

ORDINANCE NO. 1997-1

AN ORDINANCE OF THE BOROUGH OF COALDALE FIXING RESPONSIBILITY FOR SNOW AND ICE REMOVAL FROM SIDEWALKS REGULATING THE DEPOSIT THEREOF, AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Coaldale hereby ordains:

**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:

**BUSINESS DAY** - any day not a Sunday or a national holiday.

**BUSINESS HOURS** - hours between 9:00 A.M. and 5:00 P.M. on any business day.

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

**CORPORATION** - natural person, 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.

**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 twenty-four inches (24") 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 sidewalks within twelve (12) hours after the cessation of any fall of snow, sleet or freezing rain.
2. In the event snow and/or ice on a sidewalk 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 twenty-four inches (24") 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, roadway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Borough of Coaldale on public cartways incident to the cleaning thereof or mounded on curbs incident to the clearing of sidewalks.

**Section 4. Penalties.** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than six hundred dollars (\$600.00), 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 5. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

**Section 6. 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 that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 7. Effective Date.** This ordinance shall become effective on April 14, 1997.

Attest:

Katherine J. Puff  
Secretary

Robert B. Hoben Jr.  
President

Approved by me this 14 day of April, 1997.

John M. ...  
Mayor