

FELTON BOROUGH  
YORK COUNTY, PENNSYLVANIA

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RESOLUTION NO. 2010- 2

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ESTABLISHING MAIN STREET AS A SNOW EMERGENCY ROUTE,  
PURSUANT TO ORDINANCE NO. 2002-03

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WHEREAS, Felton Borough adopted Ordinance No. 2002-03, regulating the parking of vehicles during periods of snowfall and thereby establishing emergency routes designated on Schedule A thereof; and

WHEREAS, Felton Borough deems it necessary to add Main Street to the Schedule of Snow Emergency Routes.

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Felton Borough Council as follows:

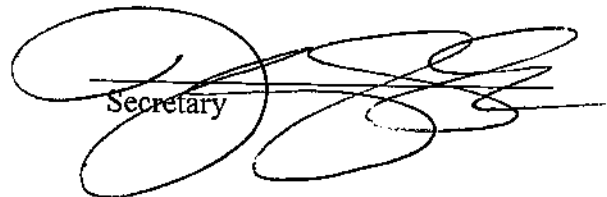
SECTION 1: Main Street is a necessary thoroughfare for the movement of vehicular traffic through the Borough and is hereby designated a Snow Emergency Route and shall be added to the Schedule of Snow Emergency Routes. An amended Schedule of Snow Emergency Routes is attached hereto as Schedule A.

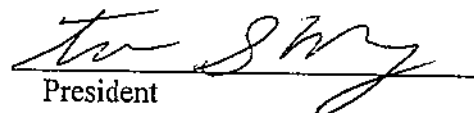
SECTION 2: This Resolution shall be effective immediately.

RESOLVED this 5<sup>th</sup> day of April 2010.

ATTEST:

FELTON BOROUGH COUNCIL

  
Secretary

  
President

**SCHEDULE – A**  
**SNOW EMERGENCY ROUTES**

High Street  
Main Street

**FELTON BOROUGH  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2002-03**

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**AN ORDINANCE OF THE BOROUGH OF FELTON, YORK COUNTY, PENNSYLVANIA,  
REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOWFALL,  
PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY  
SNOW OR ICE INTO THE PUBLIC HIGHWAYS AND STREETS, AND PRESCRIBING  
PENALTIES FOR VIOLATIONS**

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**WHEREAS**, the Council of Felton Borough has determined that the health, safety and the welfare of the citizens of Felton Borough are promoted by regulating the parking of vehicles during periods of snowfall, prohibiting the dumping, shoveling, pushing or placement of any snow or ice into the public highways and streets, and prescribing penalties for violations; and

**WHEREAS**, the Borough of Felton is authorized to pass this Ordinance pursuant to its powers that are set forth in the laws of the Commonwealth of Pennsylvania, including but not limited to the Borough Code.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Council of Felton Borough, York County, Pennsylvania under authority of law, as follows:

**SECTION 1: SHORT TITLE.** The short title of this Ordinance will be "The Felton Borough Snow Emergency Ordinance".

**SECTION 2: DEFINITIONS.** As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

**SNOW** – Any precipitation depositing any accumulations on the streets including snow, sleet, hail, ice and freezing rain.

**EMERGENCY DIRECTOR** – The Mayor of Felton Borough, or any Borough employee or official designated from time to time by the Borough Council as the Emergency Director.

**SNOW EMERGENCY** – A state of highway conditions that is hazardous and dangerous to vehicular and pedestrian traffic and so declared by the Emergency Director.

**EMERGENCY ROUTES** – All streets in the Borough so designated and marked.

**CHAINS** – Full chains, strap chains or other types of chains mounted on both driving wheels of motorized vehicles.

**SNOW TIRES** – Tires having treads (with or without metal studs) designated for use in snow, which tires must be in such conditions as to pass inspection in and be authorized as lawful by the Commonwealth of Pennsylvania.

**VEHICLES** – All self-propelled motorized vehicles using Borough streets and highways.

**SECTION 3: EMERGENCY ROUTES.** The Borough Council shall, by resolution designate streets which are necessary thoroughfares for the movement of vehicular traffic through the Borough of Felton as "Snow Emergency Routes."

**SECTION 4: POSTING EMERGENCY ROUTES.** All streets designated a "Snow Emergency Routes" shall be posted with suitable signs or markers at intervals not exceeding 1000 feet, which signs shall bear the words "Snow Emergency Route".

