

LIMERICK TOWNSHIP ORDINANCE NO. 221

SNOW AND ICE REMOVAL

REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOWFALL REQUIRING SALTING AND/OR PLOWING OPERATIONS; AND PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW OR ICE INTO THE PUBLIC HIGHWAYS, STREETS OR RIGHT-OF-WAYS OF THE TOWNSHIP OF LIMERICK; AND, PROSCRIBING ACTIONS TO BE TAKEN BY THE TOWNSHIP OF LIMERICK, PENALTIES AND FINES FOR VIOLATION OF THIS ORDINANCE

WHEREAS, snow and ice storms can and do impair the safe passage of emergency response vehicles such as fire, police and ambulance vehicles, and, such storms also impair the normal flow of public traffic which may result in conditions adverse to the welfare and safety of the residents of the township and other persons lawfully using the public roads and right-of-ways; and

WHEREAS, it is necessary in order to ensure the welfare and safety of the public roads, right-of-ways, sidewalks, paths and other walkways intended for public use to be cleared of snow and ice as promptly and reasonably as possible; and

NOW, THEREFORE, the Limerick Township board of Supervisors does hereby enact and ordain:

SECTION I – DEFINITIONS

- A. “Township” as used in this ordinance shall mean Limerick Township or its designee.
- B. “Owner” shall mean the fee owner and/or contract purchaser of a building or lot as listed on the property records, properly recorded in Montgomery County.
- C. “Occupant” shall mean the tenant or tenants with respect to one, two or multi-family dwellings, the manager or person having care, custody or control of the building or lot with respect to three family or larger dwellings, commercial business, industrial premises, vacant lots or unoccupied buildings.
- D. “Sidewalk” shall mean any concrete, bituminous or other hard surface sidewalk, path or other walkway intended for public use.

SECTION II – SNOW AND ICE REMOVAL FROM SIDEWALKS, PATHS AND OTHER WALKWAYS INTENDED FOR PUBLIC USE

- A. The owner or occupant of any building or lot abutting a public sidewalk is responsible for and shall remove any accumulation of snow, slush, ice and/or

- freezing rain from said public sidewalk within twenty-four hours after the snow, ice or freezing rain has ceased to fall, gather or accumulate.
- B. The clearing of sidewalks may require continuous acts due to drifting, melting and other situations that require snow and ice to be removed more than once after a single storm.
 - C. All sidewalks shall be cleared to a minimum width of three (3) feet. In the event the snow and/or ice cannot be removed without damaging the sidewalk, an application of sand, salt, cinders or other grit and de-icing agents will be an acceptable substitute for clearing.
 - D. Following the clearing of any public sidewalk and during freezing conditions, applications of salt, sand, cinders or other de-icing agents shall be applied as necessary to ensure a safe, non-slip surface for pedestrian traffic.
 - E. Clearing of sidewalks shall also include any portion(s) of a driveway crossing a sidewalk area.
 - F. Any/all material removed from a sidewalk and driveway area may not be disposed of in the street, curb gutter or storm inlet areas.

SECTION III – PARKED AND/OR ABANDONED VEHICLES

Following the effective date of this ordinance, it shall be unlawful to park, abandon or allow to be parked or abandoned any motor vehicle or other vehicle on or in part of a travel lane of any highway, street, road or right-of-way which is part of the PennDOT, Montgomery County and/or township road system, after the start of a snowfall and until the snow has stopped falling and the snow has been completely plowed for the full width of the cartway.

SECTION IV – ENFORCEMENT

Any member of the Limerick Township Police Department is hereby authorized to have removed any vehicle abandoned or parked upon or in part of any travel lane of a public highway, street, road or right-of-way in violation of the terms and provisions of this ordinance, and to have said vehicle towed to the nearest safe facility. The registered owner of any such vehicle shall be notified of the fact of the removal and of the place to which said vehicle has been towed, 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 this ordinance. The towing company shall be an approved vendor pursuant to the Limerick Township Police Department Standard Operating Procedures Manual.

SECTION V – DISPOSITION OF SNOW AND/OR ICE

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, walkways or other private property into any public highway, street, road or public right-of-way.

SECTION VI – PENALTIES

Any owner or occupant violating any of the provisions of this ordinance shall be subject to the maximum fine or penalties outlined in Section 1601 of the Second Class Township Code.

SECTION VII – SEVERABILITY

If any sentence, clause, section, term, phrase 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, terms, provisions or parts of this ordinance. It is hereby declared as an intent of the Limerick Township Board of supervisors for the township of Limerick that this ordinance would have been adopted had such an unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ENACTED AND ORDAINED into law this 16th day of January, 2001.

LIMERICK TOWNSHIP
BOARD OF SUPERVISORS

Frederick L. Fidler
Frederick L. Fidler, ~~Chairman~~

Thomas J. Neafcy, Jr.
Thomas J. Neafcy, Jr., ~~Vice Chairman~~

Pamela C. Ricci
Pamela C. Ricci

ABSENT
Glenn B. Holcombe

ABSENT
Robert G. Richardson

ATTEST:

Karen T. Willman
Karen T. Willman, Secretary