

BOROUGH OF ORWIGSBURG

Schuylkill County, Pennsylvania

ORDINANCE NO. 327

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, PROVIDING FOR HIGHWAY EMERGENCY AND SNOW REMOVAL IN THE BOROUGH OF ORWIGSBURG; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

SHORT TITLE: SNOW EMERGENCY

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. 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 Mayor, the actual or expected precipitation of snow or other inclement weather 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 Mayor shall declare the emergency no longer exists by press releases in the same fashion.

## Section 4. Effective Time and Conditions.

Vehicles shall be removed within Two (2) hours after a "snow emergency" has been declared.

### Alternate Side Parking:

A. When a snow emergency is declared alternate parking will be in

effect as follows:

If the snow emergency is declared on even dates the even house number side of the street shall be no parking. The next day (odd date) there shall be no parking on the odd house number side of the street.

If the snow emergency is declared on odd dates the odd house number side of the street shall be no parking. The next day (even date) there shall be no parking on the even house number side of the street. The Square area shall be no parking as needed.

Borough Council may change the above by resolution from time to time.

(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 Mayor 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 streets shall be removed until cartway widening has been completed;

The Police Department shall, through the use of their loudspeaker 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 that in his opinion, are necessary for the convenience and safety of the public.

Preference will be given to those streets, as follows:

- (a) Narrow or congested streets;
- (b) Downtown Business District

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 person violating the provisions of this ordinance shall, upon conviction 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.

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, illegality 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 12th day of October, A. D., 1994, by the Council of the Borough of Orwigsburg Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ORWIGSBURG  
Schuylkill County, Pennsylvania

By:



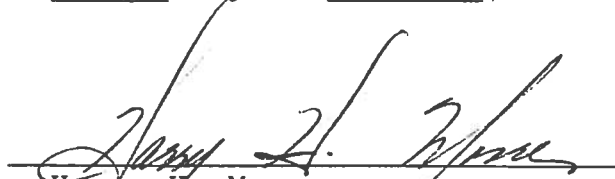
Charles J. Sterner  
President of Council

ATTEST:



Kathleen M. Consugar  
Borough Secretary

EXAMINED and APPROVED this 12th day of October, A.D.



Harry H. Moore  
Mayor of the Borough of  
Orwigsburg, Schuylkill County,  
Pennsylvania

Re: Ordinance No. 327