

# SIDEWALK - SNOW, ICE, LEAVES, TREE LIMBS & DEBRIS REMOVAL

## Ordinance 455

AN ORDINANCE OF THE BOROUGH OF SUSQUEHANNA DEPOT, COUNTY OF SUSQUEHANNA, COMMONWEALTH OF PENNSYLVANIA, ORDINANCE NO. 455 PROVIDING FOR AMENDMENTS TO ORDINANCE #23 FOR THE REMOVAL OF SNOW, ICE, LEAVES, TREE LIMBS AND OTHER DEBRIS FROM SIDEWALKS TO PREVENT SLIPPING AND FALLING IN THE BOROUGH OF SUSQUEHANNA DEPOT.

BE IT ORDERED AND ENACTED by the Council of the Borough of Susquehanna Depot, County of Susquehanna, Commonwealth of Pennsylvania, in regular meeting assembled.

THE BOROUGH OF SUSQUEHANNA DEPOT HEREBY ORDAINS AS FOLLOWS:

### Snow and Ice Removal from Sidewalks.

#### Section 1. Responsibility for Removal of Snow and Ice:

Time Limit. The owner of every property fronting upon or alongside any street in the Borough of Susquehanna Depot is hereby required to remove or cause to be removed from all the sidewalks in front of or alongside 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. Provided: The owner of a property shall be responsible for conforming to the requirements of this section where such property is occupied by such owner, is unoccupied or vacant, or is a multiple-business or multiple-dwelling property, having more than one occupant or tenant; the tenant or occupant of every single-unit property, occupied by such tenant or occupier only, shall be responsible for conforming to the requirements of this section in the case of such single-unit property.

#### Section 2. Authority for Borough to Remove Snow and Ice and Collect Costs, Plus 10%

In any case where the owner, as aforesaid, shall fail, neglect or refuse to comply with any provision of this Ordinance with the time limit prescribed therein, the Borough authorities may proceed immediately to clear all snow and/or ice from the sidewalk of such delinquent, and

to collect the expenses thereof, with the additional amount of ten (10%) percent from such owner, which may be in addition to any fine or penalty imposed under the third section of this ordinance.

Section 3, Use of Rock Salt Prohibited in Certain Areas. Due to its corrosive nature, the use of rock salt or sodium chloride based de-icing products is strictly prohibited on concrete and bomenite sections of sidewalk found in the commercially-zoned district of the borough.

Section 4. Removal of leaves, tree limbs, grass clippings, debris, cinders, gravel, grits or any other refuse. The removal of leaves, tree limbs, grass clippings, debris, cinders, gravel, grits or any other refuse on such sidewalks or projecting branches and other obstructions below six feet, eight inches (6'8") above the sidewalk. The adjacent property owner shall be responsible for the prompt removal of any such items whether or not such items, were deposited by the owner, his tenants, anyone acting under his direction, control, license or any third person. Such leaves, tree limbs, grass clippings, debris, cinders, gravel, grits and other refuse shall be properly bagged and disposed of upon being removed from such sidewalk. The sweeping or other removal of such items onto Borough streets or state highways is prohibited.

Section 5. Repairs to sidewalks. The adjacent property owner shall be responsible for the repair or any other instance or condition which may create a pedestrian safety hazard as determined by the Borough Code Enforcement Officer.

Section 6. Penalty for Violation. Any owner of any property in the Borough of Susquehanna Depot who shall fail to remove any snow or ice or leaves, tree limbs, grass clippings, debris, cinders, gravel, grits or any other refuse on such sidewalk or projecting branches or other obstructions pursuant to Section 4, upon conviction thereof, shall be sentenced to pay a fine of not more than Twenty-five Dollars (\$25.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than ten (10) days. Provided. Such fine and costs of prosecution may be in addition to any expenses and additional amount

imposed as provided in the second section of this ordinance. Each day of violation will be deemed to constitute a separate offense. Each second or subsequent offense shall be punishable by a fine of not more than Fifty Dollars (\$50.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than twenty (20) days. Fines levied will constitute civil forfeitures to the Borough of Susquehanna Depot.

Section 7. Sledding and Snowmobiling or Construction Equipment, ATV's Prohibited on Sidewalks: Restricted on Streets and Alleys. It shall be unlawful for any person to coast or ride upon any snow-tracked construction equipment, ATV, or similar conveyance upon any sidewalks in the Borough of Susquehanna Depot, or upon any street or alley in said Borough, unless:

a. Such street or alley shall have been specially set apart and designated by the Mayor as a "play highway" for the purpose of sledding or snowmobiling, and :

b. Shall have been blocked off or otherwise adequately protected from vehicular traffic.

Any person who shall violate any provision of Section 7 of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Twenty-five Dollars (\$25.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than ten (10) days. Provided. Such fine and costs of prosecution may be in addition to any expenses and additional amount imposed as provided in the second section of this ordinance. Each day of violation will be deemed to constitute a separate offense. Each second or subsequent offense shall be punishable by a fine of not more than Fifty Dollars (\$50.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than twenty (20) days. Fines levied will constitute civil forfeitures to the Borough of Susquehanna Depot.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE AND APPROVAL.

Ordained and enacted this 28th day of October, 2008 A.D. by the Borough of Susquehanna Depot in regular meeting assembled.

BOROUGH OF SUSQUEHANNA DEPOT

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Michael Matis, President of Council

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Denise Reddon, Mayor

ATTEST:

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Ann Stewart, Secretary