

**BOROUGH OF BOWMANSTOWN  
CARBON COUNTY, PENNSYLVANIA**

**ORDINANCE 2019 – 04**

**AN ORDINANCE OF THE BOROUGH OF BOWMANSTOWN, CARBON COUNTY,  
PENNSYLVANIA, PROVIDING FOR THE REMOVAL OF SNOW, ICE, AND HAIL FROM  
THE PAVEMENT OR FOOTWAYS IN THE BOROUGH OF BOWMANSTOWN, AND  
PROVIDING PENALTIES FOR VIOLATION OF THE SAME; AND REPEALING  
ORDINANCE NO. 67.**

**WHEREAS**, it is the desire of the Borough Council of the Borough, to regulate the removal of snow, ice, and hail, to prohibit the deposit of same on streets or alleyways; to require that fire hydrants remain visible and accessible; and to provide penalties or violation thereof, and;

**NOW, THEREFORE**, the Borough Council of the Borough of Bowmanstown, County of Carbon, Commonwealth of Pennsylvania, under the powers vested in it by the “Borough Code”, as amended, does hereby repeal Ordinance No. 67 in its entirety and replaces it as follows:

**SECTION 1: REMOVAL OF SNOW, ICE, AND HAIL MANDATORY**

It shall be unlawful for any person, association, firm, partnership, corporation or other entity owning, possessing or occupying any property along any dedicated public street within the Borough to fail to remove from the sidewalk or footway 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 2: DEPOSITING ON STREET OR ALLEY 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, in removing said snow, ice, hail or sleet as set forth in Section 1 hereof, to deposit same on the traveled cart way of any dedicated public street within the Borough.

**SECTION 3: 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 public street within the Borough, in removing said snow, ice, hail or sleet as set forth in Section 1 hereof, to deposit same in such a manner as to do any of the following:

- (a) Obscure visibility of any fire hydrant;
- (b) Obstruct or impede access to any fire hydrant.

#### **SECTION 4: SNOW EMERGENCY**

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 dedicated Snow Emergency Routes, as established by Borough Council by Resolution, once a snow emergency has been declared by the Mayor of Bowmanstown. Any vehicle described above parked on a snow emergency route after a snow emergency has been declared will be towed at the owner's expense and in addition shall be subject to the penalties of Section 5 of this Ordinance

#### **SECTION 5: VIOLATION: PENALTY**

The Borough of Bowmanstown, Carbon County, Pennsylvania, through its Mayor as a law enforcement officer, shall have the power and right to issue tickets any person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated public street within the Borough to violate any provision of the Ordinance, and any such person, association, firm, partnership, corporation or any other entity owning, possessing or occupying any property along any dedicated public street within the Borough, so violating any provision herein, shall be subject to a fine of Twenty-Five (\$25.00) Dollars. Violators shall remit the fine at the mail slot at the front door of the Borough Hall within forty-eight (48) hours after the ticket is issued. Should the violator not remit the fine within the forty-eight (48) hour time period, then upon conviction in a summary proceeding before a District Justice, the violator shall be subject to a fine of not more than five hundred dollars (\$500.00) for each offense. For the purpose of this Ordinance, each day's violation of the provisions hereof shall be deemed to be a separate offense.

#### **SECTION 6: 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 therefore, or such cost otherwise collected as authorized by law.

## **SECTION 7: PARKING RESTRICTIONS**

- (a) 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 shall have the duty to maintain during any snowfall and after two (2) or more inches of snow shall have fallen, drifted or accumulated thereon, and remains lying thereon. Said restrictions shall remain until the Borough shall have had reasonable opportunity to plow or otherwise remove the snow which has accumulated. The odd/even parking will go into effect when two (2) inches of snow has fallen (Parking Requirements – on odd days park on the odd side of the street, and even days park on the even side of the street).
- (b) Any person in violation of the above parking restrictions shall upon conviction thereof, pay a fine of twenty-five dollars (\$25.00) and in lieu of payment thereof, upon conviction, said fine shall be increased to fifty dollars (\$50.00) plus cost of prosecution if the violator does not remit the fine within the forty-eight (48) hour time period.

## **SECTION 8: SEVERABILITY**

If any article, clause, provision or portion of this Ordinance or regulation incorporated here shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other article, clause, provision or portion of this Ordinance or regulation.

