road, for instance, “there could be a commercial business along our route, but business districts are not eligible.”

Primarily, larger thoroughfares – such as Sheridan Drive and Maple Road from the Millersport Highway bridge east to Transit Road – are in the district, “but there are some lesser traveled roads,” Lucey said.

“On Maple Road, we have schools, we have places of worship, we have medical facilities. You need access to the sidewalk,” Lucey said. “We’ll plow it. But still, you’re not absolved from being responsible to keep that sidewalk clear. Is it a supplemental program. But we do a majority of the work, but, again, we’re not saying the Town of Amherst is totally responsible, because we’re not ... in the town code, it clearly states the property owner is responsible to keep that sidewalk in a safe condition.”

Homeowners apply to be in the sidewalk relief district, and then the town sets up a scoring system of the requested area that includes how often is it traveled and whether it is near a major roadway where people tend to walk a lot, Lucey said.



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"If they need to get to a place, a hospital, a school, a church or synagogue ... some place of worship, maybe," he said of chances of a stretch being included in the district. "We weigh all of that."

In Cheektowaga, it is up to property owners to clear their sidewalks of snow and ice or be fined, with fines ranging from \$25 to \$100, depending on the number of offenses.

The Town of Tonawanda does not have a supplemental program in place, either, but “we are exploring doing something,” said Kevin Keenan, communications consultant for the town.



Buffalo resident Cynthia VanNess is asking the city to consider a municipal snow removal plan.

Joseph Cooke

## **Help in Syracuse and Rochester**

The upstate cities of Syracuse and Rochester provide some sidewalk clearing help to residents.

Corey Driscoll Dunham, Syracuse’s chief operating officer, said “plowing every single sidewalk in the entire city” is not feasible.

So, in 2018, Syracuse identified 20 miles of streets that are most dangerous for pedestrians and focused on clearing sidewalks along those streets, funded by the Department of Public Works' budget, she said.

The program expanded to 40 miles of sidewalk the following year, but was cut from the budget in 2020 due to Covid-19.

Then, last year, officials implemented a municipal sidewalk program, shifting the responsibility for repairing, replacing and adding new sidewalks to the city. The program is funded through a fee structure. The first year, it was \$20 a year for residential properties, and \$60 for commercial properties. This year, it's \$40 for residential, and \$120 for non-residential. The fees increase each year until residents are paying \$100 a year and nonresidential property owners are paying \$300 a year.

The program continues to expand each year and now includes 125 miles of sidewalk to clear this winter, Driscoll Dunham said. It is a supplemental service. Property owners still are required to remove snow and ice from their sidewalks.

"Every property pays the municipal sidewalk program fee," she said. "That was based on the whole idea that ... we all use sidewalks. We all benefit from a more walkable city. Everybody's paying it, whether or not you have a sidewalk, whether or not you're a nonprofit who doesn't pay property taxes."

Ticketing, she said, generally doesn't help.

"Someone's got to take the call of the person calling to notify the city that you got to send somebody out," she said. "Someone's got to issue the ticket. Someone's got to do the follow up after the ticket. Someone's got to issue the fine and then follow up on the fine and take the call from the person who just got the ticket. All this stuff and at the end of all that, the sidewalk hasn't been cleared."

Clearing sidewalks doesn't guarantee that people are going to no longer walk in the street, Driscoll Dunham added. "But I don't want somebody walking in the street because the sidewalk isn't cleared."

The City of Rochester provides a supplemental service to help property owners clear their sidewalks of snow and ice, using private contractors to plow 878 miles of sidewalks when 4 inches of new snow has accumulated. The miles are divided into distinct sidewalk plow runs of approximately 15 miles. Each sidewalk plow run takes

about five hours to complete. Sidewalk plowing usually happens in the evening and early morning when pedestrian traffic is lowest, but the schedule is modified to respond to actual snow storms.

Property owners are responsible for removing any remaining snow and ice.

The program is financed by an “embellishment fee” on property tax bills and based on the property's front footage. The charge for homes assessed with a 40-foot frontage is \$36.24.

### **By Deidre Williams**

I am the Buffalo City Hall reporter for The Buffalo News. I've been a staff reporter at The News since in 1999.

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