

ORDINANCE NO: 385

THE BOROUGH OF HARMONY

BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF HARMONY, BUTLER COUNTY, PENNSYLVANIA TO ESTABLISH PROCEDURES RELATING TO THE REMOVAL OF SNOW ACCUMULATION.

WHEREAS, in order to promote and protect the health, safety and welfare of the residents of the Borough of Harmony, Butler County, Pennsylvania, the Borough Council has determined it necessary to amend the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF HARMONY, BUTLER COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY AND WITH THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION ONE:

The Borough of Harmony's Code of Ordinances Chapter 21, Part III, shall be amended to add the following provisions:

§21-314 SNOW AND ICE TO BE REMOVED FROM SIDEWALKS; TIME LIMIT.

The owner, occupant or tenant of every property fronting upon or located alongside any street in the Borough of Harmony is hereby required to remove or cause to be removed from all sidewalks abutting upon such property, all snow or ice thereon fallen or formed, within twenty-four (24) hours after the same shall have ceased to fall or to have formed. Provided: the snow and ice removed from the sidewalk shall not be dumped or piled onto any public street or alley to the extent that it interferes with vehicular traffic. Provided further, 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 vacant or unoccupied or consists of more than one (1) tenanted or tenantable unit; the occupier or tenant shall be responsible therefor where such property consists of a single unit, occupied by such tenant or occupier only.

§21-315 SNOW AND ICE NOT TO BE PLACED ON BOROUGH STREETS.

- a. No person shall remove snow from private or commercial property and place such snow onto Borough Streets or state roads.
- b. Snow removal contractors shall not plow, shovel, blow, etc. snow onto Borough Streets or state roads when removing snow from parking lots, driveways, sidewalks, etc.

§21-316 AUTHORITY FOR THE BOROUGH TO REMOVE SNOW AND ICE AND COLLECT COST AND ADDITIONAL AMOUNTS FROM OWNER, OCCUPANT OR TENANT.

In any case where the owner, occupant or tenant, as aforesaid, shall fail, neglect or refuse to comply with any provision of Section 21-314, within 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 expense thereof, with any additional amount allowed by law, from such owner, occupant or tenant as the case may be in addition to any fine or penalty imposed under Section 21-317.

§21-317 PENALTY FOR VIOLATION.

Any person found guilty of violating any part hereof shall be guilty of a summary offense and shall be sentenced to a fine up of not less than fifty dollars (\$50.00) and not more than three hundred dollars (\$300) per offense, together with costs.

SECTION TWO:

The Borough of Harmony's Code of Ordinances Chapter 15, Part V Section 504 shall be deleted and replaced with the following provisions:

§15-504 UNLAWFUL TO PARK OR LEAVE UNATTENDED VEHICLES ON SNOW REMOVAL STREETS.

- a. It shall be unlawful to park any vehicle or permit any vehicle to be parked in a manner that obstructs snow removal by failing to leave adequate room for passage of snowplows. Vehicles so parked are subject to impoundment.
- b. It shall be unlawful for the owner of a vehicle to allow such vehicle to remain standing upon any Borough street for longer than forty-eight (48) consecutive hours after such vehicle has become snow bound due to snowplows plowing around the vehicle. Such vehicles shall be presumed to be abandoned. Abandoned vehicles shall be subject to removal and impoundment.

§15-505 PENALTY FOR VIOLATION.

Any person who violates any provision of this Part shall, upon conviction, be sentenced to pay a fine of not more than One Hundred Fifty Dollars (\$150.00) and costs. Provided: it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the appropriate official all violations of any provision of this Part, indicating, in each case: the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part.

SECTION THREE: CONFLICT

Any Ordinance, Resolution or part thereof in conflict herewith, is hereby repealed to the extent of said conflict.

