

WEST WYOMING BOROUGH ORDINANCE

Number 4 of 2018

An Ordinance regulating Access to the Easement along West Wyoming Borough's Concrete Channel and Providing for Penalties to Property Owners who Prevent Access to the Easement

WHEREAS, it is necessary for the health, welfare and safety of the public and the citizens of the Borough of West Wyoming that Borough officials and the Army Corp of Engineers and other local, state and federal officials have access to the easement to the concrete channel and

WHEREAS it is the desire of the Council of West Wyoming Borough to ensure access to the 10 foot easement along the channel for any emergencies when access is critical for the safety and public welfare and

WHEREAS Borough Council of West Wyoming has a duty to enact regulations to ensure complete access to the concrete channel and

NOW THEREFORE, BE IT Ordained and Enacted by the Borough of West Wyoming as follows:

Section 1. NO LOCKS AND GATES ARE TO BE OPENED

There shall be no locks on gates on properties situated alongside the concrete channel.

Only latches on the gates shall be permitted. All locks shall be removed by the property owners or face penalties described below.

For Annual and all inspections, all gates must be open and all pets shall be kept inside of the home or properly tied close to the porch or home.

Section 3. PENALTIES FOR VIOLATIONS

Any property owner who maintains locks on gates alongside the concrete channel shall be subject to the following:

- 1) The lock shall be cut and removed at the property owner's expense.
- 2) Failure to remove the lock shall result in a citation and a fine of up to \$300.00 per day of violation and costs of prosecution.
- 3) If any damages are caused on the non-compliant property by the borough or any other governmental entity in the process of gaining access to the concrete channel, said damages shall not be the responsibility of the borough or any other governmental organizations. . All damages shall be the responsibility of the non-complaint property owner.
- 4) If the non-compliant property causes damages to any other property or items of property, the non-compliant property owner shall be responsible.

Borough Council reserves the right to determine fines and adjust accordingly.

Section 3. REPEALER

All provisions of previous ordinances of the Borough of West Wyoming which are contrary to this ordinance are expressly repealed.

Section 4. SEVERABILITY

The provisions of this ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

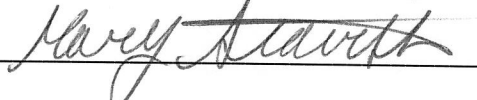
Section 5. SAVINGS CLAUSE

In all other respects the Code of the Borough of West Wyoming shall remain as previously enacted and ordained.

This Ordinance shall become effective upon adoption.

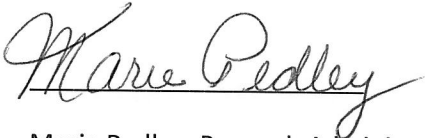
ENACTED, ORDAINED and APPROVED this 12 day of NOV, 2018.

Borough Council of West Wyoming Borough

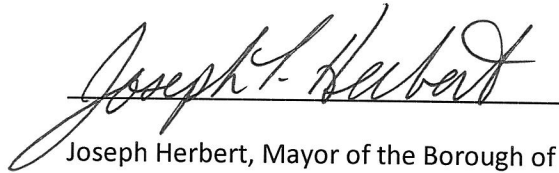


Gary Stavish, Chairman of West Wyoming Council

ATTEST



Marie Pedley, Borough Administrator
Wyoming



Joseph Herbert, Mayor of the Borough of West
Wyoming

