

**EMLENTON, BOROUGH, VENANGO COUNTY
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 424

AN AMMENDMENT TO ORDINANCE NO. 413 TO BE KNOWN AS THE SIDEWALKS
AND STREETS HAZARDOUS CONDITION REMOVAL ORDINANCE OF EMLENTON
BOROUGH, VENANGO COUNTY, PENNSYLVANIA, PERTAINING TO THE REMOVAL
OF SNOW FROM BOROUGH STREETS AND SIDEWALKS AND IMPOSING FEES.

IT IS HEREBY ORDAINED and ENACTED, by the Council of Emlenton Borough, County of Venango, and Commonwealth of Pennsylvania as follows:

1. Debris, grass clippings, or other material deposited upon roadway

- a. No owner or occupant shall permit or cause any debris, grass or similar vegetation, or other material to be deposited upon any public sidewalk, roadway, highway, alley, or street in the Borough of Emlenton.

2. Seasonal Parking Regulations

- a. This section shall be in effect each year from November 15 to April 15
- b. Parking is hereby prohibited on the South Side (odd house numbers) of Hill Street from Kerr Avenue heading east to end of paved Road, on Tuesday, Thursday, and Saturday each week between the hours of 8:00 a.m. and 8:00 p.m., prevailing time.
- c. Parking is hereby prohibited on the North Side (even house numbers) of Hill Street from Kerr Avenue heading east to end of paved Road, on Monday, Wednesday and Friday each week between the hours of 8:00 a.m. and 8:00 p.m., prevailing time.

3. Sidewalks

- a. It shall be the duty of every owner or occupant of any premises abutting any public street to remove, before 10 a.m. all debris, snow and ice which may have fallen upon the sidewalk, including sidewalks which a handicapped access has been installed, abutting said premises. If sidewalk is not paved its full width, it shall be necessary to remove snow or ice from a space three feet in width. The owner or occupant of lands fronting or abutting any street, highway, traveled road, public lane, alley or square shall keep the sidewalk and the gutter clear of snow, ice, and all other obstructions. Such an owner or occupant shall be liable for any injury or damage by reason of omission, failure or negligence to make, maintain or repair such sidewalk or failure or negligence to keep such sidewalk and gutter free and clear of and from snow, ice, and all other obstructions.

- b. In case the snow and ice on the sidewalks or handicapped access cut shall be frozen so hard that it cannot be removed without material, difficulty, or injury to pavement, the owner, lessee, tenant, or occupant or any other person having charge of any building or lot of ground, shall cause the sidewalk or handicapped access cut abutting said premises to be strewn with ashes, sand, sawdust, or some suitable material and shall, as soon thereafter as the weather permits, thoroughly clean said sidewalk or handicapped access cut. Such an owner or occupant shall be liable for any injury or damage by reason of omission, failure or negligence to cause the sidewalk or handicapped access cut abutting said premises to be strewn with ashes, sand, sawdust, or some suitable material.
- c. Any person, firm, or corporation who is granted a license or a building permit pursuant to Emlenton Borough ordinances for work to be performed on any premises shall be deemed to have agreed, as a condition of such permit or license, to keep and maintain reasonably free of snow, ice, and debris any sidewalk or other pedestrian way immediately adjacent or contiguous to the premises for which any permit has been issued or which is used by the licensee or his agents or employees in the operation of any business for which any license has been issued. Failure to keep such sidewalk or other pedestrian way free of debris, snow and ice shall be grounds for denial or revocation of such license or licenses. Such person, firm or corporation shall be liable for any failure to keep such sidewalk free of debris, snow, and ice.

4. Methods of Debris, snow, and ice removal and disposal

- a. No person while removing and disposing material shall plow, shovel sweep, heap up, pile, or cause any debris, snow, ice, or other materials to be placed on any street or public place in the Borough of Emlenton, neither shall an owner of property adjacent to any street or public place suffer any such acts by tenants in such manner as to interfere with the safety and convenience of public travel. In all cases where snow, ice or other material is moved about, it shall be uniformly leveled off in front of the residences and places of business in a manner to permit convenient approach thereto and entrance to said premises.
- b. No plow, sweeper, or other similar device operated by mechanical power and no rotary brush or sweeper for cleaning streets or parts thereof shall be used on any of the streets or public places of the Borough of Emlenton unless it is constructed, equipped, protected, and operated in a manner to prevent any snow, ice, slush, water, or dirt being thrown upon any sidewalk, against any building, or upon any vehicle while on any public street.

5. Violation and Penalty

- a. Any person violating section 2(b), or (c) shall be guilty of a violation of this ordinance and shall be issued a parking ticket with a fine of \$25. Failure to respond to said parking ticket within 10 days will result in a traffic citation being filed pursuant to the Pennsylvania Rules of Criminal Procedure Rule 401. Upon conviction before a Magisterial District Judge having jurisdiction, the defendant shall pay a fine of not less than \$50 fifty dollars and not more than

the statutory maximum for enforcement of a summary offense under the borough code as prescribed as P.S. §48321, plus costs of prosecution.

- b. Any person violating any other offense not listed above shall be guilty of a summary offense and upon conviction before a Magisterial District Judge having jurisdiction, the defendant shall pay a fine of no less than \$25 Twenty-Five dollars and not more than the statutory maximum for enforcement of a summary offense under the borough code as prescribed as P.S. §48321, plus costs of prosecution.

6. Enforcement

- a. This ordinance shall be enforced by the Emlenton Borough Police Department.

7. Effective Date

- a. This ordinance shall become effective five (5) days after the adoption hereof.

8. Repealer

- a. All other ordinances or parts of ordinances which are contrary to the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

The Council of Emlenton Borough reserves the right to amend this Ordinance by Resolution.

ENACTED AND ORDAINED this 4 day of December, 2017 in lawful session duly assembled.

ATTEST:

EMLENTON BOROUGH:

Nancy Marano (seal)
(seal)
Secretary

By Bunny Louise
President of Council

(seal)

By [Signature]

Mayor