

Snow Removal at Bus Stops in Buffalo: Past, Present, and Future
Bicycle-Pedestrian Advisory Board
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Current Policies

The Niagara Frontier Transportation Authority (NFTA) states that each municipality within its two-county jurisdiction is responsible for maintaining bus stops and shelters. Thus, in Buffalo the City of Buffalo is responsible.

The Buffalo City Code states that sidewalk clearance is the responsibility of the adjacent property owner. There is nothing explicit in the Code about who is responsible for cleaning out the inside of a snow-covered bus shelter.

The ADA states that government, not private property owners, is responsible for public facilities, including sidewalks leading to transit, to be sure they are safe and usable for persons with disabilities.

Current Challenges

- Ignorance. Many homeowners and businesses are not aware of their responsibility for adjacent bus stops, assuming that someone else is assigned to take care of them.
- Noncompliance. Because enforcement is at best lax and mostly nonexistent, some property owners might be aware of their responsibility but not motivated to comply since they would not be liable for injuries sustained on these city-owned parcels (hell strips).
- Legal Ambiguity. Contradictory information creates confusion about legal authority. The ADA is a federal requirement. The NFTA is a state entity. The NFTA has no authority over local property owners but is itself the owner of the bus shelters that stand on publicly owned land. The City has legal authority over its residents, but not over the NFTA.
- Safety Issues. When bus stops and shelters are not cleared of snow and ice, riders are forced to stand in the road while waiting for their buses to arrive. At some locations, they are not highly visible to approaching vehicles, creating a potentially serious danger to them. Getting on and off the bus can also be extremely dangerous.
- Discriminatory Practices. Public safety should be assured for all who live, work, shop, and partake of other activities in Buffalo. Bus riders are unfairly treated in this regard. Especially at risk are parents traveling with strollers and toddlers, those without access to a vehicle or other travel options (33% of households in Buffalo), seniors, and those living with a disability; disproportionately impacting communities of color.
- Funding. There is no designated fund in the City budget for snow removal at bus stops.

Case Studies from Other Cities

Communities throughout the US and Canada have dealt with winter maintenance of bus stops in a variety of ways. Transit agencies, local government, and collaborations with businesses, colleges, and community organizations have been tried. A few examples are listed below.

- Transit agency has sole responsibility. In Burlington (VT), the transit authority maintains bus stops and shelters.

- Local government has sole responsibility. In Hamilton (ON), sidewalks on transit routes will be cleared by the city, effective November 2022. This is paid for by an increase in the property tax. The work is done by a private contractor. In Toronto, stops and shelters are cleared by the city. In Madison (WI), bus stops are cleared by the city “when necessary.”
- Transit and local government share responsibility. In Ottawa (ON), bus stops with shelters are cleared by the transit company while those without shelters are cleared by the city. In Washington (DC), as in Buffalo, the transit authority clears rail stations but the local municipality is responsible for bus stops. Similarly, in New York City, subway entrances are cleared by the transit authority while bus shelters and stops are cleared by the city Departments of Transportation and Sanitation. In Boston, the transit authority clears snow from some bus stops on major lines, but all bus stops are ultimately the responsibility of the nearby property owner,
- Community businesses and organizations participate. Many communities have instituted an “adopt a stop” program, utilizing nearby businesses on a voluntary basis. The transit agency oversees this program and may provide the tools.

Recommendations

A remedy for ignorance is to educate widely. This can be done by actively disseminating the information via Common Council members’ newsletters to their constituents as well as by merchants’ groups, neighborhood associations, and block clubs. Community organizations that advocate for transit users, disabled persons, seniors, and children, can assist with wide distribution of regulations. The NFTA’s Winter Ride Guide can also be widely disseminated.

To address noncompliance, a more rigorous but fair and reasonable enforcement system should be upheld. Citizens should be encouraged to report violations to the Call and Resolution Center, 311. Because monetary fines are considered unfair and burdensome by some community organizations, citations should offer alternatives to such payments. For example, violators who are cited could choose the option of community service, either bus stop maintenance or other public service.

Legal ambiguity can be clarified by revising the City Code for special exceptions at bus shelters and stops. Clearing these areas should be specified as the responsibility of the City of Buffalo and/or the NFTA. Adjacent property owners could be given the option to clear these areas, with stipends provided to them.

The NFTA should be encouraged to assist and support all entities, both governmental and nongovernmental, that are performing the actual work of maintaining their facilities. It is in the interest of the NFTA to do this; when bus and rail are safely accessible, more people will use them rather than stay home, drive, or use a ride-share program. A free marketing campaign is one resulting side benefit.

Safety issues can be easily addressed by clearly assigning responsibility for maintenance and for monitoring the execution of this responsibility. Adjacent property owners have not taken responsibility. Now it’s time to give the job to someone else.

Discriminatory practices can be remedied by faithfully adhering to Buffalo’s commitment to complete streets, which by definition offer equal access to all people regardless of age or ability.

The city and the NFTA should establish an ADA Transition Plan that clearly identifies how access and mobility will be maintained throughout all seasons.

Funding can be derived from a designated budget line. An added tax for property owners is one possible option that has been used in other places. The NFTA could be charged for part or all of the cost. Funding should also be designated to support community groups who voluntarily clear snow/ice from bus stops and shelters. Support can be provided in the form of monetary assistance for supplies/equipment, insurance liability coverage, and publicity.

A designated fund should be established in the City budget for a pilot program prioritizing city-owned and abandoned properties, streets with bus routes, and sidewalks near schools. The appropriate equipment and well-trained staff should be incorporated into the DPW. Small-scale efforts by the Olmsted Parks Conservancy and local merchants' associations should be used as models. The positive and negative impacts of the program should be carefully monitored with measurable indicators and reviewed regularly for continuous improvement. After the first year, an evaluation study of the pilot's success should guide an extension of the funding and the areas served.