

ORDINANCE NO. 2003- 0 5

AN ORDINANCE OF LANGHORNE BOROUGH AMENDING CHAPTER 400, SECTION 405.1.17 AND AMENDING CHAPTER 600, SECTIONS 612 AND 618 OF THE LANGHORNE BOROUGH ZONING ORDINANCES AND AMENDING CHAPTER 1300, SECTION 1304 OF THE LANGHORNE BOROUGH GENERAL ORDINANCES TO REQUIRE THE REMOVAL OF SNOW AND ICE FROM STREETS, CURBS AND SIDEWALKS

WHEREAS, the Langhorne Borough Council has determined that the failure to remove snow and ice in a timely fashion constitutes a hazard to pedestrians and other users of sidewalks;

WHEREAS, the Langhorne Borough Council has determined that the presence of snow and ice, removed from driveways, alleys, paths, sidewalks and other places adjacent to Borough roads constitutes a hazard to motor vehicles and impedes the removal of snow from Borough streets; and,

WHEREAS, the Langhorne Borough Council has determined that the health, safety and general welfare of its citizens shall be increased by requiring snow and ice to be removed from Borough sidewalks and streets during times of snow,

**NOW THEREFORE, BE ORDAINED AND ENACTED** that Chapter 600, Section 612 of the Zoning Ordinance is amended to add sub-sections (E), (F), (G) and (H) to Section 612 as follows:

- E. All owners, tenants and occupants of businesses, buildings, maintained land or vacant land, on which public sidewalks are located or on which sidewalks adjacent to a public right of way are located shall keep said sidewalks free of obstruction. All such persons, firms, associations or corporations shall have said sidewalks clean within twenty-four (24) hours after snow has stopped falling.
- F. It shall be unlawful to plow or to use heavy equipment to move snow or ice into or upon any road, street, alley, or highway within the Borough, with the intent of allowing such snow or ice to remain on said right of ways or by the failure to remove such snow or ice which is moved into or upon said right of ways.
- G. The Langhorne Borough Code Enforcement Officer and all member of the Langhorne Borough Police Department shall be authorized to enforce the terms of these provisions.
- H. Any person, owner, association, business or corporation who violates sub-section E of section 612 shall, upon conviction, be sentenced to pay a fine of thirty dollars (\$30.00). Any person, owner, association, business or corporation who violates sub-section f of section 612 shall, upon conviction, be sentenced to pay a fine of one hundred dollars (\$100.00). Each daily occurrence of an offense under section 612 shall be considered a new offense, and fineable as such.

**NOW THEREFORE, BE ORDAINED AND ENACTED** that Chapter 600, Section 618 of the Zoning Ordinance is amended to add sub-sections (G) to Section 618 as follows:

- G. There shall be no use, activity or failure to act which might permit or cause snow or ice to accumulate, scatter, dump or move, or permit to be accumulated, scattered, dumped or moved onto or upon any street, curb or sidewalk, by any person, business, firm, association, corporation or organization.

**NOW THEREFORE, BE ORDAINED AND ENACTED** that Chapter 400, Section 407.1.17 of the Zoning Ordinance is amended to add sub-section (I) to Section 407 as follows:

Sidewalks.

- f. Once constructed, all sidewalks shall be maintained in a cleaned and cleared condition. It shall be unlawful to permit the accumulation of snow or ice upon any sidewalk. All sidewalks shall be cleared of snow and ice within twenty-four (24) hours after snow has stopped falling.

**NOW THEREFORE, BE ORDAINED AND ENACTED** that Chapter 1300 of the General Ordinances is amended to add sub-sections d., e., f. and g. to Section 1304 as follows:

**Section 1304. Maintenance.**

- d. Once constructed, all sidewalks shall be maintained in a clean and clear condition. It shall be unlawful to permit the accumulation of snow or ice upon any sidewalk. All owners, tenants and occupants of businesses, buildings, maintained land or vacant land, on which public sidewalks are located or on which sidewalks adjacent to a public right of way are located shall keep sidewalks free of obstructions. All such persons, businesses, associations or corporations shall have said sidewalks free of obstructions within twenty-four (24) hours after snow has stopped falling.
- e. It shall be unlawful to plow or to use heavy equipment to move snow or ice into or upon any sidewalk, road, street, alley, or highway within the Borough, with the intent of allowing such snow or ice to remain on said right of ways or by the failure to remove such snow or ice which is moved into or upon said right of ways.
- f. The Langhorne Borough Code Enforcement Officer and all member of the Langhorne Borough Police Department shall be authorized to enforce the terms of these provisions.
- g. Any person, owner, association, business or corporation who violates sub-section e. of section 1304 shall, upon conviction, be sentenced to pay a fine of thirty dollars (\$30.00). Any person, owner, association, business or corporation who violates sub-section f. of section 1304 shall, upon conviction, be sentenced to pay a fine of one hundred dollars (\$100.00). Each daily occurrence of an offense under section 1304 shall be considered a new offense, and fineable as such.


Applicability. Whenever the requirements of this Ordinance are in conflict with other requirements of the Ordinances of the Borough, the most restrictive, or those imposing the higher standards, shall govern.

Severability. If any section or provision of this amending ordinance shall be declared by a court of competent jurisdiction to be unconstitutional, illegal, or invalid, such decision shall not affect or impair the validity of the remaining provisions, sections, sentences or part of this ordinance other than that portion specifically declared invalid. It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such invalid portion not been included herein.

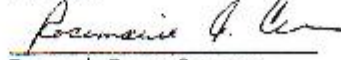
EFFECTIVE DATE. This Ordinance shall become effective in accordance with the provisions of the Borough Code.

ORDAINED AND ENACTED this 12<sup>th</sup> day of November, 2003.

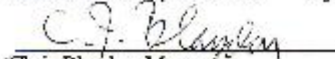
LANGHORNE BOROUGH COUNCIL

  
Barry Fitchell, President

ATTEST:

  
Rosemarie Curran, Secretary

Examined and approved this 12<sup>th</sup> day of November, 2003.

  
Chris Blaydon, Mayor