

RUSH TOWNSHIP, SCHUYLKILL COUNTY
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 206

AN ORDINANCE OF RUSH TOWNSHIP, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROHIBITING THE DEPOSITING OR PLACING OF SNOW OR OTHER DEBRIS, INCLUDING LEAVES, ONTO A NEIGHBORING PROPERTY OR ONTO THE PUBLIC STREET OR RIGHT-OF-WAY, INCLUDING OVER OR IN DRAINS OR INLETS; AND ESTABLISHING PENALTIES FOR VIOLATIONS.

WHEREAS, pursuant to the powers granted by 53 P.S. Sections 66506, 66527 and 67326, the Rush Township Board of Supervisors hereby ordain as follows:

Section 1. Definitions

Throughout this Ordinance the term "person" shall mean a natural person, business, company, partnership, corporation, or any other legal entity.

Section 2. Prohibitions.

- A. No person who owns, occupies or is in control of a parcel of real property shall cause or allow any snow or debris, including leaves, which has accumulated on said parcel to be removed, deposited or transferred onto a different parcel of real property or a public street or right-of-way, including over or in drains or inlets.
- B. No person retained by the owner, occupant or person in control of a parcel of real property to remove snow or other debris, including leaves, from a portion of said parcel shall cause or allow any snow or other debris, including leaves, which has accumulated on said parcel to be removed, deposited or transferred onto a different parcel of real property or a public street or right-of-way, including over or in drains or inlets.
- C. It shall be a defense for a person cited under Section 2A or B of this Ordinance if the person removed, deposited or transferred snow or other debris, including leaves, onto a parcel of real property with the permission of the owner or occupant thereof.
- D. The prohibitions of this Section do not prohibit persons from placing bundles of leaves or other debris in a public right-of-way for pick-up on a Township-sponsored pick-up day.
- E. The prohibitions of this Section do not apply to any municipal official, employee or agent when plowing snow on a public right-of-way.

Section 3. Penalties.

- A. Enforcement of this Ordinance shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney.

B. Any person found to be in violation of any part or provision of this Ordinance, upon conviction, shall pay a fine of no less than \$100 nor more than \$1,000, plus costs, and/or may be sentenced to a term of imprisonment either for a violation of any part or provision of this Ordinance or for failure to pay a fine or costs for a term not to exceed 30 days.

C. Each day on which a violation is found to exist, or each part or provision of this Ordinance which is found to have been violated, shall be a separate offense.

Section 4. Repealer.

All prior Rush Township Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give effect to this Ordinance.

Sections 5. Severability.

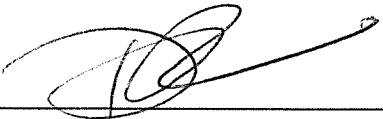
If any part or provision of this Ordinance is found by a court of competent jurisdiction to be illegal or unenforceable, the rest and remainder of this Ordinance shall be given full force and effect as if adopted by Rush Township without the part or provision found illegal or unenforceable.

Section 6. Effective Date.

This Ordinance shall be effective 5 days after adoption.

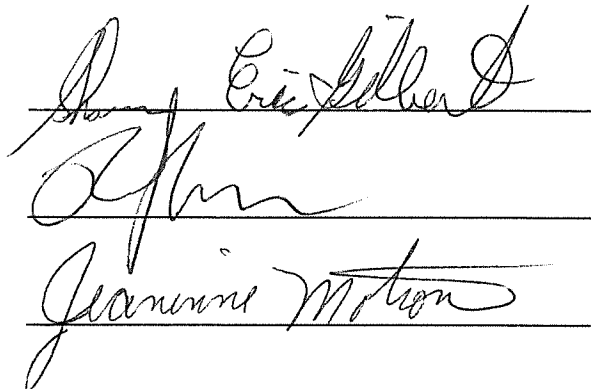
ADOPTED AND ORDAINED this 18th day of February, 2021.

ATTEST



A handwritten signature in black ink, appearing to be a stylized 'D' or similar character, written over a horizontal line.

RUSH TOWNSHIP BOARD OF SUPERVISORS



Three handwritten signatures in black ink, each written over a horizontal line. The signatures are: 1. A signature that appears to be 'Ray Crisler'. 2. A signature that appears to be 'John'. 3. A signature that appears to be 'Jeanine Motion'.