

AN ORDINANCE OF THE TOWNSHIP OF HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL; PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW OR ICE INTO THE PUBLIC HIGHWAYS OR STREETS OF THE TOWNSHIP OF HEIDELBERG; REQUIRING REMOVAL OF SNOW AND ICE FROM FIRE HYDRANTS; AND PRESCRIBING PENALTIES FOR VIOLATION.

WHEREAS, snow storms can and do impair the flow of vehicular traffic, including fire equipment and other emergency vehicles, which may result in conditions adverse to the health, safety, and welfare of the residents of the Township and the people lawfully upon its public highways; and

WHEREAS, it is necessary to clear the public highways of snow as promptly as possible in order to ensure the health, safety, and welfare of the residents of the Township and the people lawfully upon its public highways;

NOW, THEREFORE, the Board of Supervisors of the Township of Heidelberg, Berks County, Pennsylvania does hereby enact and ordain:

1.(a) It shall be unlawful to park, or allow to be parked, any motor vehicle or other vehicle on any public highway, street, or road within the Township upon the accumulation of one inch (1") of snow upon the street or roadway until the snow has been completely plowed for the full width of the cart way.

(b) The members of the Heidelberg Township Police Department and Heidelberg Township employees engaged in roadwork are hereby authorized to remove any vehicle abandoned or parked upon any public highway, street, or road within the Township in violation

of the terms and provisions of this Ordinance and to take any such vehicle to the nearest garage or other place of safety. The registered owner of any such vehicle shall be notified of the vehicle's removal and of the place to which the vehicle has been removed, where the owner may obtain the vehicle upon payment of 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 result of towing or storage of a vehicle parked in violation of this Ordinance.

2.(a) It shall be unlawful for any owners, occupants, or tenants of any property to dump, throw, shovel, pile, push, or deposit any snow, ice, slush, or combination thereof into any public highway, street, or road within the Township or into any drainage area, stream, river, culvert, or catch basin.

(b) No snow, ice, slush, or combination thereof shall be deposited, piled, pushed, or maintained within a commercial manufacturing, light industrial, or multiple family zoning district parking facility or at or near an intersection in any zoning district in a manner or at a location which creates a traffic hazard by impairing visibility from or of a public highway.

3.(a) It shall be unlawful for any person to cover or cause restricted access to a fire hydrant by dumping, throwing, shoveling, piling, pushing, or depositing any snow, ice, slush, or combination thereof on top of or next to a fire hydrant. The owner of any real estate on which a fire hydrant is located is hereby required to remove or cause to be removed from the fire hydrant, all snow, ice, slush, or combination thereof and ensure clear access to the hydrant by fire-fighting personnel. Fire hydrants shall be cleared of all snow, ice, slush, or combination thereof within twenty-four (24) hours following the end of a snow fall, but in any event, any accumulant shall be removed not less than once in every twenty-four (24) hour period after the commencement of a snow fall.

(b) In cases where the owner, occupant, or tenant shall fail, neglect, or refuse to remove all snow, ice, slush, or combination thereof from a fire hydrant as required under subsection (a), the Township may, in its discretion, immediately proceed to clear the snow, ice, slush, or combination thereof from the fire hydrant and collect the expenses of such removal from the owner, occupant, or tenant as well as any additional amount allowed by law. In no case will the Township be liable if it does not exercise its option to remove the snow, ice, slush, or combination thereof which would limit access to, from, and around fire hydrants.

4. No person shall damage any Township property, including but not limited to, traffic signs and other traffic control devices and culverts, while removing snow, ice, slush, or combination thereof. Any damage to Township property shall be repaired or replaced in accordance with Township requirements at the expense of the property owner or snow removal agency.

5. Any person violating any provision of this Ordinance shall, upon conviction, be sentenced to pay a fine of not more than One Hundred Dollars (\$100.00) and, in default of such payment, imprisonment for a term not to exceed ten (10) days.

6. 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 the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, or section not been included herein.

7. This Ordinance shall become effective five (5) days after enactment.

8. All ordinances, parts of ordinances or rules and regulations enacted pursuant thereto which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistency.

ENACTED AND ORDAINED into law this 17th day of January, 2000.

Mark E. McFadden
Karen Cyoh
Ted Noble
Paul Meringer

Attest: Cheryl L. Lowers
Secretary