

BOROUGH OF ORWIGSBURG

Schuylkill County, Pennsylvania

ORDINANCE NO. 176

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH
OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA,
PROVIDING FOR HIGHWAY EMERGENCY AND SNOW RE-
MOVAL IN THE BOROUGH OF ORWIGSBURG; AND PRO-
VIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED and ORDAINED by the Borough Council and the Mayor
of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, and it is hereby
enacted and ordained by the authority of the same, as follows:

Section 1. Definitions.

- (a) Snow. Any precipitation depositing any accumulation on the streets of the Borough of Orwigsburg, including snow, sleet, hail, ice or freezing rain.
- (b) Snow Emergency. A state declared as herein described under which highway conditions are hazardous and dangerous to the vehicular and pedestrian traffic.
- (c) Snow Emergency Routes or Snow Routes. All streets within the Borough of Orwigsburg, so designated and marked as hereinafter set forth.
- (d) Chains. Full chains, strap chains or other types of chains so mounted as to give motor vehicles traction in snow.
- (e) Snow Tires. Tires having treads designed for use in mud or snow and being in such condition as to serve the purpose for which they are designed.

- (f) Vehicles. All motor vehicles using borough streets, including all public and private transportation conveyances, trucks and other powered vehicles.

Section 2. Designation of Routes.

The Borough Manager, with the approval of the Borough Council, shall designate streets which are heavily traveled and are necessary thoroughfares for the movement of vehicular traffic through the borough as "snow emergency routes". Such designation shall take into consideration state highway routes, fire apparatus emergency routes and other heavily traveled streets. Each of such routes shall be posted with suitable signs or markers, not less frequently than once in each direction in one block, which signs shall bear the words "snow emergency route" and may restrict parking in such block on both sides of the street or alternate sides of the street. A map of such emergency snow routes shall be filed with the Borough Secretary and copies thereof shall be available for public examination in the office of the Borough Secretary. The Borough Council may change said map from time to time, copies of such changes being entered on the map as aforesaid.

Section 3. Declaration of Emergency.

When, in the opinion of the Borough Manager, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, he is hereby authorized to declare a "snow emergency". He shall immediately inform the public by issuing press releases to all news media. Such snow emergency shall continue in force until the Borough Manager shall declare the emergency no longer exists by press releases in the same fashion.

Section 4. Effective Time and Conditions.

Two (2) hours after a "snow emergency" has been declared and during its existence;

- (a) No vehicle shall be parked on a "snow emergency route" unless signs, posted in accordance with Section 2 hereof, permit certain parking;
- (b) Any person who operates a vehicle without chains or snow tires upon any street designated as a snow route and such vehicle becomes stalled or incapable of moving under its own power, or any person who leaves such vehicle unattended shall be in violation of this ordinance and subject to the penalties herein set forth;
- (c) Any vehicle parked, stalled, or incapable of moving under its own power, or left unattended upon any "snow emergency route", may be removed or towed away to any location by the Police Department of the Borough of Orwigsburg, or by persons authorized to do so. The cost of removal and towing any such vehicle may be assessed by the borough against the owner thereof and if the owner thereof fails to pay the cost of towing and removal, the borough may file a municipal lien under the Municipal Lien Act of the Commonwealth of Pennsylvania.

Section 5. Cartway Widening.

Upon the declaration by the Borough Manager that the "snow emergency" no longer exists, the Borough Manager shall institute a program of clearing the cartways of snow on all other borough streets not designated as "snow emergency routes". By appropriate press releases to all news media, the owners and operators of all vehicles shall be instructed as follows:

- (a) Within twenty-four (24) hours all vehicles parked on North - South streets shall be removed until cartway widening has been completed;
- (b) Within forty-eight (48) hours, all vehicles parked on East - West streets shall be removed until cartway widening has been completed.

The Police Department shall, through the use of their loudspeaker equipment, assist in informing and instructing the public as to their responsibilities in removing vehicles from the various streets.

Section 6. Snow Removal.

The Borough Manager shall remove snow from the Borough streets which, in his opinion, are necessary for the convenience and safety of the public. Priority

will be given to those streets, as follows:

- (a) Narrow or congested streets;
- (b) School and church unloading areas.

The Police Department shall assist, where necessary, with traffic control during snow removal operations.

Section 7. Throwing Snow in Street.

It shall be unlawful for any person to throw, shovel, cast or otherwise move, place, pile, deposit or dump snow or ice removed from sidewalks, driveways or other areas into the streets or public highways, or for any person, when the cartway of the street or highway shall be cleared or partially cleared, to throw or place any snow or any other accumulation in the cleared cartway or passageway area.

Section 8. Penalties.

Any driver or owner of a motor vehicle, or any owner, agent or tenant of premises, violating the provisions of this ordinance shall, upon conviction before a Justice of the Peace, pay a fine of Fifteen (\$15.00) Dollars, together with costs of prosecution, and in default of such payment thereof, to undergo imprisonment for not more than fifteen (15) days.

Section 9. Effective Date.

This ordinance shall be in full force and effect upon its adoption and shall be effective from October 15th of each year to April 15th of the following year.

Section 10. Repealer.

Any ordinance, or part of an ordinance, conflicting with this ordinance is hereby repealed insofar as the same affects this ordinance.

Section 11. 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 Borough Council and Mayor of the Borough of Orwigsburg, that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

ENACTED and ORDAINED into an ordinance this 2nd day of October, A. D., 1967, by the Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ORWIGSBURG,
Schuylkill County, Pennsylvania

By:

Harold W. Boyer
President of Council

ATTEST:

Jeanette M. Foltz
Secretary

EXAMINED and APPROVED this 2nd day of October, A. D., 1967.

Charles W. Jones
MAYOR of the Borough of Orwigsburg,
Schuylkill County, Pennsylvania