

**BOROUGH OF MAYFIELD**

**ORDINANCE NO. 8-05**

**AN ORDINANCE OF THE BOROUGH OF MAYFIELD PROVIDING FOR THE REMOVAL OF SNOW, ICE AND HAIL, AND PRESCRIBING PENALTIES FOR THE VIOLATIONS THEREOF.**

By the powers granted to the Borough of Mayfield by the Borough Code, 53 P.A. 45101 et seq., specifically the power to regulate the streets, 53 P.S. 46202(17), the power to open streets, 53 P.S. 46731 and the power to make and adopt all such ordinances as may be expedient or necessary for the proper management, care and control of the Borough of Mayfield and its finances, and the maintenance of the peace, good government, safety and welfare of the Borough of Mayfield and its trade, commerce and manufactures, 53 P.S. 46202(74), the Borough of Mayfield hereby enacts the within ordinance.

**SECTION I. TITLE**

This Ordinance shall be known as the "Ordinance Providing for the Removal of Snow, Ice and Hail."

**SECTION II. POLICY**

Pursuant to its authority under 53 P.S. Section 46202(6), to make such regulations as may be necessary for the health, safety, morals, general welfare and cleanliness and the beauty, convenience, comfort and safety of the Borough of Mayfield and its citizens; pursuant to its authority under 53 P.S. Section 46202(17) to regulate the streets, public squares, common grounds, sidewalks and curbs within the Borough of Mayfield, pursuant to its authority under 53 P.S. Section 46731 to open any street within the Borough of Mayfield and pursuant to its authority under 53 P.S. 46202(74) to make and adopt all

such ordinances as may be expedient or necessary for the proper management, care and control of the Borough of Mayfield and its finances, and the maintenance of the peace, good government, safety and welfare of the Borough of Mayfield and its trade, commerce and manufactures, the Mayfield Borough Council hereby enacts the within ordinance.

### **SECTION III. REMOVAL OF SNOW, ICE AND HAIL MANDATORY**

It shall be unlawful for any person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated or undedicated public street or alleyway within the Borough of Mayfield to fail to remove from the sidewalk abutting said property all snow, ice, hail or sleet within twenty-four (24) hours after the same shall have ceased to fall thereon and to keep said sidewalks free and clear of all snow, ice hail or sleet thereafter.

### **SECTION IV. DEPOSITING ON STREET OR ALLEYWAY UNLAWFULLY**

It shall be unlawful for any person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated or undedicated public street or alleyway within the Borough of Mayfield, in removing said snow, ice, hail or sleet as set forth above in Section III hereof, to deposit same on the traveled cartway of any dedicated or undedicated public street or alleyway within the Borough of Mayfield.

### **SECTION V. FIRE HYDRANTS TO REMAIN VISIBLE AND ACCESSIBLE**

It shall be unlawful for any person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated or undedicated public street or alleyway within the Borough of Mayfield, in removing said snow, ice, hail or sleet as set forth in Section III hereof, to deposit same in such a manner as to obscure visibility of any fire hydrant or to obstruct or impede access to any fire hydrant.

It shall be unlawful for any person, association, firm, partnership, corporation or any other entity to permit a vehicle, recreational vehicle, boat, trailer or vehicle that in or on which a person or thing is or may be carried from one place to another, to permit same to stand unattended upon any of the following described streets dedicated to public use, once a snow emergency has been declared by the Mayor of the Borough of Mayfield:

- a. Main Street
- b. Poplar Street
- c. Depew Street/Cemetery Street/Plank Road
- d. Lackawanna Avenue from Poplar Street to Chestnut Street

Any vehicle described above remaining on said streets after snow emergency has been declared, shall be towed at the owner's expense and in addition shall be subject to the penalties set forth in this Ordinance.

#### **SECTION VI. PENALTIES**

It shall be unlawful for any person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated undedicated public street or alleyway within the Borough of Mayfield, so violating any provision herein, shall, upon conviction in a summary proceeding before a District Justice, be subject to a fine of not more than three hundred dollars (\$300.00) and/or imprisonment for up to ninety (90) days for each offense. For the purpose of this chapter, each day's violation of the provisions hereof shall be deemed to be a separate offense.

#### **SECTION VII. MUNICIPAL LIENS**

Any matters referred to herein as being unlawful shall be declared to be nuisances and removable as such. If the cost of such removal is not promptly paid, a municipal lien shall be filed therefor or such cost otherwise collected as authorized by law.

## **SECTION VIII. PARKING RESTRICTIONS**

It shall be unlawful for any person to park or permit a vehicle to stand unattended upon any street, road, alley or highway dedicated to public use which the Borough of Mayfield shall have the duty to maintain during any snowfall and after three (3) or more inches of snow shall have fallen, drifted or accumulated thereon, and remains lying thereon. Said restriction shall remain until Borough shall have had reasonable opportunity to plow or otherwise remove the snow which has accumulated.

Any person, association, firm, partnership, corporation or any other entity violating any provision herein, shall, upon conviction, pay a fine of not more than fifty (\$50.00) dollars, and upon failure to pay the assessed fine, upon conviction for failure to pay, shall then pay an increased fine of three hundred (\$300.00) dollars plus attorney fees and costs of prosecution.

## **SECTION IX. SEVERABILITY AND AMENDMENT**

If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of the within ordinance so long as it remains workable minus the invalid portion.

## **SECTION X. EFFECTIVE DATE.**

This ordinance shall become effective immediately.


ORDAINED AND ENACTED into law this 14 day of December 2005.

BOROUGH COUNCIL OF THE  
BOROUGH OF MAYFIELD



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GLENN NICOLIO  
PRESIDENT

ATTEST:

  
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PHYLLIS JASKOWIEC  
SECRETARY

EXAMINED AND APPROVED this 14 day of December 2005.



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ALEXANDER CHELIK  
MAYOR