

ORDINANCE NO.78

AN ORDINANCE OF THE TOWNSHIP OF CUMRU, BERKS COUNTY, PENNSYLVANIA, REQUIRING OWNERS, OCCUPANTS AND TENANTS OF PROPERTY TO REMOVE SNOW AND ICE FROM OR TO TREAT SNOW AND ICE UPON THE ABUTTING SIDEWALKS; PRESCRIBING THE CONDITIONS UNDER WHICH SNOW AND ICE MAY BE REMOVED OR TREATED BY THE TOWNSHIP AT THE EXPENSE OF THE OWNER, OCCUPANT OR TENANT OF PROPERTY; AND PRESCRIBING PENALTIES FOR VIOLATION.

Be it enacted and ordained by the Board of Supervisors of the Township of Cumru as follows:

SECTION 1. The word "sidewalk when used in this ordinance shall mean any improved pavement or part thereof fronting on a Township street and located within the curb line and the building (property) line of said street and shall also mean any unimproved or ground surface area or part thereof fronting on a Township street and located within the curb line and the building (property) line of said street if such area is used or usable as a walk-way by the general public. The singular shall include the plural.

SECTION 2. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets of the Township of Cumru is hereby required to remove or cause to be removed all snow and ice from all of the sidewalks in front of or alongside of such property, for a minimum width of four (4) feet measured from the curb line toward the building (property) line if there is no grass plot separating the curb from an improved pavement, or for a minimum width of four (4) feet measured from the line of the improved pavement located along the grass plot toward the building (property) line if there is a grass plot separating the curb from an improved pavement, but in no case exceeding the width of the sidewalk, with in twenty-four (24) hours after said snow or ice shall have ceased to fall or to be formed on such sidewalks, unless said

snow or ice be so hardened or frozen that it cannot be so removed without injury to the sidewalk, in which latter event the owner, occupant or tenant of every property fronting upon or alongside of any of the streets of the Township of Cumru is hereby required to place salt, sand or other abrasive material upon said snow or ice within the time above provided; provided, the owner of a property shall be responsible for conforming to the requirements of this section where such property is occupied by such owner or is un-occupied or vacant, or is a multiple-business or multiple-dwelling property occupied by more than one tenant or occupant, and the tenant or occupant of a property shall be responsible for conforming to the requirements of this section where such property is occupied by such tenant or occupant only.

SECTION 3. In any case where the owner, occupant or tenant, as aforesaid, shall fail, neglect or refuse to comply with any of the provisions of Section 2 of this ordinance within the time limit prescribed therein, the Township authority may proceed immediately to clear the snow and/or ice from the sidewalk of such delinquent or to place salt, sand or other abrasive material upon the snow and/or ice on the sidewalk of such delinquent, and to collect the expenses thereof, with any additional amount allowed by law, from such owner, occupant or tenant, as the case may be, which may be in addition to any fine or penalty imposed under Section 4 of this ordinance.

SECTION 4. Any owner, occupant or tenant who shall fail to remove any snow or ice from any sidewalk or to place salt, sand or other abrasive material upon such snow or ice on any sidewalk as required by Section 2 of this ordinance shall, upon conviction thereof before any Justice of the Peace, be sentenced to pay a fine or penalty

of two dollars (\$2.00) and costs of suit, and, in default of payment thereof, to imprisonment in the County Jail for not more than (2) days; provided such fine or penalty and costs of suit may be in addition to any expenses and additional amounts authorized by law, imposed as provided in Section 3 of this ordinance. Each successive twenty-four (24) hours of failure to remove said snow and ice or to place salt, sand or other abrasive material upon such snow or ice as required by Section 2 of this ordinance shall constitute a separate offense punishable by a like fine or penalty.

SECTION 5. Any ordinance or part of any ordinance inconsistent with the provisions of this ordinance is hereby repealed insofar as the same affects this ordinance.

Enacted and ordained this 4th day of February, 1963.

BOARD OF SUPERVISORS

By Oliver J. Hettinger
Chairman

Attest E. Durrell Livezey
Secretary

I certify that the foregoing is a copy of Ordinance #78, enacted February 4, 1963, and was published in the Reading-Eagle-Times on January 25, 1963.

E. Durrell Livezey