

AN ORDINANCE REGULATING THE REMOVAL OF SNOW AND ICE FROM SIDEWALK AREAS. ALL DRIVES AND ROADS, AND THE PARKING OF VEHICLES AFTER SNOWFALLS, IN THE TOWNSHIP OF HARBORCREEK, ERIE COUNTY, PENNSYLVANIA, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

The Board of Supervisors of the Township of Harborcreek, Erie County, Pennsylvania, hereby ENACTS and ORDAINS as follows:

SECTION 1. This Ordinance shall be known and may be cited as the "Township of Harborcreek Snow and Ice Clearing Ordinance of 1966".

SECTION 2. DEFINITIONS.

The following words, terms, and phrases as used in this Ordinance shall have the meanings given herein. When not inconsistent with the context, words used in the singular include the plural, and words in the plural include the singular, and words used in the present tense include the future. The word "shall" is always mandatory.

A. Property owner shall include any person or persons, male or female, corporation, partnership, association, company, individual, owner, occupant, lessee, tenant or any organization.

B. Sidewalk shall mean a paved path or footwalk for public use located between the cartway or curb line and right-of-way line or any public or municipal maintained street or highway.

C. Street shall mean any highway within the Township of Harborcreek, when maintained by either the Commonwealth of Pennsylvania, the County of Erie or the Township of Harborcreek.

D. The Township of Harborcreek shall mean the elected officials of the Township of Harborcreek, or any authorized representatives, agency or agencies of the Township appointed by the Supervisors of the Township.

E. Owners shall mean the real or equitable owners of property abutting sidewalks or streets, as in this Ordinance is defined.

F. Tenant shall include the occupant, lessee, tenant, or person having charge of any building, lot or parcel of ground, abutting the sidewalk or street, as in this Ordinance is defined.

SECTION 3. Following the effective date of this Ordinance, it shall be unlawful for any property owner.

A. To deposit or permit to be deposited and keep (except upon permit issued by the Township) any rubbish, trash or materials of any character whatsoever, upon a sidewalk or street within the Township.

B. To allow or permit snow and ice to lie upon, remain upon or be piled or accumulated upon a sidewalk within the Township for more than Twenty-four (24) hours.

SECTION 4. It shall be the duty of the property owner, not later than twenty-four (24) hours after snow has ceased to fall, to clear or cause to be cleared a pathway in the sidewalk upon which such property abuts. Such pathway shall be not less than thirty (30) inches width shall be thoroughly cleared to that extent of snow and ice or other obstruction.

SECTION 5. Following the effective date of this Ordinance and subject to the limitation set forth in paragraph "B" of this Section, it shall be unlawful.

A. To park, or allow to be parked, any motor vehicle or other vehicle, or any street within the Township from October 1st to May 31st.

SECTION 6. METHOD OF SNOW AND ICE REMOVAL.

A. Snow or ice removed from sidewalk areas, all drives and roads shall be placed on the person's property.

B. If there shall be an excessive amount of snow or ice and there is no longer any place on the person's property to shovel the snow, then it may be placed along the curb line, but not in the street. Where there are no curbs, the snow or ice shall be placed outside of the berm or shoulder areas.

C. Should the snow and ice on the sidewalk pavement, or footpath, be frozen so hard that it cannot be removed without injury to the pavement or damaging the base of the footpath, the persons having charge of the snow and ice removal, shall cause the sidewalk abutting or adjacent to such premises to be strewn and to be kept strewn with ashes, sand, sawdust, or any suitable abrasive material, and shall as soon thereafter as the weather shall permit, thoroughly clean such sidewalks.

D. Fire hydrants shall not be covered or access blocked in any way.

#### SECTION 7. VIOLATIONS

Any person who shall violate any of the provisions of this Ordinance, or who shall fail to comply with the conditions or requirements in accordance with the provisions of this Ordinance, shall upon conviction thereof be liable to pay a fine of \$35.00 for each offense plus towing. A new and separate offense shall be deemed to have been committed for each day said violation exists. All fines imposed by this Ordinance are recoverable by summary proceedings before the District Magistrate in the Township of Harborcreek and upon recovery thereof, all such fines shall be paid into the Treasury of the Township. In default of the payment of any fine imposed by any Justice of the Peace under the provisions of this Ordinance, the person so offending may be committed to the jail for a period of one (1) day.

#### SECTION 8.

In addition to the penalties, herein above provided, the Township shall be authorized to remove, or cause the removal of, any vehicle parked in violation of Section 5 herein above, and to store said vehicle in a place of safety selected by the Township that said registered owner of said vehicles, if known, together with the address, shall be notified in writing of the fact of said removal, and the place of deposit of said vehicle; that said vehicle may be reclaimed and surrendered upon payment of towing and storing charges.

AS ADOPTED by the Board of Supervisors on the 13th day of April, 1966.

/s/ James Whitby  
/s/ Robert Gindlesperger  
/s/ Frank Schwabenbauer

AS AMENDED by the Board of Supervisors on the 26th day of January, 1977.

/s/ Tracy Passerotti  
/s/ Gerald Blanchfield