

BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, PENNSYLVANIA

Ordinance No. 803

AN ORDINANCE OF THE BOROUGH OF BROOKHAVEN, DELAWARE COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING EXISTING REGULATIONS REGARDING SNOW AND ICE REMOVAL WITHIN THE BOROUGH TO REQUIRE THAT ANY ACCUMULATION OF SNOW OR ICE UPON PAVEMENT OR SIDEWALKS ON PROPERTIES WITHIN THE BOROUGH BE REMOVED WITHIN TWENTY FOUR (24) HOURS AFTER SUCH ACCUMULATION HAS CEASED, AND REPEALING ALL ORDINANCES OR RESOLUTIONS DIRECTLY INCONSISTENT HERewith TO THE EXTENT OF SUCH INCONSISTENCY ONLY.

WHEREAS, the accumulation of snow and ice upon properties in the Borough creates a hazard to public safety; and

WHEREAS, the Codified Ordinances of the Borough of Brookhaven (the "Code") contains certain provisions requiring the removal of accumulated snow and ice on properties in the Borough; and

WHEREAS, the Borough desires to regulate the removal of snow and ice in a manner that minimizes the risk to the public and provides property owners sufficient opportunity to remedy any accumulation of snow and/or ice.

NOW, THEREFORE, COUNCIL OF THE BOROUGH OF BROOKHAVEN HEREBY ORDAINS THAT:

1. Amendment to Section 680.08(B) of the Code – Removal of Ice and Snow Required

Section 680.08(B) of the Code, regulating the removal of snow and ice within the Borough, is hereby amended to read as follows:

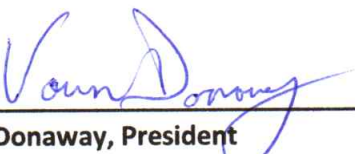
(B) During the aforesaid 24-hour period, the owner, tenant, or other person, firm, or corporation in possession of such real property, shall remove such snow or ice from the pavement or sidewalk so as to create a pathway on such pavement or sidewalk for pedestrian traffic, which pathway shall be the entire width of the pavement or sidewalk.

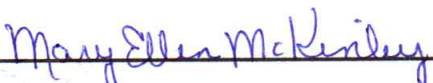
2. Effective Date. This Ordinance shall be effective upon its adoption by Brookhaven Borough Council and its approval by the Mayor.

3. Repealer. All Ordinances, Resolutions, or parts thereof, inconsistent herewith are repealed, rescinded, cancelled, and annulled to the extent of such inconsistency.

4. Severability. The provisions of this Ordinance and Code sections adopted hereby are severable, and if any clause, sentence, or section thereof shall be adjudged invalid or unconstitutional, such decision or judgment shall not affect the validity of the remaining provisions.

DULY ENACTED THIS 5th DAY OF November, 2018, BY THE COUNCIL OF THE BOROUGH OF BROOKHAVEN.

By: 
Vawn Donaway, President
Brookhaven Borough Council

Attest: 
Secretary of Borough

EXAMINED AND APPROVED THIS 5th DAY OF November, 2018.

By: 
Michael Hess, Mayor