## **SECTION 9: REPEALER**

All ordinances, including Ordinance No. 67, or parts of ordinances inconsistent herewith are hereby repealed.

## **SECTION 10: EFFECTIVE DATE**

This Ordinance shall be effective immediately upon adoption.

**DULY ENACTED AND ORDAINED** this 3<sup>rd</sup> day of September, 2019, by the Borough Council of the Borough of Bowmanstown, Carbon County, Pennsylvania in lawful session duly assembled.

BOROUGH OF BOWMANSTOWN  
COUNTY OF CARBON,  
COMMONWEALTH OF PENNSYLVANIA

BY: William Ravert

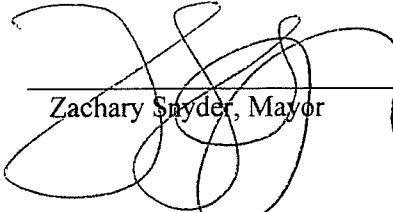
William Ravert, President

ATTEST:

Tracy Burbage

Tracy Burbage, Secretary

EXAMINED AND APPROVED THIS 6<sup>th</sup> DAY OF September, 2019.

  
\_\_\_\_\_  
Zachary Snyder, Mayor

**BOROUGH OF BOWMANSTOWN  
CARBON COUNTY, PENNSYLVANIA  
RESOLUTION NO. 2010-~~25~~**

(Duly Adopted July 27, 2010)

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
BOWMANSTOWN, CARBON COUNTY, PENNSYLVANIA, PURSUANT TO  
ORDINANCE 96-1, AS AMENDED BY ORDINANCE 2010- 01 THE SNOW  
EMERGENCY ORDINANCE, DESIGNATING MEDIA CONTACT INFORMATION,  
DESIGNATING STREETS AS SNOW EMERGENCY ROUTES, AND SETTING FORTH  
THE FORM OF THE WRITTEN PROCLAMATION**

WHEREAS, on February 17, 1996, Bowmanstown Borough Council adopted Ordinance 96-1 establishing regulations for snow emergencies within the Borough; and

WHEREAS, on July 27, 2010, Bowmanstown Borough Council adopted Ordinance 2010- 01, which amended Ordinance 96-1 to establish media contact information, snow routes, and a written proclamation through resolution;

NOW THEREFORE, BE IT RESOLVED AND ADOPTED, by the Borough Council of the Borough of Bowmanstown, Carbon County, Pennsylvania, that pursuant to Section 4 A and Section 5 of Ordinance 96-1, as amended, the following information shall be established:

1. The Borough Council designates the following Snow Emergency Route in the Borough:
  - a. Lime Street to Ore Street, right turn on Ore Street to Mill Street, left on Mill Street to White Street;
  - b. Lime Street to Ore Street to Fireline Road;
  - c. Craig Street;
  - d. Lincoln Avenue; and
  - e. Cedar Street.
  
2. The Borough Council designates the following media entities to be used for the purpose of announcing Snow Emergencies:

- a. Radio & Internet: Operation Snowflake Stations, WZZO, B104, and WAEB.
- b. Television: WBRC TV 13, WNEP TV 16, and WBRE TV 28.
- c. Newspapers: The Times News and Morning Call.

3. The Borough Council designates the attached written proclamation as the proclamation to be used for Snow Emergencies.

**DULY RESOLVED**, this 27 day of July, 2010, by the Borough Council of the Borough of Bowmanstown, Carbon County, Pennsylvania, in lawful session duly assembled.

