

Owner Responsibilities for Public Sidewalks

Excerpt From Chapter 83
Town Of Amherst Building Administration Code

§ 83-9-5. Owner responsibility.

5-1. Owner to maintain sidewalk; exceptions.

5-1.1. The owner or occupant of any premises fronting or abutting on any street or highway shall repair, keep safe and maintain any sidewalk abutting the premises and keep it free and clear from snow, ice, dirt or other obstruction. All trees, shrubs, plants and other vegetation must be cut back to a height of eight feet directly above the surface of any sidewalk. Any such owner or occupant shall be liable for any injury or damage by reason of omission or failure to repair, keep safe and maintain such sidewalk or to remove snow, ice or other obstructions therefrom or negligence in performing those functions.

5-1.2. The requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to those lots where the rear lot line of a residentially zoned lot directly abuts a public sidewalk on Sheridan Drive between Fenwick Drive and Mill Street. Furthermore, this exception is applicable only to the section of the public sidewalk that abuts a rear lot line. The requirement to maintain sidewalks abutting front or side lot lines is still applicable. In addition, the requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to the vacant lot located on the northeast corner of Sheridan Drive and Morgan Parkway.

5-1.3. The requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to those lots where the rear lot line of a residentially zoned lot directly abuts a public sidewalk on Main Street between Eltham Drive and Longleat Parkway, and to the public sidewalks abutting the side lot lines on the lots on Eltham Drive and Longleat Parkway.

5-1.4. The requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to those lots where the rear lot line of a residentially zoned lot directly abuts a public sidewalk on Millersport Highway from house numbers 35, 41, 45, 51, 57, 63 and 69 Rosemont Drive and 254 Hartford Road. The requirement to maintain sidewalks abutting front or side lines is still applicable.

5-1.5. The requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to those lots where the rear lot line of a residentially zoned lot directly abuts a public sidewalk on Heim Road, specifically house numbers 66 and 74 Sovereign Court. The requirement to maintain sidewalks abutting front or side lines is still applicable.

[Added 4-11-2011 by L.L. No. 7-2011]

5-1.6. The requirement to keep any sidewalk free and clear of snow and ice shall not be applicable to those lots where the rear lot line of a residentially zoned lot directly abuts a public sidewalk on Sheridan Drive, specifically house numbers 6, 7, 53, 59, 65, 71, 77, 83, and 89 Thamesford Lane and 107, 113, 119, 125, 131, 137, and 143 Thamesford Court. The requirement to maintain sidewalks abutting front or side lot lines is still applicable.

[Added 4-11-2011 by L.L. No. 6-2011; amended 6-6-2011 by L.L. No. 16-2011]

5-2. No person shall plow, shovel, sweep or pile snow, ice or other materials in or beyond the right-of-way of any street or public highway or cause such to be done so as to interfere with the safety and convenience of public travel.