

Emergency Snow Removal Ordinance.

The Borough Council of the Borough of Throop hereby Ordains and Enacts as follows.

Section 1: Definitions

For the purpose of this Ordinance, the following definitions shall apply:

(a) "Snow" - means any precipitation depositing any accumulation on the streets of the Borough, including sleet, hail, ice, or freezing rain.

(b) "Snow Emergency" - means a state, declared as herein described, under which highway conditions are hazardous and dangerous to vehicular and pedestrian traffic.

(c) "Vehicles" - means all motor vehicles and all powered vehicles or conveyances using Borough streets, including public and private conveyances, trucks and other powered vehicles.

(d) "Sidewalk" - means any portion of a street between the curbs and the adjacent property lines, intended for the use of pedestrians, excluding parkways.

Section 2: Regulations

The owner, occupant or tenant of every property fronting upon any street in the Borough of Throop is hereby required to make or cause to be removed any vehicles parked in front of or alongside of such property after an emergency has been declared by the Mayor of the Borough in the following manner:

(a) On the first day of the declared emergency, all vehicles parked on the odd numbered side of the street shall be removed therefrom in order to enable the snow removal equipment of the Borough and/or its agents or contractors to clear the streets of sidewalk snow.

(b) On the second day of the declared emergency, all vehicles parked on the even numbered side of the street shall be removed therefrom in order to enable the snow removal equipment of the Borough and/or its agents or contractors to clear the streets of sidewalk snow.

(c) All the streets of the Borough of Throop shall be subject to the provisions set forth in sections 2 (a) and (b).

Section 3: Procedure of Declaration of Snow Emergency and Notice

When, in the opinion of the mayor, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, he is hereby authorized to declare a snow emergency. He shall immediately inform the public by issuing press releases to the news media. Such snow emergency notices exist by press releases in the same fashion.

Section 4: Effective Times and Conditions.

Two hours after a snow emergency has been declared and during the existence of such snow emergency:

(a) All vehicles shall be removed from streets of the Borough as set forth in Section 2: (a) (b).

(b) No vehicles shall be parked on said streets after an emergency has been declared until said streets have been cleared of snow.

(c) Any vehicle parked stalled, incapable of moving under its own power, or left unattended, may be removed or towed away to any other location by the Throp Police or by persons authorized by the said police to do so, said towing to be at the expense of the owner of the vehicle.

Section 5: Placing of Snow in Cleared Cartway or Passage Area:

No person shall throw, shovel, cast or otherwise move, place, pile, deposit or dump snow or ice removed from sidewalks, driveways or other areas into the street or public highway. No person when the cartway of the street or highway is cleared or partially cleared, shall throw or place any snow or any other accumulations in the cleared cartway or passageway area.

Section 6: Entrance of Sidewalks and Driveways:

The Borough of Throp or its agents shall not be responsible for snow which through the process of plowing has been pushed into the entrance of driveways or upon sidewalks. Each owner, occupant or tenant of every property fronting upon any street shall be responsible for removing such accumulated snow from the entrance ways of such property and sidewalks within 24 hrs. after the roads have been plowed, subject, however, to Section 5 thereof. Any owner, occupant or tenant who is in violation of the provisions of this article shall be fined ten dollars (\$10.00) plus costs.

Section 7: Penalties and Violations

Any driver or owner of a motor vehicle, or any owner, agent or tenant of premises violating the provisions of Section 4 and 5 of this Ordinance shall upon conviction be fined twenty five (\$25.00) dollars and cost of prosecution, and in default of payment by the same shall be imprisoned for not more than fifteen (15) days.

Section 8: Duration of Ordinance:

This Ordinance shall be in full force and effect upon its adoption and shall continue in effect until amended or repealed by Council.

Section 9: Repealer:

All Ordinances or parts of Ordinances in conflict with the specific provisions of this Emergency Snow Removal Ordinance are hereby repealed to the extent of such conflict but nothing herein contained is intended to repeal any portion of the Comprehensive Parking Ordinance passed by the Borough Council on March 28, 1978.

Passed and adopted by the Borough Council of the Borough of Pottsville, Pennsylvania, on the 30th day of October, 1978.

(S) Peter Kucharski
Council President.

attest

Frank T. Schmidt
Secretary

Approved this 30th day of October, 1978.

(S) John J. Stecco
Mayor.