

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 325

(Duly Adopted January 31, 1996)

AN ORDINANCE PROHIBITING THE DEPOSIT OF SNOW AND ICE ON PUBLIC STREETS, SIDEWALKS, AND SNOW REMOVAL WALKWAYS, AND PRESCRIBING PENALTIES FOR VIOLATIONS.

WHEREAS, under Section 1202(4) of the Borough Code, 53 PA. STAT. ANN. §1202(4), the Borough of Alburdis is empowered to prohibit and remove any obstruction or nuisance in the streets of the borough; and

WHEREAS, under Section 1202(17) of the Borough Code, 53 PA. STAT. ANN. §1202(17), the Borough of Alburdis is empowered to regulate the streets and prohibit any obstruction to the convenient use of the same; and

WHEREAS, Borough Council has noted that persons shoveling or otherwise depositing snow or ice on the public streets during recent snowstorms have obstructed and impeded the movement of vehicles on public streets and slowed the clearing of the public streets for safe travel, all to the detriment of the public health, safety, and welfare and creating a nuisance; and

WHEREAS, Borough Council desires to prohibit such activities and prescribe penalties for violations thereof in the manner set forth in this Ordinance;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania, as follows:

SECTION 1. No person shall shovel or otherwise cause any snow or ice to be deposited into or upon any public street, road, highway, or alley, or any sidewalk or snow removal walkway (within the meaning of Section 105-2 of the Code of the Borough of

Alburtis), *except* Borough employees, agents, or other persons acting at the direction of a Borough official or a police officer.

SECTION 2. Any person who violates any provision of this Ordinance shall be guilty of a summary offense. Upon conviction therefor for the first offense, a violator shall be sentenced to pay a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00), plus the costs of prosecution, or, in default of payment, to undergo imprisonment for a period not to exceed thirty (30) days. Upon conviction therefor for the second and subsequent offenses, a violator shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00), plus the costs of prosecution, or, in default of payment, to undergo imprisonment for a period not to exceed thirty (30) days. Each deposit in a different location shall be a separate offense, each deposit in the same location on a different day shall be a separate offense, and any deposit in the same location on the same day after a verbal or written warning, notice, or citation with respect to this Ordinance by a Borough police officer shall be a separate offense from any deposit prior to such warning, notice, or citation.

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DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburdis, this 31st day of January, 1996, in lawful session duly assembled.

**BOROUGH COUNCIL
BOROUGH OF ALBURDIS**

Steven R. Hill, President

Attest:

Louise Stahley, Secretary

AND NOW, this 31st day of January, 1996, the above Ordinance is hereby APPROVED.

Ronald J. DeIaco, Mayor