

SNOW EMERGENCY PARKING AND
SNOW REMOVAL ORDINANCE

ORDINANCE NO. 3-2007

AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL; PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW OR ICE INTO THE PUBLIC HIGHWAYS OR STREETS OF THE TOWNSHIP OF SCHUYLKILL; AND PRESCRIBING PENALTIES FOR VIOLATION.

WHEREAS snow storms can and do impair the flow of vehicular traffic and fire equipment which may result in conditions adverse to the welfare and safety of the residents of the Township and the people lawfully upon public highways; and

WHEREAS it is necessary in order to insure the welfare and safety of the public highways and streets be cleared of snow as promptly as possible;

NOW, THEREFORE, the Board of Supervisors does hereby enact and ordain:

SECTION I: Following the effective date of this Ordinance, it shall be unlawful to park, or allow to be parked any motor vehicle or other vehicle, on any street or road which is part of the Township System after the start of a snow fall and until the snow has stopped falling and the snow has been completely plowed for the full width of the cart way.

SECTION II: Any member of the Schuylkill Township Police Department, or any employee of Schuylkill Township engaged in road work, is hereby authorized to remove any vehicle abandoned or parking upon any public highway or Street in violation of the terms and provisions of this Ordinance, and to take any said vehicle to the nearest garage or other place of safety. There registered owner of any said vehicle shall be notified of the fact of the removal and of the place to which said vehicle has been removed, where he or she may obtain the same upon payment of any and all towing and storage charges. Neither the Township nor any of its officers or employees shall be held responsible for any damage to any vehicle occurring as a result of towing and/or storage of a vehicle parked in violation of the Ordinance.

SECTION III: It shall be unlawful for owners, occupants or tenants of property to dump, throw, shovel, pile or push any snow or ice removed from driveways or walkways into any public highway or street.

No snow, ice, slush, or a combination thereof, shall be pushed or deposited into any drainage area, stream, river, culvert or catch basin.

No snow, ice, slush, or a combination thereof, shall be deposited, deposited or maintained within a commercial, manufacturing, light industrial or multiple family zoning district parking facility or at or near an intersection in any zoning district, in a manner or at a location which creates a traffic hazard by impairing visibility from or of a public highway.

No person shall damage any Township property, including but not limited to, traffic

signs, culverts, etc. while removing snow, ice, slush, or a combination thereof. Any damages to Township property shall be repaired or replaced in accordance with the requirements of the Township at the expense of the property owner and/or snow removal agency.

SECTION IV: Snow and Ice to be Removed from Sidewalks Within 24 Hours. The owner, occupant or tenant of every property abutting upon or alongside any street or alley in the Township of Schuylkill is hereby required to remove or cause to be removed from all of the sidewalks in front of, alongside or abutting upon such property, all snow and ice thereon fallen or formed, within twenty-four (24) hours after the same shall have ceased to fall or to be formed, such removal to be accomplished so that a walkway at least three (3) feet wide shall have been cleared along the entire extent of such sidewalks. Provided: the owner of a property shall be responsible for conforming to the requirements of this section where such property shall be occupied by such owner, shall be vacant or unoccupied, or shall be a multiple-unit property, having more than one tenanted or tenantable unit; the tenant or occupier shall be so responsible where such property is a single-unit property, occupied by such tenant or occupier only. Provided further: in removing such snow and/or ice, it shall be unlawful to place or deposit any of the same into any street or gutter. (Ordinance 304(24)), April 13, 1971, Section 1)

SECTION V: Fire hydrants shall not be covered. The owner is hereby required to remove or cause to be removed all snow, ice, slush, or any combination thereof or any accumulation and/or impediment which would limit access to, from, and/or around all of the fire hydrants which are located on said property, so as to provide immediate access by fire rescue personnel in cases of emergency. In cases involving a storm, fire hydrants shall be cleared of all snow, ice, slush, or any combination thereof within twenty-four (24) hours following the storm, in any event, any accumulation shall be removed not less than once in every twenty-four (24) hour period.

In all other cases involving the accumulation of natural and/or man-made items around fire hydrants the owner is responsible for the immediate removal of the items. In either case fire hydrants shall be cleared sufficiently so emergency personnel have total access to hydrants. This is necessary to allow for fire hose connection to be made to access water in the event of a fire. The owner of a property shall be responsible for conforming to the requirements of this Section where such property is occupied by said owner or is unoccupied or vacant.

SECTION VI: In cases where the owner, occupant, or tenant as aforesaid, shall fail, neglect, or refuse to comply with any of the provisions of this Section of this Ordinance, or within the time period required therein, the Township of Schuylkill, Schuylkill County, Pennsylvania, may in its discretion, proceed immediately to clear the snow, ice, slush, or any combination thereof or accumulation and/or impediment which would limit access to, from, and/or around fire hydrants or sidewalks and to collect the expenses, with an additional amount of 10% from fine or penalty imposed under SECTION VII of this Ordinance. In no case is the Township of Schuylkill liable if it does not exercise the Township option for removal of snow, ice, slush, any combination thereof or accumulation and/or impediment which would limit access to, from, and/or around fire hydrants as defined within Section IV.

SECTION VII: Any person violation any or the provisions of this Ordinance shall, upon summary conviction before a District Magistrate, be sentenced to pay a fine or not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00) and the cost of prosecution, such fines to be collected as like fines are now collected by law, and in default shall undergo imprisonment not exceeding 30 days.

SECTION VIII: SEVERABILITY - The provision of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Schuylkill Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION IX: This ordinance shall become effective five (5) days after enactment.

SECTION X: REPEALS - All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law this 2nd day of May, 2007.

TOWNSHIP OF SCHUYLKILL

By: Joseph Boran
Joseph Boran, Chairman

By: Maureen E Vanek
Maureen Vanek, Vice Chairman

ATTEST:

Mary E. Bubel
Mary E. Bubel, Secretary

BY Linda Decindio
LINDA DECINDIO SUPERVISOR