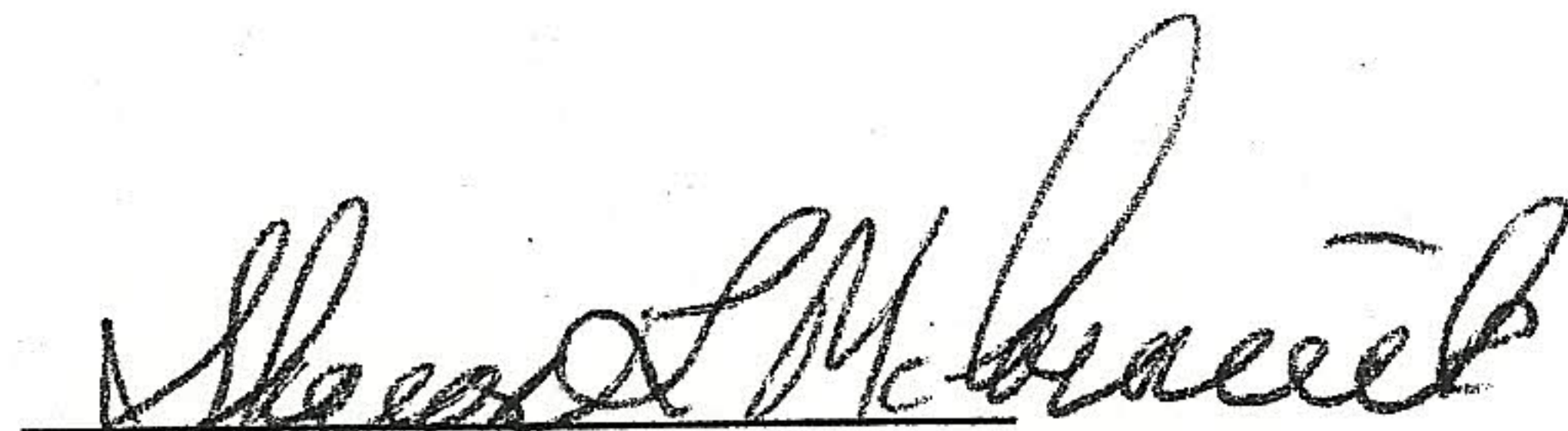
SECTION FOUR: AUTHORIZATION

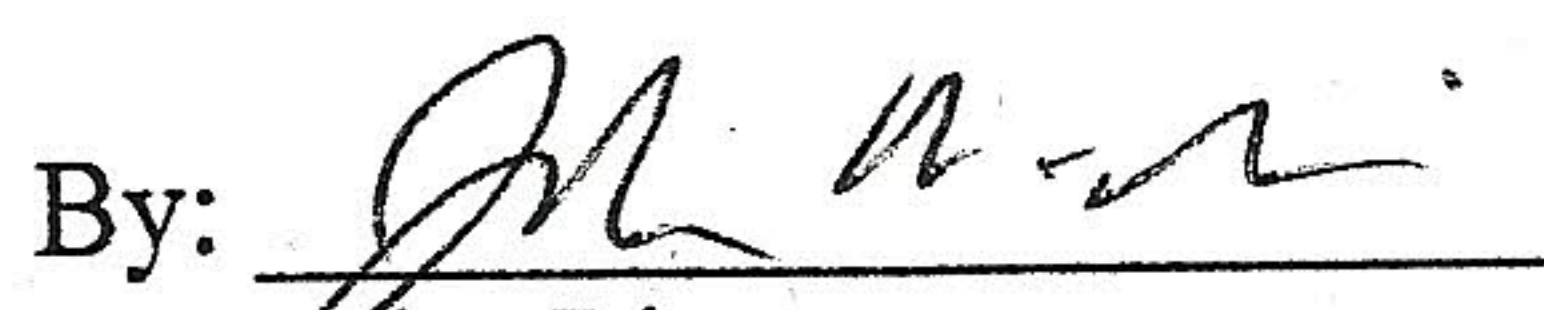
The Borough Council of the Borough of Harmony is hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of this Ordinance.

ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF HARMONY
THIS 1 DAY OF June, 2010.

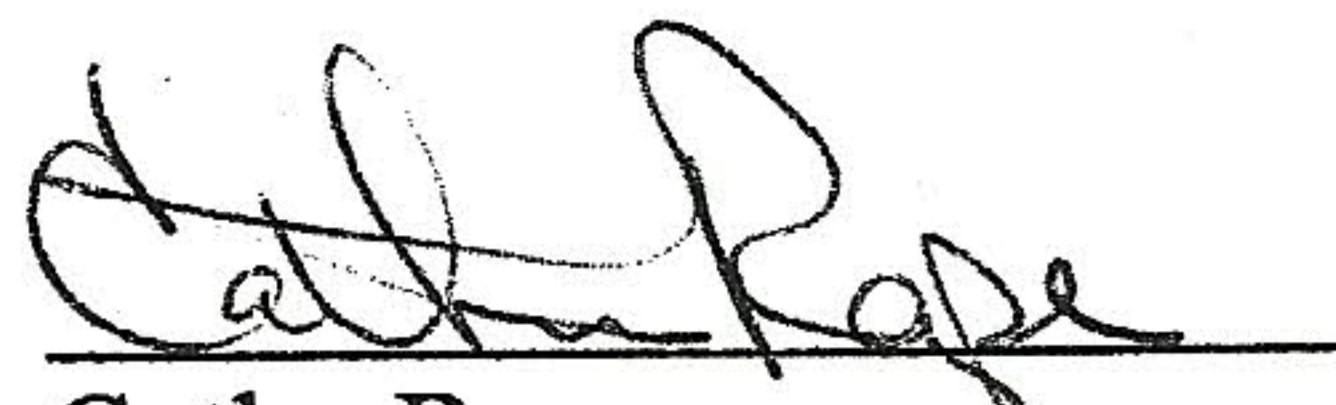
ATTEST

BOROUGH OF HARMONY


Sharon McCormick
Secretary

By: 
John Rice
Council President

EXAMINED AND APPROVED BY ME THIS 1 DAY OF June, 2010.


Cathy Rape
Mayor