

COMMONWEALTH OF PENNSYLVANIA  
RUSH TOWNSHIP, SCHUYLKILL COUNTY

ORDINANCE NO. 196

AN ORDINANCE OF RUSH TOWNSHIP, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF DECLARED SNOW EMERGENCIES; PROHIBITING THE PLACEMENT OF SNOW AND ICE ONTO THE PUBLIC STREETS; REQUIRING OWNERS OR OCCUPIERS OF REAL PROPERTY TO CLEAN AND REMOVE SNOW AND ICE FROM SIDEWALKS; PROHIBITING THE PLACEMENT OF SNOW AND ICE SO AS TO LIMIT OR RESTRICT ACCESS TO FIRE HYDRANTS; AND PROSCRIBING PENALTIES, INCLUDING SUMMARY FINES, IMPRISONMENT AND TOWING, FOR VIOLATIONS.

WHEREAS, snow and ice can and do impair the flow of vehicular traffic and fire equipment, and pedestrian traffic, which may result in conditions adverse to the welfare and safety of the residents of Rush Township; and

WHEREAS, it is necessary in order to ensure the welfare and safety of the travelling public that the streets and sidewalks in Rush Township be cleared of snow and ice as promptly as possible; and

WHEREAS, restricting parking on certain streets make it easier to plow and treat those streets;

NOW, THEREFORE, be it ordained AS FOLLOWS:

Section 1. Title.

This Ordinance shall be named and may be cited as the Rush Township Snow Removal Ordinance.

Section 2. Definitions.

Person - Any natural person or other legal entity.

Snow Emergency - A storm which either: has caused to fall or is expected to cause to fall at least 2 inches of snow throughout Rush Township; or a storm which has caused or is expected to cause a layer of ice on the streets of Rush Township.

Snow Emergency Route - Any street or portion thereof in Rush Township which is: named in a Resolution which may be adopted from time to time by the Board of Supervisors of Rush Township as a street or porton thereof on which parking is prohibited during a Snow Emergency; and posted with a sign indicating it to a snow emergency route or an area where parking is prohibited during declared Snow Emergencies.

### Section 3. Snow Emergencies.

(A) No owner of a motor vehicle, or any person in control thereof, who has received notice of a declared Snow Emergency pursuant to Sub-Section (C) shall allow said vehicle to be parked on a public street of Rush Township if said street is a Snow Emergency Route and a Snow Emergency has been declared.

(B) A Snow Emergency may be declared by either the Rush Township Roadmaster, the Rush Township Chief of Police, or, if the member of the Board of Supervisors serving as Roadmaster is unavailable, then by any other member of the Board of Supervisors.

(C) Notice of a declared Snow Emergency may be given to vehicle owners by any of the following: a notice on the Rush Township website; a notice on the Rush Township Facebook page; public notice via local radio or television that a Snow Emergency has been declared in Rush Township; by alert on the Rush Township Code Red System; or personal notice being provided to the vehicle owner by a Rush Township official. In addition, all residents of Rush Township are presumed to have received notice via the advertisement of and passage of this Ordinance of a declared Snow Emergency when at least 2 inches of snow have accumulated on the public streets of Rush Township, or an accumulation of ice has occurred on the public streets of Rush Township.

(D) A declared Snow Emergency shall remain in effect until storm producing the snow and/or ice has ended, and the snow has been plowed and removed to the curb of the street, and/or the road has been treated with anti-skid or ice-melting materials.

### Section 4. Snow Removal and Public Streets.

No person shall cause any snow or ice to be placed, either by shoveling, plowing, throwing, or by any other means, onto any public street in Rush Township.

### Section 5. Sidewalks.

No person shall allow the sidewalk adjoining the real property that said person either owns or occupies to remain covered with either snow or ice longer than 24 hours after the end of the storm which caused the snow or ice to accumulate.

### Section 6. Fire Hydrants.

No person shall cause any snow or ice to be placed, either by shoveling, plowing, throwing or by any other means, so as to limit or restrict access to a fire hydrant.

Section 7. Penalties.

(A) This Ordinance is enforceable in the same manner as a summary violation under the Pennsylvania Rules of Criminal Procedure. Any person who violates any Section, Sub-Section or part of this Ordinance, following conviction thereof, shall pay a fine of not less than \$50.00 nor more than \$500.00, and/or be sentenced to a term of imprisonment not to exceed 90 days either for a violation or for failure to pay fines and costs, and shall pay court costs. Every day for which a violation exists shall be considered a separate violation.

(B) In addition to the remedies provided in Sub-Section (A), a Rush Township official may cause a vehicle parked in violation of Section 3 of this Ordinance to have said vehicle towed at the expense of the owner thereof.

Section 8. Severability.

If any portion of this Ordinance is declared unenforceable by a court of competent jurisdiction, the rest and remainder of this Ordinance shall remain in effect and enforceable.

Section 9. Repealer.

Any Rush Township Ordinance inconsistent with the terms of this Ordinance is hereby rescinded and void to the extent necessary to give effect to the terms of this Ordinance.

Section 10. Effective Date.

This Ordinance shall be effective upon its enactment, or on the first day allowed by law thereafter, whichever is sooner.

Enacted and Ordained this 16 day of March, 2017.

ATTEST:

Kate Orlick  
Secretary

RUSH TOWNSHIP  
BOARD OF SUPERVISORS

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