

ORDINANCE NO. 1369-09

**AN ORDINANCE OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 21, PART 2.D. OF THE CODE OF ORDINANCES OF THE BOROUGH OF GETTYSBURG REGULATING SNOW AND ICE REMOVAL.**

The Borough Council of the Borough of Gettysburg hereby enacts, adopts, and ordains that Chapter 21, Part 2.D. of the Code of Ordinances of the Borough of Gettysburg is hereby amended as follows:

**SECTION 1:** Chapter 21, Part 2.D., Section 241 shall be amended to read as follows:

**“§21-241. Definitions.**

CARTWAY – portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

HIGHWAY – any State highway of the Commonwealth of Pennsylvania.

PERSON – natural person, partnership, corporation, association, or any other legal entity.

SIDEWALK – portion of a street between the curb lines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians.

STREET – the entire width between the boundary line of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. Any street, road, lane, court, cul-de-sac, alley, public way and public square.”

**SECTION 2:** Chapter 21, Part 2.D., Section 242 shall be amended to read as follows:

**“§21-242. Responsibility for Removal of Snow and Ice from Sidewalks.**

Every person who owns or is otherwise in charge or control of any building or lot of land fronting or abutting on a sidewalk, whether as owner, tenant, occupant, lessee or licensee shall remove and clear away or cause to be removed or cleared away, snow and/or ice in order to create a path for the reasonably safe passage of pedestrians of at least thirty (30") inches in width within so much of said sidewalk as is in front of or abuts on said building or lot of land.

- (1) Except as provided in §21-242(2) and (3) hereof, snow and ice shall be removed from sidewalks within twelve (12) hours after the cessation of any fall of snow, sleet or freezing rain in the following areas of the Borough of Gettysburg:

<u>Street</u>	<u>Between</u>
Baltimore Street	Lincoln Square and Steinwehr Avenue
Buford Avenue	Chambersburg Street and West Race Horse Alley
Carlisle Street	Lincoln Square and Water Street
Chambersburg Street	Lincoln Square and Bream Alley
East High Street	Baltimore Street and South Stratton Street
East Middle Street	Baltimore Street and South Stratton Street
Lincoln Square	
North Stratton Street	York Street and Railroad Street
North Washington Street	Chambersburg Street and Railroad Street
South Stratton Street	York Street and East High Street
South Washington Street	Chambersburg Street and West High Street
Steinwehr Avenue	Baltimore Street and South Washington Street
West High Street	Baltimore Street and South Washington Street
West Middle Street	Baltimore Street and South Washington Street
York Street	Lincoln Square and Liberty Street

- (2) Except as provided in §21-242(1) and (3) hereof, snow and ice shall be removed from sidewalks within twenty-four (24) hours after the cessation of any fall of snow, sleet or freezing rain in all remaining areas of the Borough of Gettysburg.
- (3) In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without the likelihood of damage to the sidewalk, the person charged with its removal, within the time provided for in §21-242(1) or Section §21-242(2) hereof, as applicable, shall cause enough sand or other abrasive material to be applied to the sidewalk in order to make pedestrian travel reasonably safe; and shall, as soon thereafter as weather permits, cause to be cleared a path within said sidewalk of at least thirty (30") inches in width."

**SECTION 3:** Chapter 21, Part 2.D., Section 21-243 shall be amended to read as follows:

**“§21-243. Responsibility for Removal from Roofs.**

Every person who owns or is otherwise in charge or control of any building or other structure, whether as owner, tenant, occupant, lessee, or licensee shall remove and clear away, or cause to be removed and cleared away, any accumulation of snow and ice on said building or other structure which is likely to fall on any sidewalk, street or highway. Such work shall be completed within a reasonable time after the cessation of any fall of snow, sleet or freezing rain, but not later than the time frames provided for in §21-242(1) and (2) above, as applicable.”

**SECTION 4:** Chapter 21, Part 2.D., Section 21-244 shall be amended to read as follows:

**“§21-244. Depositing of Snow and Ice Restricted.**

No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any street, highway, or sidewalk or any public loading or unloading areas, except that any person who is removing snow or ice from sidewalks in an area identified in §21-242(1) hereof may deposit such snow and ice in the gutter area immediately adjacent to the curb of a street or highway or except that snow and ice may be mounded by the Borough of Gettysburg or the Commonwealth of Pennsylvania within the cartway of a street, highway, or sidewalk incident to the clearing and removal of snow or ice from streets, highways, or sidewalks thereof ”

**SECTION 5:** Chapter 21, Part 2.D., Section 21-245 shall be amended to read as follows:

**“§21-245. Authority for Borough to Remove Snow and Ice and Collect Cost and Additional Amount.**

In the event any person fails to remove snow and/or ice as required by §21-242 hereof or unlawfully deposits snow and/or ice in or on any sidewalks, streets or highways in violation of §21-244 hereof, said snow and/or ice may be removed by the employees of the Borough and the cost thereof shall be paid by said person and collected as a municipal claim or as otherwise authorized by the Borough Code or any other statute of the Commonwealth of Pennsylvania, said costs to be in addition to any penalties hereinafter provided for in §21-246.”

**SECTION 6:** Chapter 21, Part 2.D., Section 21-246 shall be amended to read as follows:

**“§21-246. Penalties.**

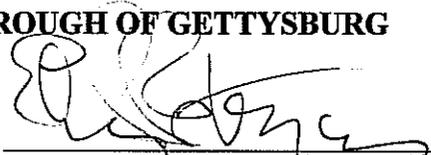
In addition to any costs in Section 21-245, any person who shall violate any provision of this Part 2.D. shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1,000). Every day that a violation of this Part 2.D. continues shall constitute a separate offense.”

**SECTION 7:** All remaining provisions of Chapter 21, Part 2.D. shall remain in full force and effect unless otherwise repealed by any other ordinance. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 8:** This Ordinance shall become effective upon enactment.

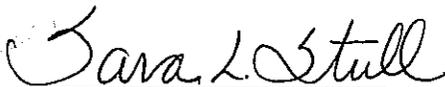
**ENACTED, ADOPTED, AND ORDAINED** on this 9<sup>th</sup> day of November, 2009.

**BOROUGH OF GETTYSBURG**

By: 

Edwin R. Peterson  
President of Borough Council

Attest:



Sara L. Stull, Secretary

**APPROVED** this 9<sup>th</sup> day of November, 2009



William E. Troxell, Mayor