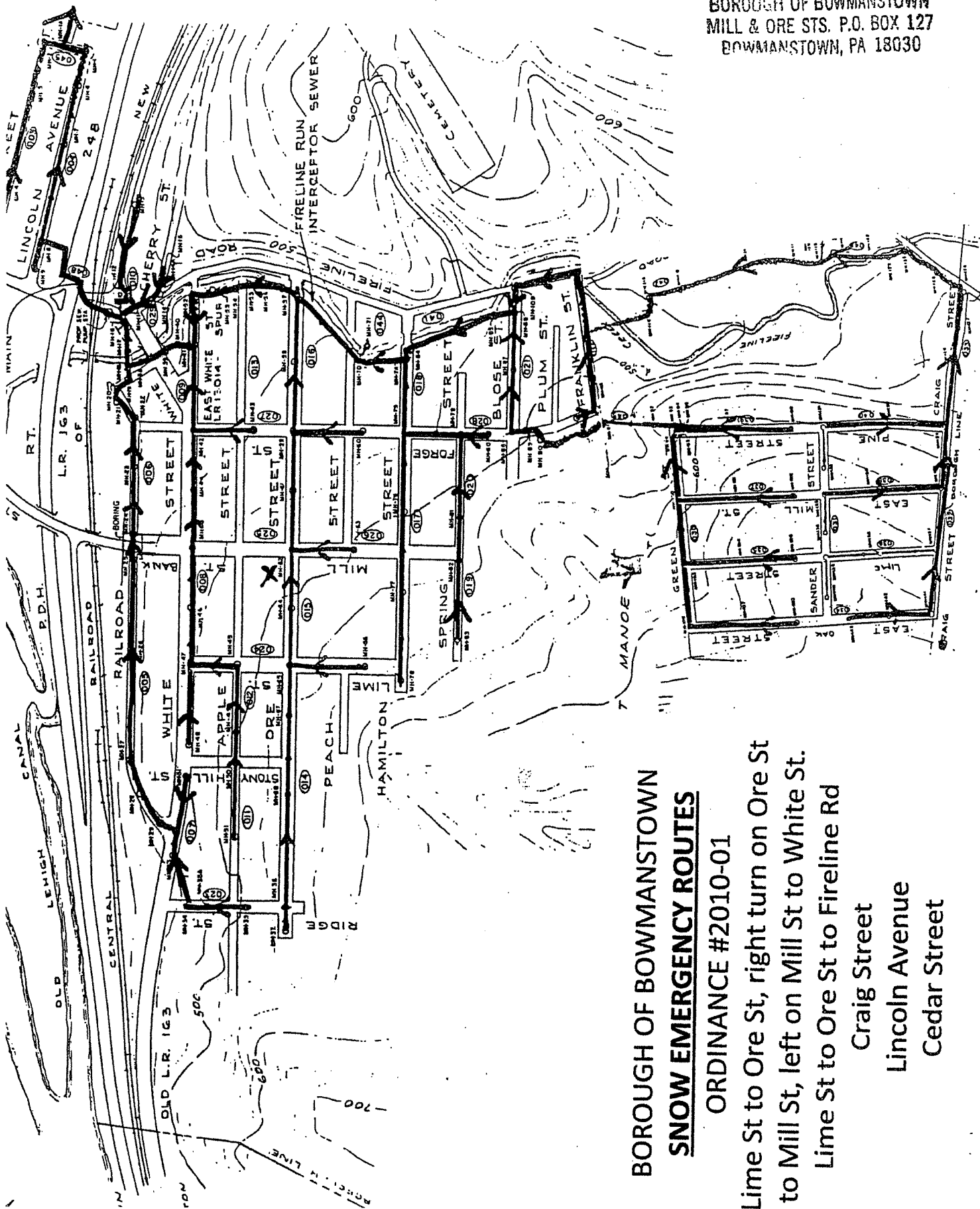
**BOROUGH OF BOWMANSTOWN  
BOROUGH COUNCIL**

By: William M Ravert  
William Ravert, President

**ATTEST:**

Tracy P. Burbage  
Tracy Burbage, Secretary/Assistant Treasurer

BOROUGH OF BOWMANSTOWN  
MILL & ORE STS. P.O. BOX 127  
BOWMANSTOWN, PA 18030



**BOROUGH OF BOWMANSTOWN**

**SNOW EMERGENCY ROUTES**

**ORDINANCE #2010-01**

Lime St to Ore St, right turn on Ore St  
to Mill St, left on Mill St to White St.

Lime St to Ore St to Fireline Rd

Craig Street

Lincoln Avenue

Cedar Street

**BOROUGH OF BOWMANSTOWN  
COUNTY OF CARBON, COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. 2010 - 21**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
BOWMANSTOWN, COUNTY OF CARBON, COMMONWEALTH OF  
PENNSYLVANIA AMENDING ORDINANCE 96-1, SECTION 4.A, AMENDING  
MEDIA INFORMATION AND THE FORM OF THE WRITTEN PROCLAMATION  
AND SECTION 5, AMENDING THE STREETS DESIGNATED AS SNOW  
EMERGENCY ROUTES**

**WHEREAS**, the Borough Council of the Borough of Bowmanstown enacted Ordinance 96-1 on February 6, 1996 for the purpose of establishing regulations for snow emergencies; and

**WHEREAS**, the Borough Council determined the need to update the media information, the form of the written proclamation, and the streets designated as Snow Emergency Routes.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Borough Council of the Borough of Bowmanstown, County of Carbon, Commonwealth of Pennsylvania, under the powers vested in them by the "Borough Code", as amended, do hereby ordain and enact the following amendment to Ordinance 96-1 as follows:

Section 1.     Amendment to Ordinance 96-1 Section 4.A. Ordinance 96-1 Section 4.A shall be deleted in its entirety and replaced as follows:

    "Section 4:     Declaration of Emergency.

