

**ORDINANCE OF RANSOM TOWNSHIP,
LACKAWANNA COUNTY, PENNSYLVANIA
ORDINANCE NO. 3 OF 2015**

**AN ORDINANCE REGULATING THE REMOVAL OF SNOW AND ICE FROM
SIDEWALKS, DRIVEWAYS, AND PRIVATE ROADS DURING WINTER
MAINTENANCE OPERATION MONTHS AND PRESCRIBING PENALTIES FOR
VIOLATIONS.**

WHEREAS, Ransom Township, Lackawanna County, Pennsylvania, is a municipal corporation organized and existing pursuant to the Pennsylvania Second Class Township Code; and

WHEREAS, the Ransom Township Board of Supervisors in the past have experienced problems relative to persons or entities creating a public nuisance by the placement or plowing of snow and ice upon or into a public right-of-way after it has been cleared by Ransom Township maintenance employees creating a hazard and nuisance to the public and hampering the efficient and proper removal of snow accumulation; and

WHEREAS, pursuant to the laws of the Commonwealth of Pennsylvania and the Second Class Township Code, power is vested in Ransom Township to enact legislation regulating the manner of removal of snow and ice from sidewalks, driveways, and private roads during the Township's winter maintenance operation months.

NOW, THEREFORE, pursuant to the authority granted under the Second Class Township Code, it is hereby enacted and ordained by the Board of Supervisors of Ransom Township, Lackawanna County, Pennsylvania, as follows:

SECTION 1: Short Title

This Ordinance shall be called and known as the "Ransom Township Snow and Ice Removal Ordinance".

SECTION 2: Definitions

"Person" shall mean any natural person or persons, partnerships, firms, corporations, company, or any organization.

"Sidewalk" shall mean any paved path, whether concrete, blacktop, or other impervious walkway for pedestrians at, along, or near the public right-of-way.

"Public Roadway" shall mean the entire public right-of-way of Ransom Township to the private property line, be it improved or unimproved.

"Township" shall mean Ransom Township, Lackawanna County, Pennsylvania.

"Winter maintenance operation months" shall mean the period beginning October 1, and ending April 30, inclusive, or such period as the Board of Supervisors may designate by ordinance, resolution, or amendment.

SECTION 3: Prohibited Activity

(A) No person shall plow, shovel, blow, deposit, or permit to be deposited except by permission by Ransom Township, any snow or ice whatsoever upon any public roadway dedicated and accepted by and/or maintained by the Township.

(B) No person shall remove snow or ice from any sidewalk, driveway, or private road and deposit the same onto, across, or along the public roadway.

SECTION 4: Protection of Public Roadways from Snow Drifts

The Ransom Township Board of Supervisors or its duly authorized agents may enter upon private property adjacent to any public roadway and place thereon a snow fence to within a limit of fifty (50') feet from the right-of-way line of the public roadway in order to eliminate snow drifting on the travel portion of a public roadway. Any such snow fence may not be placed before the first day of October or remain in place after the last day of April of the following year unless written consent of the owner is obtained agreeing to an extension of time for the removal of the snow fence.

SECTION 5: Penalties

Any person who violates any provision of this Ordinance or who fails to comply with any condition or requirement of this Ordinance shall be guilty of a summary offense and shall be sentenced to pay a fine of not more than fifty (\$50.00) dollars, plus costs, per violation. A single summary offense shall arise for each day or portion thereof for which a violation is found to exist or for each provision of this ordinance which is found to have been violated, or for each condition or requirement of this Ordinance which is found not to have been complied with. The penalties for violations of this Ordinance notwithstanding, the penalty for a first violation shall be a warning letter.

SECTION 6: Enforcement

The Ransom Township Supervisors or their designated representative shall be charged with responsibility for enforcement of this Ordinance. Warning letters issued shall be kept on file at the Ransom Township Municipal Office for a period of one (1) year.

SECTION 7: Severability

The provisions of this Ordinance are severable and in the event that any sentence, clause, section, provision, or part thereof is for any reason found and held invalid, illegal, unconstitutional, or inapplicable to any person or circumstance, then such invalidity, illegality, unconstitutionality, or inapplicability shall not affect or impair remaining sentences, clauses, sections, provisions, or parts thereof. It is hereby declared as the intent of the Ransom Township Board of Supervisors that this Ordinance would have been adopted had such invalid, illegal, unconstitutional, or inapplicable sentence, clause, section, provision or part not been included at the time of enactment.

SECTION 8: Headings

Section headings set forth in this ordinance are merely for convenience purposes, and they shall not be taken to govern or limit the scope of the sections set forth in this Ordinance.

SECTION 9: Repealer

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 10: Effective Date

This Ordinance shall become effective immediately upon its adoption.

ORDAINED, ENACTED AND ADOPTED by the Board of Supervisors of Ransom Township, Lackawanna County, Pennsylvania at a duly advertised public meeting this 5th day of October, 2015.

RANSOM TOWNSHIP
BOARD OF SUPERVISORS



DENNIS MACHESKA, CHAIRMAN




DAVID BIRD

ATTEST:



Township Secretary/Treasurer



JERRY BROWN