

BOROUGH OF BRYN ATHYN

ORDINANCE #582

AN ORDINANCE OF THE BOROUGH OF BRYN ATHYN SETTING REQUIREMENTS FOR REMOVAL OF SNOW AND ICE FROM SIDEWALK PAVEMENTS AND ESTABLISHED FOOTPATHS IN THE BOROUGH OF BRYN ATHYN.

The Council of the Borough of Bryn Athyn hereby enacts and ordains as follows:

Section 1. Definitions and Usage

- A. Definitions. The following words, terms and phrases as used in this Ordinance shall have the meanings given herein:

BOROUGH COUNCIL – The Borough Council of the Borough of Bryn Athyn, or its authorized representative, including, without limitation, the chairperson of the public works committee or the borough manager.

FOOTPATH – That part of the sidewalk that is used by the public but in which there is no sidewalk or pavement whatsoever.

PERSON or PERSONS – A person or persons, male or female, corporation, partnership, association, company, individual, owner, occupant, lessee, tenant or any organization.

PUBLIC PLACE – Any street, road, highway, avenue, lane, place, way, alley, footpath, sidewalk or park within the limits of the Borough of Bryn Athyn.

SIDEWALK AREA – The area between the curb line and the side of the right-of-way in any public place.

SIDEWALK PAVEMENT – That part of the sidewalk area that is paved.

- B. Usage. When not inconsistent with the context, words used in the singular include the plural, and words in the plural include the singular, and words used in the present tense include the future. The word “shall” is always mandatory.

Section 2. Removal by owner or occupant.

It shall be the duty of the owner, or if the owner is not in residence, the occupant, lessee, tenant or person having charge of any building, building lot, piece of

ground or parcel of real estate in the Borough of Bryn Athyn abutting upon any public place, to remove or cause to be removed all snow and ice from the sidewalk pavement or established footpaths in front of or adjacent to such premises to a width 36 inches or the width of the path within 24 hours after such snow or ice shall have fallen or accumulated thereon.

Section 3. Method of removal.

- A. Snow or ice removed from sidewalk shall be placed on the person's property.
- B. If there shall be an excessive amount of snow or ice and there is no longer any place on the person's property to shovel the snow, then it may be placed along the curb line but not in the street.
- C. It shall be unlawful for any person to throw or put or cause to be thrown or put any snow or ice into any public place in the Borough while clearing driveway approaches, unless the same shall be broken up and spread evenly over the surface of such public place.
- D. At corner properties, snow shall be cleared to enable pedestrians to cross the intersection.
- E. Should the snow and ice on the sidewalk pavement or footpath be frozen so hard that it cannot be removed without injury to the pavement or damaging the base of the footpath, the person having charge of the snow and ice removal may, within the time specified in section 2, cause the sidewalk abutting or adjacent to such premises to be strewn and to be kept strewn with ashes, sand, sawdust or some similar suitable material, and shall, as soon thereafter as weather shall permit, thoroughly clean such sidewalks.

Section 4. Violations and penalties.

Any person who shall violate any of the provisions of this Ordinance or who shall fail to comply with the conditions or requirements in accordance with the provisions of this Ordinance shall, upon conviction thereof, be liable to pay a fine of \$50.00. For each subsequent offense committed within the same calendar year, the amount of the fine shall increase by \$20.00 per offense. The amount of the fines set forth herein may be reset from time to time by resolution of the Borough Council. A new and separate offense shall be deemed to have been committed for each day that said violation exists. All fines imposed by this chapter are recoverable by summary proceedings before any District Justice having jurisdiction over the Borough of Bryn Athyn, and, upon recovery thereof, all such fines shall be paid to the treasurer of the Borough. In default of the payment of

any fine imposed by and District Justice under the provision of this chapter, the person so offending may be committed to the Borough jail for a period of one day.

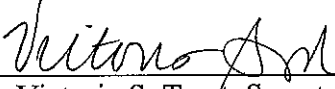
Section 5.

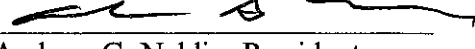
This Ordinance shall take effect and be in force immediately.


**ENACTED AND ORDAINED by the Council of the Borough of Bryn Athyn,
this 5th day of August, 2002.**

BOROUGH OF BRYN ATHYN

Attest:


Victoria S. Trost, Secretary

By: 
Andrew G. Nehlig, President


Hyland R. Johns, Mayor

