

ORDINANCE NO. 1075

AN ORDINANCE OF THE BOROUGH OF TYRONE, A HOME RULE MUNICIPALITY, FIXING RESPONSIBILITY FOR SNOW AND ICE REMOVAL FROM SIDEWALKS AND ROOVES; REGULATING THE DEPOSIT THEREOF; PRESCRIBING PENALTIES FOR VIOLATION; AND AN EFFECTIVE DATE.

The Borough of Tyrone hereby ordains:

SECTION 1. TITLE.

This Ordinance shall be known and cited as "Borough of Tyrone Snow Removal Ordinance".

SECTION 2. DEFINITIONS.

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

CARTWAY - portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder and sidewalk area.

PERSON - natural individual, partnership, corporation, association, or any other legal entity.

SIDEWALK - portion of a street between the curb lines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians. Sidewalk shall include any paved or improved footway or unpaved grass area intended for pedestrian use.

STREET or HIGHWAY - the entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

SECTION 3. RESPONSIBILITY FOR REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

Every person in charge or control of any building or lot of land fronting or abutting on a sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall remove and clear away or cause to be removed or cleared away, snow and/or ice from a path of at least thirty-two (32") inches in width from so much of said sidewalk as is in front of or abuts on said building or lot of land.

(1) Except as provided in subsection 2 hereof, snow and ice shall be removed from sidewalk within twenty-four (24) hours after the cessation of any fall of snow, sleet or freezing rain.

(2) In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in subsection 1 hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel reasonably safe; and shall, as soon thereafter as weather permits, cause to be cleared a path in said sidewalk of at least thirty-two (32") inches in width.

SECTION 4. RESPONSIBILITY FOR REMOVAL FROM ROOVES.

Every person in charge or control of any building or other structure, whether as owner, tenant, occupant, lessee, or otherwise, shall remove and clear away, or cause to be removed and cleared away, any accumulation of snow and ice on said building or other structure which is liable to fall on any sidewalk, cartway, or other public way. Such work shall be completed within a reasonable time, but not later than twenty-four (24) hours after the cessation of any fall of snow, sleet, or freezing rain.

SECTION 5. DEPOSITING OF SNOW AND ICE RESTRICTED.

No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any sidewalk, cartway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Borough of Tyrone on public cartways incident to the clearing thereof.

SECTION 6. PENALTIES.

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not less

than Twenty-five and no/100 (\$25.00) Dollars and not more than Six Hundred and no/100 (\$600.00) Dollars, and in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation continues shall constitute a separate offense.

SECTION 7. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 8. SEVERABILITY.

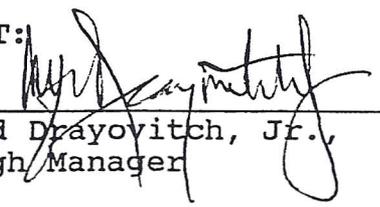
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Tyrone that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall become effective upon the earliest possible date provided by law.

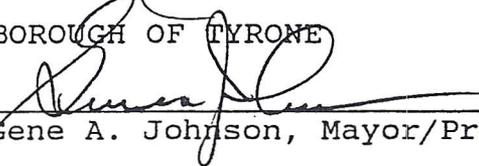
ORDAINED AND ENACTED at a duly assembled public meeting of the Tyrone Borough Council on this 14th day of November, 1994.

ATTEST:



Alfred Drayovitch, Jr.,
Borough Manager

BOROUGH OF TYRONE

By 

Gene A. Johnson, Mayor/President