

SNOW REMOVAL AND ENFORCEMENT POLICY

Reviewed by Public Safety Committee, November 9, 2010

Endorsed by Council, November 17, 2010

Snow Removal Requirements:

Under borough ordinance (Chapter 21, section 321) property owners are required to remove snow and ice from walkways within 10 hours following the end of the snow fall. Specific information from the borough ordinance:

- Owner, occupant or tenant of any property fronting borough streets must remove snow and ice in front of and alongside the property within 10 hours after the snow has ceased to fall. If the snow/ice ends after 6 PM it may be removed any time before 10 AM the next morning.
- The ordinance is applicable to all property owners even if the property is unoccupied or vacant.
- The ordinance is applicable to all businesses, institutions and apartments
- If the property owner fails to comply, the borough may proceed to clear all snow and/or ice from the sidewalk and collect expenses from the property owner plus 10%.
- If the property owner fails to comply, the owner may also be fined not less than \$100 or more than \$1,000 for each violation as specified in the ordinance. It is considered a separate offense for each day or portion of a day in which a violation exists.

Other requirements imposed by ordinance in handling snow and ice removal:

- It is illegal to place/shovel snow or ice on any borough street, road, alley or way.
- Property owners are required to keep the area of the street or highway located between one roadway and the right of way line in a safe and useable condition. This includes paved footpaths, sidewalk and unpaved grass plots.
- Under Chapter 1 section 122 of the borough code of ordinances, a violation of the code or other Borough ordinance and the service of a notice of violation are delegated to the Borough Manager, the Police Chief, Borough Police Officers, the Code Official/Building Inspector, the Zoning Officer, the Code Enforcement Officer and their designees and to any other officer or agent that the Borough Manager or the Borough Council deems appropriate.
- Under Chapter 1, section 123 of the borough code of ordinances, Forest Hills Borough Police Officers, Chief of Police, Code Enforcement Officer and Borough Manager are authorized to issue tickets for the violation of any provision of this Code, except as specified. This ticket shall be in the form approved from time to time by resolution of the Borough Council and shall, unless otherwise provided in this Code, provide the violator with the option of pleading guilty to the violation prior to the issuance of a citation by paying a minimum fine of \$25. At the discretion of borough officials named in this section, a citation may be issued instead.
- Full and complete information on these ordinances are available on line or in the borough office.

Enforcement Policy:

Policy for handling violations of the snow removal ordinance as issued by the borough manager is as follows:

1. Following a snow and/or ice event within the time frame specified in the ordinance (Chapter 21, section 321), the borough's code enforcement officer and/or police officer will notify property owners of the borough's intent to issue a citation/ticket to those whose sidewalks/public walkways are impassable and/or unsafe due to accumulations of snow and/or ice as judged by the observing officer (Chapter 1, section 123).
2. Within 2 hours of the notification outlined in number 1, the officer will issue a formal citation/ticket to the offending property owner a copy of which shall be forwarded to the district justice office within 5 days of issuance.
3. Following the issuance of a citation/ticket the officer shall contact the borough's public works foreman who will immediately either:
 - a. Arrange for one or more members of the public works crew to immediately clear the walkway as required in the ordinance or
 - b. Arrange for a separate contractor who is authorized by the borough to correct the situation as required by ordinance.
4. The public works foreman shall be guided in the decision of which option in number 3 to exercise based on the availability of crew members and will refrain from scheduling one or more crew members to perform this work if it requires overtime.
5. In all cases the foreman will only authorize necessary work required by ordinance on public portions of sidewalks/walkways used by pedestrians and will not clear driveways, walkways between the public sidewalk and the home, etc.
6. Because this is considered emergency work to alleviate an immediate safety hazard, the foreman, in exercising option 3b will engage the first available contractor who meets the following criteria:
 - a. Is immediately available or available within a length of time deemed reasonable by the foreman
 - b. Has insurance including workman's compensation insurance
 - c. Will accept payment after billing the borough for the cost of the work and equipment involved.
7. Neither the borough nor the borough's contractor will be held responsible for any damage to property or for any accident due to slipping, falling, etc. subsequent to clearing the walkway.
8. Within two weeks following the weather incident and any borough or borough contractor work, the public works foreman will present information to finance office staff and the officer issuing the citation/ticket concerning the full cost of work, equipment, etc. required to remedy the property owner's failure to act under the ordinance. Finance office staff will prepare and submit a bill to the property owner including any costs incurred by the borough and/or the 10% penalty set forth in the borough ordinance with the requirement that payment to the borough is required immediately upon receipt.
9. Failure to make such payment in a timely manner may subject the property owner to further citations, fines and penalties as authorized by law and may result in a lien placed on the property for the full amount of the bill including any penalties, interest, court costs, filing costs or other cost that the borough may be required to pay.