

**READING TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-02

**AN ORDINANCE OF READING TOWNSHIP
PROVIDING FOR THE RESPONSIBILITY OF LANDOWNERS
TO REMOVE SNOW AND ICE FROM SIDEWALKS AND SETTING PENALTIES FOR
FAILURE TO DO SO**

WHEREAS, Reading Township owns and maintains a system of public roads throughout the Township; and

WHEREAS, pursuant to Pennsylvania's Second Class Township Code, 53 P.S. §§ 101 *et seq.*, the Township may establish regulations for the removal of snow and ice from sidewalks; and

WHEREAS, the Board of Supervisors believes that the public health, safety, and welfare of all the residents of the Township will be better served and protected by the adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Reading Township:

Section 1. Purpose

The purpose of this Ordinance is to establish requirements for property owners to remove snow from sidewalks.

Section 2. Enabling Authority

This Ordinance is enacted pursuant to the enabling authority of Sections 1506 and 1601 of the Second Class Township Code, 53 P.S. §§ 1506, 1601.

Section 3. Establishment of Snow Removal Requirement

A. The Reading Township Code of Ordinances, Ordinances, Chapter 21, Streets and Sidewalks, shall be amended to add Part 3 as follows:

Part 3
Sidewalks

§21.101 Responsibility for Removal of Snow and Ice from Sidewalk

1. For purposes of this Part:

a. sidewalk means the public improvement, intended for use by pedestrians, sited between the curb line of the street or, if no curbs exist, the outer edge of the cartway of the street, including such improvement located within or across a vehicular driveway, and (i) the adjacent property lines or (ii) within the property abutting the street.

b. landowner means the title owner of the property, whether or not the actions subject to this Part were performed by the landowner or his contractor, agent or other person at the landowner's direction, under his control or for his benefit.

2. The accumulation of snow/ice on a sidewalk or the removal of snow/ice in a manner which violates this Part shall constitute a public nuisance.

3. A landowner of property, regardless of whether improved upon or occupied, abutting or upon which a sidewalk has been constructed shall remove or cause to be removed snow and/or ice from the full length and width of the sidewalk (including, where applicable, ramps at street crossings) within 12 hours after the cessation of the fall of snow or freezing rain. In the event accumulated ice cannot be removed in 12 hours without damaging the sidewalk, the landowner shall cause sufficient sand, ashes, sawdust, or commercially available chemical compound to be applied to make pedestrian travel reasonably safe and, shall, as soon thereafter as conditions permit, remove or cause the accumulated ice to be removed.

4. Snow/ice removed from the sidewalk shall be placed on the landowner's property or removed for lawful disposal at another location. No person shall deposit or cause snow/ice removed from a sidewalk to be deposited next to a fire hydrant, within or on an open-faced storm drain, on any street, on another's property (including driveway), or on the sidewalk on or abutting another property.

5. In the event an owner fails to remove snow/ice as required by this Part or deposits snow/ice in violation of this Part, the Township, in its discretion, may cause the snow/ice to be removed and, in the event of Township removal, the cost thereof, including court costs and attorney's fees incurred by the Township, shall be the responsibility of the owner and collected from the owner by the Township as a municipal lien or as otherwise as authorized by law or equity.

§21.102 Penalties

A landowner who violates any provision of this Part shall commit a summary criminal offense and, upon conviction by a Magisterial District Justice, shall be subject to a fine of not less than \$50.00 nor more than \$500.00 plus costs to the extent allowed by law and, in default thereof, undergo imprisonment for a period not exceeding 30 days. Each day of a violation, and each separate violation of this Part, shall be considered a separate violation. Any violation of this Part also may be enforced by the Township through an equity suit for specific performance in the Court of Common Pleas. The landowner shall be responsible for all costs, including but not limited to court costs and attorney's fees incurred by the Township.

Section 4. Repealer.

All other ordinances of Reading Township that conflict with this Ordinance are hereby repealed. All other ordinances of the Township not specifically amended or repealed hereby shall remain in full force and effect.-----

Section 5. Severability.

In the event that a court of competent jurisdiction declares any section, provision, clause or term of this Ordinance invalid, such decision shall not affect the validity of any of the remaining portions of the Ordinance.

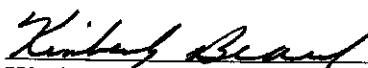
Section 6. Effective Date

This Ordinance shall become effective five days from the date of enactment.


ENACTED this 15th day of March, 2021.

BOARD OF SUPERVISORS
READING TOWNSHIP,
ADAMS COUNTY, PENNSYLVANIA

ATTEST:



Kimberly Beard, Secretary



Kevin Holtzinger, Chairman



Gregory Heefner, Vice-Chairman



Jason Phillips, Supervisor