

### Part 3

#### Removal of Snow and Ice

##### **§301. Definitions.**

The word “sidewalk” when used in this Part 3 shall mean any improved pavement or part thereof fronting on a street and located within the curb line and the building (property) line of said street as it appears on the topographical survey of the Borough and shall also mean any unimproved or ground surface area or part thereof fronting on a street and located within the curb line and the building (property) line of said street as appears on the topographical survey of the Borough if such area is used or usable as a walkway by the general public. The singular shall include the plural. (Ord. 217, 2/16/1959, §1; as amended by Ord. 380, 3/8/1978, §1)

##### **§302. Responsibilities of Occupants or Tenants.**

1. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets of the Borough of Mohnton is hereby required to remove or cause to be removed all snow and ice from all of the sidewalks in front of or alongside of such property, for a minimum width of four feet measured from the curb line toward the building (property) line if there is no grass plot separating the curb from an improved pavement, or for a minimum width of four feet measured from the line of the improved pavement located along the grass plot toward the building (property) line if there is a grass plot separating the curb from an improved pavement, but in no case exceeding the width of the sidewalk, within 24 hours after said snow or ice shall have ceased to fall or to be formed on such sidewalks, unless said snow or ice be so hardened or frozen that it cannot be so removed without injury to the sidewalk, in which latter event the owner, occupant or tenant of every property fronting upon or alongside of any of the streets of the Borough of Mohnton is hereby required to place salt, sand, or other abrasive material upon said snow or ice within time above provided; provided, the owner of a property shall be responsible for conforming to the requirements of this §302 where such property is occupied by such owner or is unoccupied or vacant, or is a multi-business or multi-dwelling property occupied by more than one tenant or occupant, and the tenant or occupant of a property shall be responsible for conforming to the requirements of this §302 where such property is occupied by such tenant or occupant only.
2. It shall be unlawful for any owner, occupant or tenant aforesaid to shovel or dispose of any snow onto the paved portion of any street adjacent to the property from which he or she is removing the same from the sidewalk in Subsection (1) of this §302.

(Ord. 217, 2/16/1959, §2; as amended by Ord. 380, 3/8/1978, §§2A, 2B)

## STREETS AND SIDEWALKS

### **§303. Refusal to Comply.**

In any case where the owner, occupant or tenant shall fail, neglect or refuse to comply with any of the provisions of §302(1) of this Part 3 within the time limit prescribed therein, the Borough authorities may proceed immediately to clear the snow and/or ice from the sidewalk of such delinquent or to place salt, and or other abrasive material upon the snow and/or ice on the sidewalk of such delinquent, and to collect the expenses thereof, with any additional amount allowed by law, from such owner, occupant or tenant, as the case may be, which may be in addition to any fine or penalty imposed under §304 of this Part 3. (Ord. 217, 2/16/1959, §3; as amended by Ord. 380, 3/8/1978, §3)

### **§304. Penalties.**

Any owner, occupant or tenant who shall fail to remove any snow or ice from any sidewalk or to place salt, sand or other abrasive material upon such snow or ice on any sidewalk as required by §302(1) of this Part 3, or any owner, occupant or tenant who shall violate any of the provision of this Part 3 shall upon conviction thereof before a District Justice, be sentenced to pay a fine of not less than \$10, nor more than \$300, and costs of prosecution for each offense, and in default of payment thereof, shall undergo imprisonment for a period of not more than 90 days; provided such fine or penalty and costs of prosecution may be in addition to any expenses and additional amounts authorized by law, imposed as provided in §303 of this Part 3. (Ord. 217, 2/16/1959, §4; as amended by Ord. 380, 3/8/1978, §5; and by Ord. 478, 8/10/1988)