

ORDINANCE NO. 80

AN ORDINANCE OF THE TOWNSHIP OF BERWICK, ADAMS COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF WINTER PRECIPITATION; PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW, ICE OR SLUSH ONTO THE PUBLIC ROADS OF THE TOWNSHIP OF BERWICK; AND PRESCRIBING PENALTIES FOR VIOLATION.

WHEREAS, ice and 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 roads; and

WHEREAS, it is necessary, in order to insure the welfare and safety of the public, that roads be cleared of ice, snow and/or slush as promptly as possible;

NOW, THEREFORE, the Board of Supervisors does hereby Enact and Ordain:

SECTION I: It shall be unlawful to park, or allow to be parked any motor vehicle or other vehicle, on any public road which is posted "No Parking During Winter Precipitation" after the start of winter precipitation and until the winter precipitation has ended and the ice, snow and/or slush has been completely plowed for the full width of the cart way.

SECTION II: Any member of the Eastern Adams Regional Police Department, or any employee of Berwick Township engaged in road work, is hereby authorized to remove any vehicle abandoned or parked upon any public road in violation of the terms and provisions of this Ordinance, and to take any said vehicle to the nearest garage or other place of safety. The registered owner of any said vehicle shall be notified of the fact of the removal and of the place to which said vehicle has been removed, where he or she may obtain the same upon payment of any and all towing and storage charges. Neither the Township nor any of its officers or employees shall be held responsible for any damage to any vehicle occurring as a result of towing and/or storage of a vehicle parked in violation 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 onto any public road. 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 at or near an intersection, in a manner or at a location which creates a traffic hazard by impairing visibility from or of a public road. 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: Any person violating any of the provisions of this Ordinance shall, upon summary conviction, be sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00) per violation, cost of prosecution, and imprisonment to the extent allowed by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation is found to exist and/or for each section of this Ordinance which is found to have been violated.

SECTION V: The provisions 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 Berwick Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

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

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

ENACTED AND ORDAINED this 9th day of May, 2011.