

ARTICLE V
Snow and Ice Removal
[Adopted 10-24-2011 by Ord. No. 2011-17]

§ 435-18. Title.

This article shall be known and may be cited as the "Manheim Township Snow Removal Ordinance."

§ 435-19. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning. The word "shall" is always mandatory.

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

OWNER — The person(s) holding legal title to real estate.

PERSON — A natural person, trust, partnership, corporation, limited-liability company, association or any other legal entity.

SIDEWALK — The concrete, paved or other improved pedestrian path intended for public use, located adjacent to or within a street, as defined below.

STREET — Any public right-of-way intended primarily for vehicular use, the cartway of which is maintained by the Commonwealth of Pennsylvania, the County of Lancaster, or the Township of Manheim. "Street" shall include the cartway, shoulder, berm, curb and sidewalk (if located within the right-of-way).

TOWNSHIP OF MANHEIM — The elected or appointed officials of the Township of Manheim, or any authorized representatives, or agencies of the Township appointed by the Commissioners of the Township.

§ 435-20. Responsibility for removal; method.

- A. The owner of any real property fronting or abutting on a sidewalk shall remove and clear away or cause to be removed or cleared away snow and/or ice from a path of at least 36 inches in width from those portions of the sidewalk which front or abut on the owner's property.
- B. Except as provided in Subsection D below, the owner shall remove and clear away snow and ice from sidewalks fronting or abutting the owner's property, as required by Subsection A above, within 24 hours after the cessation of any fall of snow, sleet or freezing rain.
- C. Except as provided in Subsection D below, the owner shall remove and clear away, as required by Subsection A above, snow and/or ice that may come to rest upon the sidewalks fronting or abutting the owner's property as a result of drifting, melting and refreezing, street-clearing activities or other method on a daily basis.
- D. In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed

without likelihood of damage to the sidewalk, the owner shall, within the time mentioned in Subsection B or C (as applicable) hereof, cause enough salt, sand, or other suitable abrasive material to be put on the sidewalk to make travel reasonably safe for pedestrians and shall, as soon thereafter as weather permits, cause to be cleared a path in said sidewalk of at least 36 inches in width and to clean such sidewalks of slush or unneeded abrasives.

- E. Snow, slush, ice, and/or abrasives removed from sidewalks shall be placed or stored on the owner's property and in no case be placed or stored on the street side of the sidewalk.
- F. Nothing in this article shall be construed to prevent an owner, by lease or otherwise, from delegating the obligations imposed by this article to a tenant or occupant, but such delegation shall not relieve the owner of the owner's obligations, duties and liabilities under this article.

§ 435-21. 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 within any street (including any sidewalk, curb, cartway, shoulder or berm) or loading and unloading area of a public transportation system. Notwithstanding the foregoing, the Township of Manheim, County of Lancaster and Commonwealth of Pennsylvania, may deposit or mound snow, ice and abrasive material on or within streets (including any sidewalk, curb, cartway, shoulder or berm) incident to the clearing of streets or sidewalks.

§ 435-22. Violations and penalties; work performed by Township.

- A. Any person convicted of violating the provisions of this article, upon conviction thereof in summary proceedings, shall be subject to the following penalties:
 - (1) For a first violation, a fine of up to \$200.
 - (2) For a second violation or any subsequent violation, a fine of not less than \$200 and not more than \$1,000 for each violation and, in default of payment thereof, imprisonment for a term not to exceed 90 days.
- B. In the event that the property owner refuses or fails to comply with the provisions of § 435-20, the Township may cause the violation to be corrected, keeping an account of the expenses. All such costs and expenses shall be charged to and paid by the owner. All costs and expenses incurred by the Township in the correction of violations may be a lien upon the responsible owner's property, and whenever a bill therefor remains unpaid for a period of 60 days after it has been rendered, the Township may request that the Township Solicitor file a municipal claim for such costs and expenses, together with a penalty often 10% thereon, in the manner provided by law for collection of municipal claims. Alternatively, the Township may request that the Township Solicitor file an action in assumpsit for collection of the amount due, including attorneys' fees and costs, without filing a municipal claim.