

**LOWER PROVIDENCE TOWNSHIP
ORDINANCE NO. 2026-695**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER PROVIDENCE,
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 120,
“STREETS AND SIDEWALKS” AT SECTIONS 34 – “CLEARING OF SIDEWALKS
REQUIRED; PILING OF SNOW IN STREET PROHIBITED,” SECTION 38 –
“NOTICE,” AND SECTION 39 – “VIOLATIONS AND PENALTIES”;**

WHEREAS, Lower Providence Township (“Township”) is a Second-Class Township duly organized and existing pursuant to the applicable laws of Pennsylvania; and

WHEREAS, pursuant to the Second-Class Township Code of the Commonwealth of Pennsylvania, the Board of Supervisors of Lower Providence Township (“Board of Supervisors”) has the authority to enact and amend provisions of the Lower Providence Township Code (the “Code”) at any time it deems proper; and

WHEREAS, the authority to enact such ordinance is granted to the Township under the Second Class Township Code, including but not limited to its general police powers; and

WHEREAS, the Board of Supervisors is desirous of amending the Township Code to update Chapter 120 – “Streets and Sidewalks” at Sections 34 – “Clearing of Sidewalks Required; Piling of Snow in Street Prohibited,” 38 – “Notice,” and 39 – “Violations and Penalties,” for the health, safety, and general welfare of the Township and the inhabitants thereof.

NOW THEREFORE, be it **ORDAINED AND ENACTED** by the Lower Providence Township Board of Supervisors as follows:

Section 1. The Code of Ordinances of Lower Providence Township is amended to amend Chapter 120 – “Streets and Sidewalks,” Section 34 – “Clearing of Sidewalks Required; Piling of Snow in Street Prohibited,” as follows, with the stricken text indicating the removed portion of the Code and the underlined text indicating the added portion of the Code:

“§120-34. Clearing of Sidewalks Required; Piling of Snow in Street Prohibited -It shall be the joint and several duty of all owners, tenants or occupants of occupied properties, and the owners or agents in charge of unoccupied properties, abutting on public or private streets in the Township of Lower Providence, not later than 48 24 hours after snow or sleet has ceased to fall, to clear or cause to be cleared a pathway in the sidewalk in front of their respective properties in the event of snow and to cover the sidewalk with ashes, sawdust or similar materials in the event of ice or sleet. Such pathway shall be not less than 30 inches in width and shall be thoroughly cleared of snow and ice or covered with ashes, sawdust or similar materials. Where snow and ice are removed from the pathway they may be placed or piled on the curbside of the sidewalk, but it shall not be piled or placed in the gutter or cartway.”

Section 2. The Code of Ordinances of Lower Providence Township is amended to delete Chapter 120 – “Streets and Sidewalks,” Section 38 – “Notice.” The provisions of this section shall be retitled “Enforcement of §120-34 by Code Enforcement Officer,” which shall read as follows:

“Notwithstanding §120-39 or any other provision of this chapter, the Code Enforcement Officer of Lower Providence Township is hereby authorized and empowered to enforce the provisions of §120-34. Such authority shall include, but not be limited to, the inspection of sidewalks, issuance of notices of violation, assessment of fines, and initiation of enforcement proceedings. Enforcement action under this section may occur after twenty-four (24) hours have elapsed following the cessation of a snow, sleet, or ice event. The authority granted herein shall be in addition to, and not in limitation of, any other available remedy at law or equity, including but not limited to the provisions set forth in §120-39. In the event of noncompliance with §120-34, the Township may cause the removal of snow and ice from the sidewalk. The actual cost incurred by the Township, together with any administrative costs permitted by law, shall be charged to the owner of the property and shall constitute a municipal claim and lien, collectible in the manner provided by law.”

Section 3. The Code of Ordinances of Lower Providence Township is amended to amend Chapter 120 – “Streets and Sidewalks,” Section 39 – “Violations and Penalties,” as follows, with the stricken text indicating the removed portion of the Code and the underlined text indicating the added portion of the Code:

A. Any person or persons, firm or corporation constructing or repairing sidewalks, curbs or gutters or planting trees in violation of any of the provisions of this article shall, upon conviction thereof, before a Magisterial District Judge, be subject to a penalty of not less than \$600 nor more than \$1,000 for each and every offense, and costs of prosecution, and, upon default in the payment of said fine and costs, shall be imprisoned for a period not exceeding 30 days in the Montgomery County Prison.

B. Any person who violates §120-34 shall be subject to a civil fine of twenty-five dollars (\$25.00). Said fine shall be paid within ten (10) days of issuance. Failure to pay the fine within ten (10) days shall result in the issuance of a non-traffic citation before the appropriate Magisterial District Judge. Each day a violation continues beyond the twenty-four (24) hour compliance period shall constitute a separate offense.”

Section 4. All provisions of the Code of Ordinances of Lower Providence Township unaffected by this Ordinance are declared to be in full force and effect. Any provisions of the Code of Ordinances of Lower Providence Township inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

Section 5. The provisions of this Ordinance are declared to be severable and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Board of Supervisors hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its enactment by the Board of Supervisors of Lower Providence Township.

DULY ENACTED on this 5th day of March, 2026.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

By: *Sarah Charles*
Sarah Charles, Chair

ATTEST:



E.J. Mentry
E.J. Mentry, Township Manager