    A.     When, in the opinion of the Mayor, or in the Mayor's absence or incapacity, the Council President, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, such

official is hereby authorized to declare a snow emergency and shall immediately inform the public by issuing a written proclamation to all news media. Such written proclamation shall, at a minimum, be faxed or sent via electronic mail to such media as established from time to time by resolution of Bowmanstown Borough Council. The form of the written proclamation shall be established from time to time by resolution of Bowmanstown Borough Council.

Such snow emergency shall continue in force until the Mayor, or in the Mayor's absence or incapacity, the Council President declares that the emergency no longer exists, by written proclamation in the same fashion; provided nevertheless, that any such snow emergency may extend for a period not exceeding seven (7) days, unless sooner rescinded, modified, ratified or extended by resolution of Bowmanstown Borough Council. At the end of the snow emergency, the person declaring the snow emergency shall rescind it in writing by faxing it or sending a written proclamation via electronic mail to the media as designated by resolution. Snow emergencies may be declared only between October 15 of each year to April 15 of the follow year."

Section 2. Amendment to Ordinance 96-1 Section 5. Ordinance 96-1 Section 5 shall be deleted in its entirety and replaced as follows:

"Section 5: Streets Designated as Snow Emergency Routes.

The streets designated as snow emergency routes shall be established from time to time by resolution of Bowmanstown Borough Council."

Section 3. Severability.

If any section, clause, provision or portion of this Ordinance or regulation incorporated here shall be held to be invalid or unconstitutional by any court of competent

jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance or regulation.

Section 4. Repealer.

All Ordinances and parts of Ordinances inconsistent herewith be and the same are hereby repealed.

Section 5: Effective Date.

This Ordinance shall become effective five (5) days from the date of its adoption.

DULY ENACTED AND ORDAINED this 21 day of July, 2010, by the Borough Council of the Borough of Bowmanstown, County of Carbon, Commonwealth of Pennsylvania in lawful session duly assembled.

BOROUGH OF BOWMANSTOWN  
COUNTY OF CARBON,  
COMMONWEALTH OF  
PENNSYLVANIA

BY: William H. Ravert  
William Ravert, President of  
Council

ATTEST:

Tracy P. Burbage  
Tracy Burbage, Secretary

EXAMINED AND APPROVED this 27 day of July, 2010.

Keith G. Billig  
Keith G. Billig, Mayor

**KEITH G. BILLIG  
MAYOR OF BOWMANSTOWN  
CARBON COUNTY, PA  
MY COMMISSION EXPIRES 1/06/2014**

AN ORDINANCE OF THE BOROUGH OF BOWMANSTOWN,  
CARBON COUNTY, PENNSYLVANIA

ORDINANCE NO. 96-1

AN ORDINANCE OF THE BOROUGH OF BOWMANSTOWN,  
CARBON COUNTY, PENNSYLVANIA, ESTABLISHING  
REGULATIONS FOR SNOW EMERGENCIES; CONTAINING  
DEFINITIONS, AUTHORITY TO DESIGNATE ROUTES,  
OFFICIALS WHO MAY MAKE DECLARATIONS; CONTAIN-  
ING PROCEDURES FOR DECLARATIONS, DESIGNATIONS  
OF AFFECTED STREETS, ENFORCEMENT, IMPOUNDMENT  
REGULATIONS AND SALVOR REPORTS; CREATING  
PENALTIES; AND CONTAINING CLAUSES FOR SEVER-  
ABILITY, REPEAL AND EFFECTIVE DATE.

