

ORDINANCE #85

BE IT ORDAINED AND ENACTED by the Council of the Borough of Marion Heights, Northumberland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. DEFINITIONS.

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

- A. PERSON- natural person, partnership, corporation, association, or any other legal entity.
- B. 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.
- C. 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 2. 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 paved 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 inches (30") in width from so much of said sidewalk as is in front of or abuts on said building or lots of land.

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

B. 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 A 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 inches (30") in width.

Section 3. 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, street, highway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Borough of

Marion Heights on public streets or highways incident to the cleaning thereof or mounded on curbs or sidewalks incident to the clearing of sidewalks.

Section 4. MOUNDING OF SNOW AND ICE PROHIBITED.

No person shall mound or cause to be place on mounds or large piles on the public street or highway, snow or ice such as to impair the ingress, egress or movement of traffic upon the public street or highway, except that snow and ice may be mounded on public streets or highways incident to the removal thereof by the person or persons creating such mounds or piles of snow.

Section 5. PENALTIES.

Any person who shall violate any provision of this ordinance shall, upon conviction thereof, before a District Magistrate, be sentenced to pay a fine of not more than Six Hundred (\$600.00) Dollars, and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days in the Northumberland County jail. Each day that a violation continues shall constitute a separate offense.

Section 6. REPEALER.

All portions of the Marion Heights Borough Code of Ordinances or any chapter, part or section thereof which are inconsistent herewith are hereby repealed.

Section 7. 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 Council of the Borough of Marion Heights that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED AND ENACTED this 8th day of November, 1994.

ATTEST:

BOROUGH OF MARION HEIGHTS

Judith Filipczak
Secretary

By: Christopher J. Livi
President

Charles A. Minello
Council

Joseph R. Marino
Council