

**FOSTER TOWNSHIP  
SCHUYLKILL COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2 -2007**

**AN ORDINANCE OF THE TOWNSHIP OF FOSTER, A  
SECOND CLASS TOWNSHIP, IN THE COUNTY OF  
SCHUYLKILL AND COMMONWEALTH OF  
PENNSYLVANIA, CONCERNING SNOW AND ICE  
REMOVAL ON SIDEWALKS, PAVEMENTS OR  
DRIVEWAYS WITHIN THE TOWNSHIP LIMITS;  
PROHIBITING REMOVAL OR DEPOSIT OF SNOW OR  
ICE ON ANY PORTION OF ANY PUBLIC STREET OR  
THOROUGHFARE OF THE TOWNSHIP AND PROVIDING  
PENALTIES FOR VIOLATION OF SAME.**

The Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania (the “Township”), hereby enacts and ordains as follows:

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by the Act of November 9, 1955, P.L. 350, No. 60, found at 53 P.S. 66506, entitled “General Powers”, authorizes any board of township supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, Section 1527 of the Second Class Township Code, found at 53 P.S. 66527, entitled “Public Safety”, authorizes the Board of Township Supervisors to adopt ordinances to secure the safety of persons or property within the Township.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Second Class Township Code (53 P.S. §65101, et seq.) and the statutes noted above, as follows:

## **SECTION 1. DUTIES OF OWNERS OR OCCUPANTS**

The respective occupants of each and every piece of real estate or separate property within the Township of Foster or, if there is no occupant, then the respective owners of each and every piece of unoccupied real estate within the Township shall clean the snow and ice from the sidewalks appertaining respectively to said pieces of real estate before 12:00 noon of the next day after a snow has fallen so that there shall be a path on said sidewalk which is free of snow and ice for a width of at least twenty-four (24) inches.

## **SECTION 2. PROHIBITED ACTS**

It shall be unlawful for any person in the Township of Foster, in removing snow and ice from sidewalks or pavements to transfer, shovel, deposit or otherwise place said snow or ice on any portion of any street or public thoroughfare of the Township.

## **SECTION 3. COMPLIANCE REQUIRED**

It is the duty of both the owner of real estate and the occupant of said real estate to comply with the provisions of this Article, and either one (1) or both may be arrested for failure to comply herewith.

## **SECTION 4. VIOLATIONS AND PENALTIES**

A. Each and every owner or occupant who shall violate any provision of this Article shall, upon conviction thereof, be punishable by a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, or upon default in payment of the fine and costs, be imprisoned in the county jail for not more than thirty (30) days.

B. In addition to the aforesaid fine and/or imprisonment, in the event that said occupants or owners of the real estate or separate property shall fail to remove said snow and ice as aforesaid, then it shall be lawful for the Township to remove or to have removed said snow

and ice. The costs of said removal, with twenty (20%) of the amount added thereto, shall be charged against the owner or occupant of the premises, and the same shall be collected as debts of like amount are by law collectible. The removal of said snow and ice by the Township and the collection of said expenses of said removal from the owner or occupant shall in no case relieve such owner or occupant from the fine imposed herein.

**SECTION 5. SAVINGS CLAUSE**

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraphs, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion than the part declared void or inoperable. Any ordinance or part of an ordinance in conflict with this Ordinance is hereby repealed.

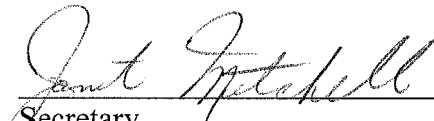
**SECTION 6. EFFECTIVE DATE**

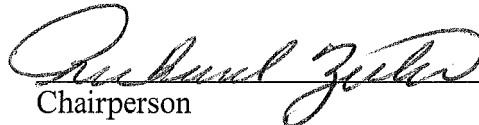
This Ordinance shall become effective five (5) days after the adoption hereof.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania, this 2<sup>nd</sup> day of May, 2007, in lawful session duly assembled.

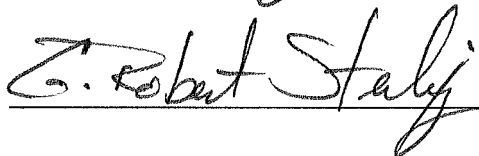
ATTEST:

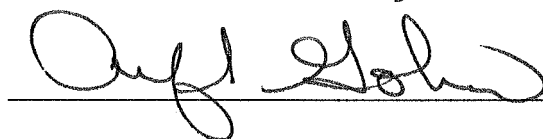
FOSTER TOWNSHIP BOARD OF SUPERVISORS, FOSTER TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA

  
Secretary

  
Chairperson

(SEAL)





**IN RE: AN ORDINANCE OF THE TOWNSHIP OF FOSTER, A SECOND CLASS TOWNSHIP, IN THE COUNTY OF SCHUYLKILL AND COMMONWEALTH OF PENNSYLVANIA, CONCERNING SNOW AND ICE REMOVAL ON SIDEWALKS, PAVEMENTS OR DRIVEWAYS WITHIN THE TOWNSHIP LIMITS; PROHIBITING REMOVAL OR DEPOSIT OF SNOW OR ICE ON ANY PORTION OF ANY PUBLIC STREET OR THOROUGHFARE OF THE TOWNSHIP AND PROVIDING PENALTIES FOR VIOLATION OF SAME.**

**CERTIFICATION**

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania, on the 2nd day of May, 2007.

TOWNSHIP SEAL

  
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JANET MITCHELL, Secretary  
Foster Township  
1540 Sunbury Road  
Pottsville, PA 17901  
Telephone No. (570) 544-4137