

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 248

AN ORDINANCE

**OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP
OF WASHINGTON, FRANKLIN COUNTY,
PENNSYLVANIA, REGULATING THE MAINTENANCE
AND REMOVAL OF SNOW AND ICE FROM
SIDEWALKS AND WALKWAYS**

WHEREAS, the Board of Supervisors of the Township of Washington deems it to be in the interest and welfare of the residents of the Township to create a new Chapter of the Code of the Township of Washington as described below.

NOW, THEREFORE, by the authority of the second class township code "act of May 1, 1933 (P.L. 103, No. 69) as amended, be it enacted and ordained by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, that a new chapter (chapter 175) of the Code of the Township of Washington is added as follows:

SECTION 1. A new Chapter 175 shall be added and shall read as follows:

§ 175-1. Title.

This chapter shall be known as the "Washington Township Sidewalk and Walkway Maintenance Ordinance."

§ 175-2. Definitions.

Except where otherwise indicated by the context, the following definition shall apply in the interpretation and enforcement of this chapter:

BOARD OF SUPERVISORS - Supervisors of Washington Township, Franklin County, Pennsylvania.

PROPERTY OWNER - shall include any person or persons, male or female, corporation, partnership, association, company, individual, owner, occupant, lessee, tenant or any other organization.

PROPERTY SERVICED BY A SIDEWALK OR WALKWAY – a property shall be considered to be serviced by a sidewalk or walkway if the property has a sidewalk or walkway located between the front, side or rear of the center point of the property and a street, regardless of who owns the property that the sidewalk or walkway is located on.

SIDEWALK - a paved or concrete path or walkway intended for public use that fronts upon a street, is located on a street, is located in the street right of way, runs along a street, or is located on the property of the property owner.

STREET - any public roadway within the Township of Washington.

TENANT - the occupant, lessee, tenant or person, other than the owner, having charge of any building, lot or parcel of ground.

WALKWAY – any paved or unpaved pedestrian path intended for public use that fronts upon a street, is located on a street, is located in the street right of way, runs along a street, or is located on the property of a property owner.

§ 175-3. Restrictions.

It shall be unlawful for any property owner whose property is serviced by a sidewalk or walkway:

- A. To permit or create obstruction or hazards to pedestrian or vehicular traffic upon a sidewalk, walkway, or street within the Township.
- B. To allow or permit snow or ice to lie upon, remain upon or be piled or accumulated upon a sidewalk or walkway located on the property, abutting or adjoining the property, or located anywhere between the centerline of a street located along the property and the property lines for the property, for more than forty-eight (48) hours.
- C. To deposit or permit to be deposited and keep any rubbish, trash or materials of any character whatsoever, upon a sidewalk, walkway, or street within the Township.

§ 175-4. Snow removal and maintenance.

- A. It shall be the responsibility of the property owner whose property is serviced by a sidewalk or walkway, not later than forty-eight (48) hours after snow has ceased to fall, to clear or cause to be cleared a pathway in the sidewalk or walkway located on the property, abutting or adjoining the property, or located anywhere between the center line of a street and the property lines for the property. Such pathway shall be not less than thirty inches (30”) in width and shall be thoroughly cleared of snow and ice or other obstruction.
- B. It shall be the responsibility of the property owner whose property is serviced by a sidewalk or walkway, to ensure that sidewalks and walkways are in such a condition that it is safe for the public to use the sidewalks and walkways. The property owner shall be responsible for making any and all repairs necessary to ensure that the sidewalks and walkways are kept in a safe condition. This requirement shall apply to any sidewalk or walkway located on the property, abutting or adjoining the property, or located anywhere between the center line of a street located along the property and the property lines for the property.

§ 175-5. Method of snow and ice removal.

- A. Snow or ice removed from sidewalk and walkway areas shall not be placed within the cart way of any public street.
- B. If ice on the sidewalk or walkway cannot be removed without damaging the pavement or base material, the property owner shall use a suitable abrasive material to ensure pedestrian safety until the ice may be removed.
- C. Fire hydrants shall not be covered.

§ 175-6. Violations.

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 one hundred dollars (\$100.00) for the first offense and not more than one thousand dollars (\$1,000.00) for any subsequent offense. A new and separate offense shall be deemed to have been committed for each day that said violation exists. All fines imposed by this Ordinance are recoverable by summary proceedings before any District Justice and upon recovery thereof, all such fines shall be paid into the Treasury of the Township.

SECTION 2. In all other respects, the provisions of the Code of the Township of Washington, as amended, shall remain in full force and effect.

SECTION 3. If any article, section or provision of this ordinance should be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 4. This ordinance shall take effect five (5) days after its enactment.

DULY ENACTED AND ORDAINED this 3rd day of Sept., by the Board of Supervisors of Township of Washington, Franklin County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF WASHINGTON
BOARD OF SUPERVISORS**

ATTEST:

BY Karen S. Hargrave
Karen S. Hargrave, Secretary

BY Jeffrey B. Geesaman
Jeffrey B. Geesaman, Chairman

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