

21 WEST WYOMING ORDINANCE 101

AN ORDINANCE OF THE BOROUGH OF WEST WYOMING FIXING RESPONSIBILITY FOR SNOW AND ICE REMOVAL FROM SIDEWALKS AND PRESCRIBING PENALTIES FOR VIOLATION.

The West Wyoming Borough Council hereby ordains:

§1. Definitions. As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BUSINESS DAY - any day not a Sunday or a national holiday.

BUSINESS HOURS - hours between 9:00 A.M. and 5:00 P.M. on any business day.

CARTWAY - portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

CORPORATION - natural person, partnership, corporation, association, or any other legal entity.

SIDEWALK - portion of a street between the curb lines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians.

STREET or HIGHWAY - the entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

§2. Responsibility for Removal of Snow and Ice from Sidewalks. Every person in charge or control of any building or lot of land fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall remove and clear way or cause to be removed or cleared away, snow and/or ice from path of at least thirty inches (30") in width from so much of said sidewalk as is in front of or abuts on said building or lot of land.

1. Except as provided in subsection 2 hereof, snow and ice shall be removed from sidewalks within twelve (12) hours after the cessation of any fall of snow, sleet or freezing rain.

2. In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in subsection 1 hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel reasonably safe; and shall, as soon thereafter as weather permits, cause to be cleared a path in said sidewalk of at least thirty inches (30") in width.

§3. Responsibility for Removal from Roofs. Every person in charge or control of any building or other structure, whether as owner, tenant, occupant, lessee, or otherwise, shall remove and clear away, or cause to be removed and cleared away, any accumulation of snow and ice on said building or other structure which is liable to fall on any sidewalk, roadway, or other public way. Such work shall be completed within a reasonable time, but not later than twelve (12) hours after the cessation of any fall of snow, sleet, or freezing rain.

§4. Depositing of Snow and Ice Restricted. No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any sidewalk, roadway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Borough of West Wyoming on public cartways incident to the cleaning thereof or mounded on curbs incident to the clearing of sidewalks in business districts.

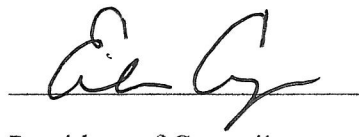
§5. Penalties. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than Three Hundred Dollars (\$300.00), and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

§6. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

§7. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the West Wyoming Borough Council that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

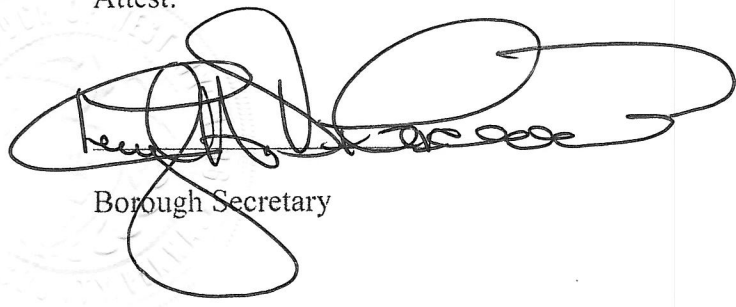
§6. Effective Date. This ordinance shall become effective on June 5, 1985.

Duly and enacted and ordained by West Wyoming Borough Council on 13th day of Sept,
2010 and signed by the Mayor on the 17th day of Sept, 2010.

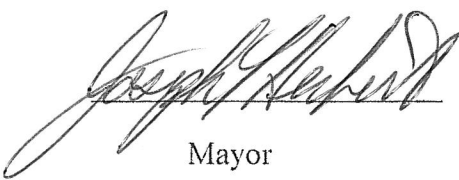


President of Council

Attest:



Borough Secretary



Mayor