

WARMINSTER TOWNSHIP
BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 702

AN ORDINANCE OF THE TOWNSHIP OF WARMINSTER, BUCKS COUNTY, PENNSYLVANIA, ESTABLISHING CERTAIN RULES AND REGULATIONS REGARDING THE REMOVAL OF SNOW AND ICE FROM SIDEWALKS WITHIN THE TOWNSHIP; PROVIDING FOR RESTRICTIONS CONCERNING THE DEPOSIT OF SNOW AND ICE INTO PUBLIC STREETS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of Warminster Township, Bucks County, Pennsylvania, in accordance with the Second Class Township Code of Pennsylvania, 53 P.S. § 66001, *et seq*, is vested with various corporate powers including but not limited to, the power to adopt and enact such ordinances and regulations necessary for the proper care, management, and control of the Township and to protect the residents and best interests of the Township; and

WHEREAS, the Board of Supervisors finds it advisable to establish certain requirements regarding the removal of ice and snow from sidewalks in the Township and to further prohibit the deposit of snow and ice into the public streets and rights of way of the Township, as such conduct presents inherent risks and hazards, all of which undermine the safety and security of the residents and guests of the Township; and

WHEREAS, the Board of Supervisors has determined that it is appropriate and in the best interests of Warminster Township to adopt such regulations and to provide penalties for violations thereof, consistent with the corporate powers of the Board;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Board of Supervisors of Warminster Township, Bucks County, Pennsylvania, as follows:

SECTION I Short Title

This Ordinance shall be known as the "Warminster Township Snow and Ice Removal Ordinance."

SECTION II Snow and Ice to be Removed From Sidewalks; Township Authorized to Remove and Collect Cost Plus Charges

1. The owner of every property in the Township shall remove or cause to be removed all snow and/or ice from a pathway at least 36 inches in width along the entire length of the sidewalks fronting or abutting said premises within 24 hours after the snow has ceased to fall or the ice to form.

2. In addition to removing snow as provided under paragraph 1, the owner of every property in the Township which abuts a fire hydrant shall remove or cause to be removed all snow and/or ice from the area surrounding the fire hydrant, such that the hydrant is accessible in the event of a fire, within 24 hours after the snow has ceased to fall or the ice to form.
3. The Township may authorize the removal of any accumulated snow and/or ice from any sidewalk where the same has not be removed by the owner or occupant within the time limit prescribed herein, where such snow and/or ice is deemed to be a public safety hazard or where its continued presence shall create a risk of injury to pedestrians seeking clear passage on the affected sidewalks.
4. The Township may collect the cost of such removal, together with any charges authorized by law, from said owner in any manner available to the Township for collection of obligations owed to the Township.

SECTION III No Snow or Ice to be deposited in Streets.

No person removing snow or ice from public sidewalks or private property shall throw, shovel, push, plow or otherwise move snow or ice into the public street.

SECTION IV Snow and Ice not to be moved From One Portion of Street to Another

No person shall throw, shovel, push plow or remove snow or ice from the portion of the public street fronting or abutting his property to the portion of the public street fronting or abutting the property of another property owner, except upon written directive by the Township.

SECTION V Penalty for Violation

1. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced as follows:
 - a. First offense: to pay a fine of not less than \$25 nor more than \$100 plus costs
 - b. Second or subsequent offense: to pay a fine of not less than \$100 nor more than \$600, plus costs, and in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.
 - c. Each day that a violation continues after written notice shall constitute a separate offense, punishable as provided under this Section.
2. The officers and patrolmen of the Warminster Township Police Department, as well as the Township Code Enforcement Officers and Zoning Officer are hereby authorized to enforce the provisions of this Ordinance, and to undertake any such measures required to prosecute violations of this Ordinance.

SECTION VI Repealer

Any provision of the Code of Ordinances of Warminster Township inconsistent with the provisions of this Ordinance is hereby repealed to the extent of the inconsistency.

SECTION VII Savings Clause

The provisions of this Ordinance are declared to be severable and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, the Board of Supervisors hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, enforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION VIII

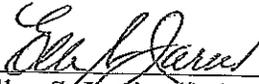
This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Warminster Township.

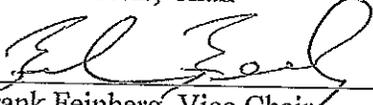
ENACTED and ORDAINED this 14th day of APRIL, 2011.

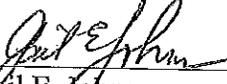
Attest:

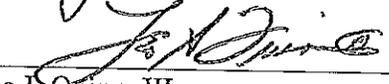

Township Manager

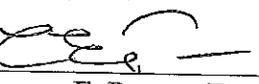
WARMINSTER TOWNSHIP
BOARD OF SUPERVISORS


Ellen S. Jarvis, Chair


Frank Feinberg, Vice Chair


Gail E. Johnson


Leo I. Quinn, III


Thomas E. Panzer, Esquire