

HAMILTONBAN TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2019-01

**SNOW EMERGENCY PARKING AND
SNOW REMOVAL ORDINANCE**

AMENDING ALL CURRENT ORDINANCES REGARDING PARKING AND SNOW REMOVAL ON HAMILTONBAN TOWNSHIP ROADS - AN ORDINANCE OF THE TOWNSHIP OF HAMILTONBAN TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL; PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW OR ICE INTO THE PUBLIC HIGHWAYS OR STREETS OF THE TOWNSHIP OF HAMILTONBAN TOWNSHIP; AND PROSCRIBING PENALTIES FOR VIOLATION.

WHEREAS snow storms can and do impair the flow of vehicular traffic and fire equipment which may result in conditions adverse to the welfare and safety of the residents of the Township and the people lawfully upon public highways; and

WHEREAS it is necessary in order to insure the welfare and safety of the public highways and streets be cleared of snow as promptly as possible;

NOW, THEREFORE, the Board of Supervisors does hereby enact and ordain:

SECTION I: Following the effective date of this Ordinance, it shall be unlawful to park, or allow to be parked any motor vehicle or other vehicle, on any street or road which is part of the Township System after two inches of a snow fall and until the snow has stopped falling and the snow has been completely plowed for the full width of the cart way. The Roadmaster or Chairman of the Board of Supervisors may declare a snow and ice emergency. Information on the existence of a snow emergency shall be given by the Township through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

SECTION II: The registered owner of any said vehicle found to be parked on a public street and in violation of this ordinance shall be subject to the fines and penalties under SECTION V of the Ordinance.

SECTION III: It shall be unlawful for owners, occupants or tenants of property to dump, throw, shovel, pile or push any snow or ice removed from driveways or walkways into any public highway or street.

No snow, ice, slush, or a combination thereof, shall be pushed or deposited into any drainage area, stream, river, culvert or catch basin.

No snow, ice, slush, or a combination thereof, shall be deposited, pushed or maintained within a commercial, manufacturing, light industrial or multiple family zoning district parking facility or at or near an intersection in any zoning district, in a manner or at a location which creates a traffic hazard by impairing visibility from or of a public highway.

No person shall damage any Township property, including but not limited to, traffic signs, culverts, etc. while removing snow, ice, slush, or a combination thereof. Any damage to Township property shall be repaired or replaced in accordance with the requirements of the Township at the expense of the property owner and/or snow removal agency.

SECTION IV: Fire hydrants shall not be covered. The owner is hereby required to remove or cause to be removed all snow, ice, slush, or any combination thereof or any accumulation and/or impediment which would limit access to, from, and/or around all of the fire hydrants which are located on said property, so as to provide immediate access by fire rescue personnel in cases of emergency. In cases involving a storm, fire hydrants shall be cleared of all snow, ice, slush, or any combination thereof within twenty-four (24) hours following the storm, in any event, any accumulant shall be removed not less than once in every twenty-four (24) hour period.

In all other cases involving the accumulation of natural and/or man-made items around fire hydrants the owner is responsible for the immediate removal of said items. In either case fire hydrants shall be cleared sufficiently so emergency personnel have total access to hydrants. This is necessary to allow for fire hose connections to be made to access water in the event of a fire. The owner of a property shall be responsible for conforming to the requirements of this Section where such property is occupied by said owner or is unoccupied or vacant.

In cases where the owner, occupant, or tenant as aforesaid, shall fail, neglect, or refuse to comply with any of the provisions of this Section of this Ordinance, or within the time period required therein, the Township of Hamiltonban, Adams County, Pennsylvania, may in its discretion, proceed immediately to clear the snow, ice, slush, or any combination thereof or accumulation and/or impediment which would limit access to, from, and/or around fire hydrants and to collect the expenses, with any additional amount allowed by law, from fine or penalty imposed under SECTION V of this Ordinance. In no case is the Township of Hamiltonban liable if it does not exercise the Township option for removal of snow, ice, slush, any combination thereof or accumulation and/or impediment which would limit access to, from, and/or around fire hydrants as defined within Section IV.

SECTION V: Any person violating any of the provisions of this Ordinance shall, upon summary conviction before a Magisterial District Justice, be sentenced to pay a fine of not less than Three Hundred Dollars (\$300.00) and not more than Five Hundred Dollars (\$500.00) and cost of prosecution, including reasonable attorneys fees, to be collected as like fines are now collected by law. Each day of violation shall constitute a separate offense and fines and penalties shall be assessed for each individual day a violation occurs.

SECTION VI: SEVERABILITY - The provision of this Ordinance are severable. If any sentence, clause, or section 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, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Hamiltonban Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION VII: This ordinance shall become effective five (5) days after enactment.

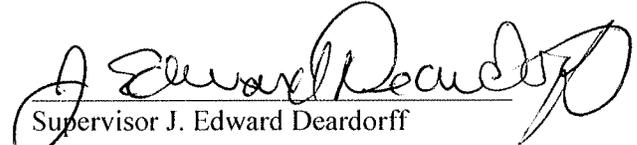
SECTION VIII: REPEALS – All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law this 4th day of June, 2019.

ATTESTED BY:

HAMILTONBAN TOWNSHIP
BOARD OF SUPERVISORS

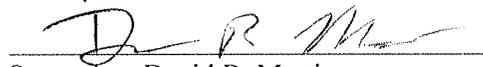

Nina Garretson
Secretary/Treasurer


Supervisor J. Edward Deardorff


Supervisor Douglas W. Woerner


Supervisor LuAnn M. Dille


Supervisor Robert L. Gordon


Supervisor David B. Martin

CERTIFICATION

As Secretary of the Hamiltonban Township Board of Supervisors, the undersigned hereby certifies that the foregoing Ordinance was adopted by the Hamiltonban Township Board of Supervisors at its regular meeting held on June 4, 2019, which meeting was called and at which meeting a quorum was present and acting throughout, and that said Ordinance has not been revoked or amended.

Dated: 6/4/2019


Nina Garretson, Secretary