BE IT ENACTED AND ORDAINED by the Borough Council of the  
Borough of Bowmanstown, Carbon County, Pennsylvania, and it is  
hereby ENACTED AND ORDAINED by the authority of the same pursuant  
to the Borough Code as follows:

SECTION 1. Definitions. As used in this Ordinance, the  
following terms shall have the meanings indicated:

- A. Snow - "Snow" shall mean any precipitation depositing any accumulation on the streets of the Borough of Bowmanstown, including without limitation, snow, sleet, hail, ice and/or freezing rain.
- B. Snow Emergency - "Snow Emergency" shall mean any condition under which highway conditions are hazardous and dangerous to vehicular and pedestrian traffic.
- C. Snow Emergency Routes or Snow Routes - "Snow Emergency Routes or Snow Routes" shall mean all streets or rights-of-way within the Borough of Bowmanstown as designated and so marked as hereinafter set forth.
- D. Chains - "Chains" shall mean full chains, strap chains or other types of chains so mounted as to give motor vehicles traction in snow. All such chains shall be types approved by the Pennsylvania Department of Transportation.

- E. Snow Tires - "Snow Tires" shall mean tires having treads designed for use in mud or snow and being in such condition as to serve the purpose for which they are designed.
- F. Vehicles - "Vehicles" shall mean all motor vehicles using Borough streets, including all public and private transportation conveyances, trucks and other powered vehicles.

**SECTION 2. Designation of Routes.**

Borough Council shall designate streets which are heavily traveled and are necessary thoroughfares for the movement of vehicular traffic through the Borough as "Snow Emergency Routes." Such designation shall take into consideration state highway routes, fire apparatus emergency routes, and other commonly traveled streets. Each such route shall be posted with suitable signs or markers, not less frequently than once in each direction in one block, which signs shall bear the words "Snow Route" and may restrict parking in such block on alternate sides of such street. A map of such snow routes shall be filed with the Secretary and copies shall be available for public examination in the Borough Office.

**SECTION 3. Snow Removal.**

A. The Borough shall remove snow from the Borough streets which in Council's opinion is necessary for the convenience and safety of the public.

B. The Mayor shall have the right to request the assistance of the Fire Police where necessary to assist with traffic control during snow removal operations.

C. It shall be unlawful for any person to throw, shovel, cast or otherwise move, place, pile, deposit or dump snow or ice removed from sidewalks, driveways, or other areas into the streets, or other public right-of-way public highways.

SECTION 4. Declaration of Emergency.

A. When, in the opinion of the Mayor, or in the Mayor's absence or incapacity, the Council President, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, such official is hereby authorized to declare a snow emergency and shall immediately inform the public by issuing a written proclamation to all news media. Such proclamation shall, at a minimum, be faxed to the following media:

<u>Radio Station</u>	<u>Phone</u>	<u>Fax</u>
1. WLSH 1410 Lansford, PA	(717) 645-3123	(717) 645-2159
2. WYNS 1160 Lehighton, PA	(610) 377-1160	(610) 377-9117
<u>Television</u>	<u>Phone</u>	<u>Fax</u>
1. WBRC TV 13 Palmerton, PA	(610) 826-4060	(610) 826-3813
2. WBRE TV 28 Avoca, PA	(800) 358-9273	(717) 829-0440

<u>Newspapers</u>	<u>Phone</u>	<u>Fax</u>
1. Times News Lehighton, PA	(610) 377-2051	(610) 377-5800
2. The Morning Call Lehighton Branch	(800) 825-5530	(610) 377-6466
3. The Morning Call Main Office, Allentown	(800) 666-5492	(610) 820-6693

Such snow emergency shall continue in force until the Mayor, or in the Mayor's absence or incapacity, the Council President declares that the emergency no longer exists, by proclamation in the same fashion; provided nevertheless, that any such snow emergency may extend for a period not exceeding seven (7) days, unless sooner rescinded, modified, ratified or extended by resolution of Bowmanstown Borough Council. At the end of the snow emergency, the person declaring the snow emergency shall rescind it in writing faxed to the foregoing media. Snow emergencies may be declared only between October 15 of each year to April 15 of the following year.

B. Effective Time and Conditions - Two (2) hours after a snow emergency has been declared and during its existence:

1. No vehicle shall be parked on a snow emergency route unless signs, posted in accordance with this Ordinance, permit certain parking.

2. Any person who operates a vehicle without chains or snow tires upon any street designated as a snow route and

such vehicle becomes stalled or incapable of moving under its own power, or any person who leaves such vehicle unattended, shall be in violation of this Ordinance and subject to the penalties herein set forth.

