

**EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS**

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 168

"Removal of Snow and Ice"

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF EAST COVENTRY TOWNSHIP, CHAPTER 10 (HEALTH AND SAFETY) TO ADD A NEW PART 4 ENTITLED "REMOVAL OF SNOW AND ICE" TO ESTABLISH REGULATIONS FOR THE REMOVAL OF SNOW AND ICE FOLLOWING A SNOW EVENT.

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN:**

SECTION I. - Amendment to Code

The Code of Ordinances of East Coventry Township, Chapter 10 (Health and Safety) is hereby amended to add a new Part 4 entitled "Removal of Snow and Ice" as follows:

Part 4

Removal of Snow and Ice

§401. Pathways to be cleared.

It shall be the duty of the property owner or the lessee of the same, not later than 24 hours after snow and/or ice has ceased to fall, to clear or cause to be cleared a pathway in the sidewalk upon which said property abuts in order to make the sidewalk safe for pedestrian traffic. Such pathway shall not be less than 30 inches in width and shall be thoroughly cleaned of snow and/or ice.

§402. Deposits on Sidewalks, Streets and Roads.

No property owner or the lessee of the same, in removing or causing to be removed snow and/or ice from the sidewalks upon which said property abuts, shall throw or cause to be thrown or blown snow into the abutting

street. Snow removed from a sidewalk shall be thrown or blown onto the property of the owner. Excessive amounts of snow may be placed in the area between the sidewalk and the curblin. Fire hydrants shall not be covered with snow or ice.

§403. Undedicated Streets and Roads.

The owner or developer of all undedicated streets in East Coventry Township, not later than 24 hours after snow and/or ice has ceased to fall, is hereby required to have the streets within the development at all times kept clear of snow and/or ice in such a manner that the streets shall be safe for vehicular traffic. Such owner or developer shall also be required, not later than 24 hours after snow and/or ice has ceased to fall, to have the sidewalks and paved surfaces used for ingress, egress or parking of motor vehicles of those homes in the development that have not been sold or rented by the owner or developer at all times kept clear of snow and/or ice in such a manner that the sidewalks and paved surfaces shall be safe for pedestrian and vehicular traffic.

§404. Violations; Penalties and Enforcement

Any property owner, lessee, developer or other person violating any of the provisions of this Part shall be subject to a criminal fine not to exceed \$1,000 per violation plus costs of prosecution. Enforcement of any such violations shall be by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.

SECTION II. - Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION III. - Failure to Enforce not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION IV. - Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION V. - Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 13th day of September, 2010.

EAST COVENTRY TOWNSHIP

By: _____
Timothy J. Roland, Chairman

By: _____
Ray A. Kolb, Vice Chairman

By: _____
W. Atlee Rinehart, Supervisor

By: _____
Mariea Geho, Supervisor

Attest: _____
Bernard A. Rodgers, Secretary

By: _____
Michael Albert Moyer, Supervisor

NOTICE

NOTICE is hereby given that the Board of Supervisors of East Coventry, at its public meeting on September 13, 2010 in the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will consider and could vote to adopt an ordinance entitled "Removal of Snow and Ice" amending the Code of Ordinances of East Coventry Township, Chapter 10 (Health and Safety) to add a new Part 4 entitled "Removal of Snow and Ice" to establish regulations for the removal of snow and ice following a snow event.

Copies of the full text of the proposed ordinance are available for examination during normal business hours at the offices of *The Pottstown Mercury*, 24 North Hanover Street, Pottstown, Pennsylvania 19464, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, PA 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465 where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP**

Solicitor for East Coventry Township