

January 28, 2020

202. n Blackhawk Ave.

Madison, WI, 53705

Dear Mr. Hank & The Clerk's Office Administrative Review Board

**Subject: Appeal for Snow removal charges Case BC2020-014-00159**

Thank you for enclosing information pertaining to my conversation with Mr. Bunnnow on January 23<sup>rd</sup> 2020. I have provided a timeline below for your reference, dates and times have been pulled from the front door camera. Video can be provided upon request.

January 14 <sup>th</sup> 2020 12:45pm	-	Pink slip left in snow on stoop.
January 14 <sup>th</sup> 2020 7:30pm	-	Rana returns from work.
January 15 <sup>th</sup> 2020 8:20am	-	Rana leaves for work and sees slip in snow.
January 15 <sup>th</sup> 2020 10:36am	-	Contractors begin shoveling.
January 15 <sup>th</sup> 2020 7:30pm	-	Rana returns from work to find sidewalk has been shoveled.

I contacted the Building Inspection Department when I returned from work the evening of January 15<sup>th</sup> and left a message voicing my concern that the snow had already been removed as I had just received the pink citation slip that very morning. The slip had been placed into the snow vertically on my front stoop so that it was submerged. I have provided a screen capture below of the video showing this. During the winter the sun sets increasingly early, and even if I had returned from work at 5pm on the January 14<sup>th</sup>, I would not have seen the concealed slip wedged in the snow on the stoop.

The following morning, I contacted the Building Inspection Department and spoke with Mr. Maria around 8am. I asked what the normal procedure was for pink slip notification and Mr. Maria told me that they are normally placed on doors. In a later conversation, I asked Mr. Bunnnow the same question and he reiterated Mr. Maria sentiments. I explained to Mr. Maria that we had moved from Michigan to Madison on September 12<sup>th</sup> 2019 and had not received anything in the mail communicating any expectations in terms of sidewalk debris. As an example, I used leaf removal:

As it stands in MI, we collected leaves as they fell into decomposable bags which were picked up by an environmental service hired by each individual homeowner. As we discovered, after a month or so at Blackhawk, the standard in Madison is to rake leaves onto the grass at the sidewalk for city pick up. We discovered this by observing the

neighborhood and watching the trucks pick up the leaves. Therefore, it would not be an absurd assumption that similarly, snow was removed as well.

I noted to Mr. Maria that there were many homes on Blackhawk that had not been shoveled, even after we January 15<sup>th</sup>. After speaking with those neighbors, they indicated that they had not received any citations. See photos below of neighbors' sidewalks taken the night of January 15<sup>th</sup> clearly not shoveled. I have also included a photo four days after the heavy snowfall on January 24<sup>th</sup> showing non-shoveled sidewalks on Blackhawk. I would like to add that I, myself have fallen on iced over sidewalks in front of neighboring houses on Blackhawk on my commute to and from work and have the bruises to show for it.

I questioned Mr. Maria why certain homes receive citations while others do not. Especially when no expectation has been set. Now, being aware of this expectation, I have made sure that the sidewalks adjacent to my home are shoveled after snowfall, even when we happen to be out of town, such as the weekend of January 24<sup>th</sup> when visiting MI.

According to MGO 10.28 the sidewalk will be reevaluated for compliance the following morning. I take no issue with this, however I do take issue that: **1.** We were not notified at the beginning of the season as new homeowners. **2.** The pink slip notification was concealed, intentionally or otherwise, causing me to take untimely action, as I could have cleared the sidewalk when I returned from work on January 14<sup>th</sup> had the pink slip been placed on the door, visible as it should have been. **3.** All homeowners should be treated with the same citations if they are found to have violated the same ordinances, a complaints-based system should not be the only form of validation for citations.

I do not believe it lawful to take action in removing snow if I have not been given the appropriate notice to do so myself. Additionally, I do not believe it lawful to charge \$267.00 to shovel 40 lineal feet of sidewalk if I have not been given the appropriate notice to do so myself.

Thank you for taking the time to review this case and I welcome you to reach out with any additional questions.

Sincerely,

Rana Malik



Pink slip being dropped off January 14<sup>th</sup> 2020





Additional homes on Blackhawk with non shoveled sidewalks



Additional homes on Blackhawk with non shoveled sidewalks





Additional homes on Blackhawk with non shoveled sidewalks following the January 24<sup>th</sup> storm