

MILLCREEK TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA
ORDINANCE NO. FEBRUARY 8, 1995

AN ORDINANCE REGULATING THE REMOVAL OF SNOW AND ICE FROM SIDEWALK AREAS AND THE PARKING OF VEHICLES AFTER SNOWFALLS AND ICE STORMS IN THE TOWNSHIP OF MILLCREEK, LEBANON COUNTY, PENNSYLVANIA, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

The Board of Supervisors of the Township of Millcreek, Lebanon County, Pennsylvania, HEREBY ENACTS AND ORDAINS as follows:

SECTION 1. This Ordinance shall be known and may be cited as the "Township of Millcreek Snow and Ice Clearing Ordinance of 1995."

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, corporation, partnership, association, company, individual, owner, occupant, lessee, tenant, or any organization.

B. Sidewalk shall mean a paved path or unimproved footwalk used or usable as a walkway by the general public located between the cartway or curb line of any publicly maintained street or highway and the applicable front yard setback provided by the Millcreek Township, Lebanon County, Zoning Ordinance.

C. Street or highway shall mean any street or highway within the Township of Millcreek, when maintained by either the Commonwealth of Pennsylvania or the Township of Millcreek.

D. The Township of Millcreek shall mean the elected officials of the Township of Millcreek, or any authorized representatives, agency, or agencies of the Township appointed or employed by the supervisors of the Township

E. Owners shall mean the real or equitable owners of property upon which sidewalks are located or that abuts sidewalks.

F. Tenant shall include the occupant, lessee, tenant, or person having charge of any building, lot, or parcel of ground abutting a sidewalk or upon which a sidewalk is located.

SECTION 3. It shall be unlawful for any property owner to allow or permit snow or ice to lie upon, remain upon, or be piled or accumulated upon a sidewalk within the Township for more than twenty-four (24) hours after the end of a winter storm,

unless such property owner has complied with Section 4 of this Ordinance.

SECTION 4. It shall be the duty of every property owner of property upon which a sidewalk is located or a property abutting a sidewalk, not later than twenty-four (24) hours after the end of a winter storm, to clear or cause to be cleared a pathway in any sidewalk located upon such property owner's property or abutting such property owner's property. Such pathway shall be not less than thirty (30) inches in width and shall be thoroughly cleared of snow, ice, and other obstructions.

SECTION 5. The Township of Millcreek shall have the authority to declare Snow Emergencies from time to time, and it shall be unlawful for any person to park, or allow to be parked, any motor vehicle or other vehicle on the following streets or roadways, or portions thereof, within the Township during such Snow Emergencies:

- A. Main Street (State Route 419) in the village of Newmanstown from Fort Zeller Road to East Alumni Avenue;
- B. Memorial Boulevard in the village of Newmanstown from South Sheridan Road to East Alumni Avenue;
- C. Sheridan Road in the village of Newmanstown from Main Street to Memorial Boulevard;
- D. The east side of Parish Avenue in the village of Newmanstown from Main Street to Alumni Avenue;

E. The west side of Parish Avenue in the village of Newmanstown from Main Street to Memorial Boulevard.

SECTION 6. METHOD OF SNOW AND ICE REMOVAL

A. Snow or ice removed from a sidewalk or driveway shall not be placed on a street, highway, or another property owner's property.

B. If there is no place on a property owner's property to place snow or ice removed from a sidewalk, such snow and ice may be placed along the curb line, but not in or on any street or highway.

C. Should the snow or ice on a 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 property owner shall cause such sidewalk to be strewn and to be kept strewn with ashes, sand, salt, sawdust, or any other suitable abrasive material, and shall as soon thereafter as the weather shall permit, thoroughly clean such sidewalk.

D. Fire hydrants shall not be covered with snow or ice at any time.

SECTION 7. VIOLATIONS

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be liable to pay a fine of fifteen (15) dollars for the first offense and not more than fifty (50) dollars and costs of prosecution for any subsequent offense. Any new offense shall be deemed to have been committed

for each day that a violation exists. All fines imposed by this Ordinance are recoverable by summary proceedings before the District Justice whose jurisdiction includes Millcreek Township, and upon recovery thereof all such fines shall be paid into the treasury of Millcreek Township. In default of the payment of any fines imposed by any District Justice under the provisions of this Ordinance, the person so offending may be committed to the Lebanon County Jail for a period not to exceed thirty (30) days.

SECTION 8. In addition to the penalties hereinabove provided, the Township shall be authorized to remove, or cause the removal of, at the expense of the owner, any vehicle parked in violation of Section 5 hereinabove, and to store, at the expense of the owner, said vehicle. Said registered owner of said vehicle, if known, shall be notified in writing of the fact of the removal, and the place of deposit of said vehicle. Said vehicle may be reclaimed and surrendered upon payment of towing and storing charges. Neither the Township nor any of its employees shall be liable for any damage to any vehicle occurring as a result of impoundment, towing, or storage of any vehicle parked in violation of this Ordinance.

SECTION 9. The failure to clear sidewalks as provided for in this Ordinance, the parking of motor vehicles or other vehicles in violation of the provisions of this Ordinance, and the placing of snow or ice in or on places prohibited by this Ordinance are all declared to be public nuisances.