3. Any vehicle parked, stalled, incapable of moving under its own power, or left unattended upon any snow route, may be removed or towed away to any other location by order of the Mayor, or by persons authorized by the Mayor to do so.

**SECTION 5.** Streets Designated as Snow Emergency Routes. The following are designated as snow emergency routes:

White Street from Ridge Street to Borough line  
at west end of town  
Ore Street from Fireline Road to Dead End  
Hamilton Street from Fireline Road to Lime Street  
Blöse Street from Fireline Road to Forge Street  
Franklin Street from Fireline Road to Forge Street  
Lincoln Avenue from Lehigh Street to Dead End  
Cherry Street from Fireline Road to Dead End  
East White Street from White Street to Fireline Road  
Forge Street from White Street to Franklin Street  
Mill Street from White Street to Franklin Street  
Lime Street from White Street to Hamilton Street  
Craig Street from Fireline Road to Oak Street  
Sander Street from Pine Street to Oak Street  
Pine Street from Craig Street to Green Street  
East Mill Street from Craig Street to Green Street  
Lime Street from Craig Street to Dead End  
Oak Street from Craig Street to Dead End

**SECTION 6.** Enforcement. It shall be the duty of the Mayor or persons duly authorized by the Mayor to enforce the provisions of this Ordinance.

SECTION 7. Authority to Remove and Impound. The Borough shall have authority to remove and impound, or to order the removal and impounding, of any vehicle in violation hereof. Provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Ordinance, and the Pennsylvania Motor Vehicle Code.

SECTION 8. Designation of Approved Storage Garages; Bonding; Towing and Storage. Removal and impounding of vehicles under this Ordinance shall be done only by "approved storage garages" that shall be designated from time to time by resolution of Bowmanstown Borough Council. Every such garage shall submit evidence to Council that it is bonded or has acquired liability insurance in an amount satisfactory to Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Borough Council its schedule of charges for towing and storage of vehicles under this Ordinance, and when the schedule is approved by Borough Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Ordinance by any approved storage garage. Borough Council shall delete from its list of approved storage garages any

garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Ordinance.

SECTION 9. Payment of Towing and Storage Charges. The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Ordinance for which the vehicle was removed or impounded.

SECTION 10. Reclamation Costs. In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a fee of Twenty-Five Dollars (\$25.00) of which Ten Dollars (\$10.00) shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

SECTION 11. Records of Vehicles Removed and Impounded. The Borough of Bowmanstown shall cause a record to be kept of all vehicles impounded under this Ordinance and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

SECTION 12. Restrictions Upon Removal of Vehicles. No vehicle shall be removed under the authority of this Ordinance if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

**SECTION 13. Reports and Disposition of Unclaimed Vehicles.**

If, after a period of fifteen (15) days, the vehicle in storage remains unclaimed, a report shall be filed with the Pennsylvania Department of Transportation in accordance with Section 7311 of the Motor Vehicle Code, by the person having legal custody of the vehicle. If the vehicle has not been claimed after thirty (30) days, the vehicle may be transferred to a licensed salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Pennsylvania Motor Vehicle Code (75 Pa. C.S.A. Section 101, et seq., as amended).

**SECTION 14. Penalties.**

A. Any driver or owner of a motor vehicle, or any owner, agent or tenant of premises violating the provisions of this Ordinance shall pay a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00), together with costs of prosecution before the District Justice, and in default of payment, undergo imprisonment in the County Prison for not more than twenty (20) days.

B. Each day that a motor vehicle shall be parked in violation of this Ordinance shall be a separate violation.

**SECTION 15. Severability.** Should any section, paragraph or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect the

validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 16. Repealer. This Ordinance shall supersede and repeal all ordinances and parts thereof inconsistent or conflicting herewith.

SECTION 17. Effective Date. This Ordinance shall be effective upon enactment and approval as required by law.

DULY ENACTED AND ORDAINED this 6th day of February, 1996, by the Borough Council of the Borough of Bowmanstown, in lawful session duly assembled.

BOROUGH OF BOWMANSTOWN  
BOROUGH COUNCIL

BY: Burdell C. Steigerwalt  
BURDELL C. STEIGERWALT, President

APPROVED this 17 day of February, 1996.

Keith G. Billig  
KEITH G. BILLIG, Mayor

B:B-1/SNOW.ORD-EM

