

**BOROUGH OF NEW CUMBERLAND  
CUMBERLAND COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 698 of 2018**

**AN ORDINANCE OF THE BOROUGH OF NEW CUMBERLAND,  
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING AND RESTATING ORDINANCE  
245 IN ITS ENTIRETY.**

**BE IT ENACTED AND ORDAINED** by the Borough Council of the Borough of New Cumberland, Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the Authority of the same as follows:

**WHEREAS**, the Borough Council of the Borough of New Cumberland enacted an ordinance providing for the removal of snow and ice from sidewalks as Ordinance 245 on July 1, 1959; and

**WHEREAS**, the Borough Council now desires to amend and restate Ordinance No. 245 of 1959 to update and revise the duties and responsibilities of owners, occupants and tenants of property as they relate to the removal of snow and ice from sidewalks and fire hydrants.

**NOW, THEREFORE**, be it resolved by the Borough Council of the Borough of New Cumberland, Cumberland County, Pennsylvania, as follows:

Section 1. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets in the Borough of New Cumberland is hereby required to remove or cause to be removed from all of the sidewalks in front of or alongside of such property all snow or ice thereon fallen or formed, within ten (10) hours after the same shall have ceased to fall or to form. Provided: snow or ice that has ceased to fall or to be formed after six o'clock of any evening may be removed at any time before ten o'clock of the next morning. Provided further: The owner of a property shall be responsible for conforming to the requirements of this section where such property is occupied by such owner or a tenant or is vacant or unoccupied or is a multiple-business or multiple-dwelling property, designed for occupancy by more than tenant or occupier.

Section 2. Fire hydrants shall remain visible and accessible at all times. The owner, occupier and tenant of every property is hereby required to remove or cause to be removed all snow or ice or any combination thereof, or any accumulation and/or impediment which would limit access to, from, and/or around all of the fire hydrants which are located on said property, so as to provide a three (3) foot clearance around the fire hydrant. All snow or ice shall be cleared from fire hydrants pursuant to the time limits prescribed in Section 1.

Section 3. Snow and ice removed from sidewalks, walkways and fire hydrants shall in no case be thrown onto any street but shall be placed in such a manner as to not to create a hazard, including the impairment of visibility from or to a street or roadway or to obstruct the free passageway on either the sidewalk and walkway or abutting the street.

Section 4. In any case where the owner, occupier and tenant, as aforesaid, shall fail, neglect or refuse to comply with any provisions of this Ordinance with the time limits prescribed

therein, the Borough authorities may proceed to immediately clear all snow and/or ice from the sidewalks and/or fire hydrants of such property, and to collect its expenses, together with the actual costs of labor, materials and use of machinery for doing so, plus an administrative overhead cost of not less than \$20.00 nor greater than 20% of the costs of removal, together with the Borough's reasonable attorney's fees and any other charges permitted by law, which amount may be collected in the same manner as municipal claims and liens.

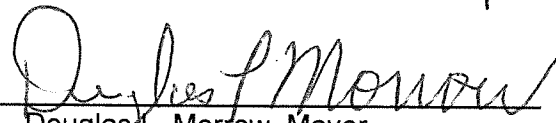
Section 5. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of \$30.00 upon the first finding, \$100.00 upon the second finding, \$200 upon the third finding, and not more than \$1,000 upon the fourth finding, in addition to all court costs, together with the Borough's reasonable attorney fees incurred as a result of such violations; and, in default of payment of such fine and costs, to imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

ENACTED AND ORDAINED this 11<sup>th</sup> day of July, 2018.

NEW CUMBERLAND BOROUGH COUNCIL

By:   
John R. Murray, Council President

APPROVED this 11<sup>th</sup> day of July, 2018.

By:   
Douglas L. Morrow, Mayor