

**CONEWAGO TOWNSHIP
ORDINANCE NO. 306**

**AN ORDINANCE ESTABLISHING STANDARDS FOR THE CONSTRUCTION, MAINTENANCE,
REPAIR AND SNOW REMOVAL OF AND ON SIDE WALKS**

BE IT ENACTED AND ORDAINED by the Conewago Township Board of Supervisors, York County, Pennsylvania, as follows:

Section 1. Title. This Ordinance shall be known as the Conewago Township Sidewalk Ordinance

Section 2. Purpose. An Ordinance by Conewago Township regulating the construction, repair and snow removal on all public sidewalks abutting public streets in Conewago Township, York County.

Section 3. Construction and Repair.

A. The Construction of any new sidewalks and the repairing of any existing sidewalks in Conewago Township, shall be done in conformance with Conewago Township Construction and Materials Specifications.

B. It shall be the duty of the owners of the land abutting a sidewalk to keep them in such repair and condition that they may not be or become dangerous to the welfare and safety of the traveling public. The township requires the repair of cracks one inch or greater or when the edges of a crack are chipped or broken to create a surface opening of one inch or more. Expansion joints that have opened to one inch or greater shall also be repaired in such a way that expansion and contraction can still occur. Vertical alignment repairs shall be made when a crack or expansion joint has separated vertically one inch or greater. The Conewago Township Board of Supervisors is hereby empowered to notify property owners when sidewalks are in need of repair or replacement, and the repair or replacement shall be made by the property owner within thirty (30) days after written notice is given by the township. Nothing herein contained shall be construed to place the responsibility to determine when sidewalks may become dangerous to the welfare and safety of the traveling public upon the township. At all times such responsibility shall be solely upon the property owner whose land abuts the sidewalk.

C. No open gutters for any drainage will be permitted to run over top of any sidewalk.

D. No persons or person, firm or corporation shall construct or repair any sidewalk without first applying for and obtaining a building permit from the township, except that no permit will be required for new sidewalk to be constructed in an approved subdivision that is to be installed by the developer, its agents or contractors.

Section 4. Snow Removal.

It shall be the duty of all tenants or occupants of occupied properties, and the owners or agents in charge of unoccupied properties abutting on public streets in Conewago Township, not later than thirty (30) 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. Such pathway shall not be less than twenty-four (24) inches in width and shall be thoroughly cleared of snow and ice and/or covered with a snow and ice control material. Where snow and ice are removed from the pathway it may be placed or piled on the curb side of the sidewalk, but it shall not be piled or placed in the gutter or the street.

Section 5. Penalties, Violations.

A. Any person or persons, firm or corporation who shall fail to comply with any provision of this Ordinance shall, upon conviction thereof, before a District Justice, be subject to a penalty of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) for each and every offense, and costs of prosecution.

B. Each day or part of a day in which a violation continues to exist shall constitute a separate offense.

Section 6. Compliance with American Disability Act Standards.

Any and all terms, conditions, specifications, or requirements of this Ordinance shall be consistent with the terms, conditions, standards and specifications as may be established by or in accordance with the American Disabilities Act.

Section 7. Repealer. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 8. Severable. The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance for any reason is found to be unconstitutional, illegal, invalid, or otherwise unenforceable by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 9. Effective. This Ordinance shall become effective five (5) days after its adoption.

ORDAINED AND ENACTED by the Board of Township Supervisors of Conewago Township, York County, Pennsylvania, on the 7th. day of January, 2008.

CONEWAGO TOWNSHIP

/s/ Lois Leonard

/s/ Mark Jordan

/s/ Robert Hahn

Attest: Lou Anne Bostic