

ORDINANCE NO. 1146

AN ORDINANCE REPEALING AND REPLACING
ORDINANCE NO. 202 OF THE BOROUGH OF
SOMERSET, REQUIRING ALL OWNERS OR
OCCUPANTS OF LOTS FRONTING ON ANY
OF THE STREETS WITHIN THE BOROUGH OF
SOMERSET TO KEEP THE SIDEWALKS IN FRONT
OR ALONG SAID LOTS CLEAR AND FREE FROM
SNOW AND ICE.

WHEREAS, by Ordinance No. 202, adopted by the Town Council of the Borough of Somerset on March 3, 1914, it was made the duty of all owners or occupants of property as tenants, fronting on any of the streets within the Borough of Somerset to keep the sidewalks in front or along said properties clear and free of snow and ice at all times; and,

WHEREAS, the means of enforcing said Ordinance 202 are no longer available to the Borough of Somerset, due to changes in the Law and Procedure of the Courts of the Commonwealth of Pennsylvania; and,

WHEREAS, the Borough Council of the Borough of Somerset desires to re-enact the provisions of Ordinance No. 202 having to do with the duties of owners or occupants to keep sidewalks free and clear from snow and ice, and to enact provisions for a penalty for the violation of said Ordinance, and a means of enforcing the same.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Somerset, and it is hereby ORDAINED AND ENACTED by the authority of the same:

SECTION 1. That from and after the date of this Ordinance, it shall be the duty of all owners or occupants of property as tenants, fronting on any of the streets within the Borough of Somerset to keep the sidewalks in front or along said properties clear and free of snow and ice at all times, so that pedestrians may pass over the same with safety.

SECTION 2. It shall be the duty of the Police Department of the Borough of Somerset, acting under the directions of the Mayor, to see that the provisions of this Ordinance are observed.

SECTION 3. The Police Department shall give written notice to any such property owner or occupant thereof to comply with the provisions of this Ordinance within twenty-four (24) hours of the receipt of said written notice. Said written notice shall be either delivered in person to the owner or occupant of said property, or posted in a conspicuous place on the front door of any structure on the premises if the police officer is unable to hand said notice personally to the said owner or occupant.

SECTION 4. Any owner or owners, occupant or occupants of property within the Borough of Somerset, who shall violate this Ordinance shall, upon conviction thereof, be guilty of a summary criminal offense, and shall be prosecuted according to the Pennsylvania Rules of Criminal Procedure in the case of summary offenses. Upon conviction for said violation, the said owner or occupant shall be compelled to pay a fine not exceeding Three Hundred Dollars (\$300) for any single violation of this Ordinance.

SECTION 5. All Ordinances or parts of Ordinances inconsistent herewith, including, specifically, Ordinance No. 202 of the Borough of Somerset, be and the same are hereby repealed.

ADOPTED by the Borough Council this 9th day of February, 1981.

ATTEST:

BOROUGH OF SOMERSET

Machilda Brown
Secretary

By D. J. N. K. L.
President of Council

APPROVED this 9th day of February, 1981.

William C. Jones
Mayor

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This is to certify that the above is a true and correct copy of an ordinance adopted the 9th day of February, 1981, recorded in Minute Book "AA", page 10, and advertised in the Somerset Daily American January 30, 1981.

Machilda Brown
Secretary