**SECTION 5: SNOW EMERGENCY.** When in the opinion of the Emergency Director, the actual or expected precipitation of snow will create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, he shall have the authority to declare a "Snow Emergency". If at least six (6) inches of snow has fallen within a 24-hour period, then a "Snow Emergency" shall be deemed to be declared and the provisions of this Ordinance shall be in effect.

a. If the Emergency Director declares a Snow Emergency, then the Emergency Director shall immediately inform the public of the Snow Emergency by issuing a press release to the local radio and news services.

b. If a Snow Emergency is deemed to have been declared by virtue of at least six (6') inches of snow having fallen within 24 hours, then no press release shall be required.

c. If the Emergency Director declares a Snow Emergency, then the Snow Emergency shall continue in force and effect until the Emergency Director declares it to be over by issuing a press release to the local radio and news services. If the Snow Emergency was deemed to be declared by virtue of at least six (6') inches of snow falling within 24 hours, then the Snow Emergency shall cease 36 hours after the snow stopped falling.

d. One hour after a Snow Emergency has been declared and during its existence:

1. No vehicle shall be parked otherwise located on a Snow Emergency Route.

2. Any person who drives a vehicle without chains or snow tires upon an "Snow Emergency Route" in the Borough of Felton and such vehicle becomes stalled or incapable of moving under its own power because of the lack of snow tires or chains shall be in violation of this Ordinance and shall be subject to the penalties set forth herein.

3. Any vehicle stalled, incapable of moving under its own power, or left unattended upon any traffic lane of the street of Felton Borough may be removed or towed away to any other location by the Police Department. In such case the Police Department shall notify the registered owner thereof within twenty-four hours.

**SECTION 6:** DESIGNATED EMERGENCY ROUTES. The streets listed in Schedule A shall be designated as "Snow Emergency Routes" during a declared Snow Emergency.

**SECTION 7:** REMOVAL OF VEHICLES PARKED ON SNOW EMERGENCY ROUTES. All vehicles parked, stalled, incapable of moving under their own power or left unattended on "Snow Emergency Routes" in violation of the above provisions are hereby declared to be public nuisances, obstructing the necessary and required snow plowing and clearing of streets of the Borough of Felton, contrary to public interest, convenience and safety, and the police department is hereby directed to secure and immediately tow away and remove any and all vehicles parked in violation hereof at the registered licensed owner's expense, and to notify the registered licensed owner within twenty-four hours of the removal of his vehicle.

The costs of such towing and any necessary storage fee shall be the responsibility of the registered licensed vehicle owner. These costs shall be in addition to any penalty that may be levied.

**SECTION 8:** SNOW SHOVELING. No individual shall be permitted to shovel, blow, plow, or otherwise deposit snow onto any street after the street has been plowed, and no individual shall shovel, blow, plow, or otherwise deposit or cause to be deposited snow upon or against any fire hydrant.

**SECTION 9:** PENALTIES.

a. If, at any time during a period of Snow Emergency declared under this Ordinance, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a Snow Emergency Route, that person shall be guilty of a violation of this Ordinance, and, upon conviction shall be sentenced to pay a fine of not less than \$50.00 and no more than \$300.00, plus all costs of prosecution, including, but not limited to, attorney's fees. In default of payment thereof, those persons convicted of violating this Ordinance shall be imprisoned for a period not to exceed thirty (30) days.

b. If, at any time during a period of Snow Emergency declared under this Ordinance, a person shall drive a motor vehicle upon a Snow Emergency Route, without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Ordinance, and upon conviction shall be sentenced to pay of fine of not less than \$50.00 and no more than \$300.00, plus all costs of prosecution, including, but not limited to, attorney's fees. In default of payment thereof, those persons convicted of violating this Ordinance shall be imprisoned for a period not to exceed thirty (30) days.

c. If as a result of a violation of this Ordinance the offender's motor vehicle was towed away as provided and authorized herein, in addition to the fine imposed in parts subsections a. and b. above, the offender shall pay to the Borough the reasonable cost of towing and storing the said motor vehicle.

d. If, at any time during a period of Snow Emergency declared under this Ordinance, a person shall violate Section 8 hereof, that person shall be guilty of a violation of this Ordinance, and, upon conviction, shall be sentenced to pay a fine of not less than \$25.00 and no more than \$100.00, plus all costs of prosecution, including, but not limited to, attorney's fees. In default of payment thereof, those persons convicted of violating this Ordinance shall be imprisoned for a period not to exceed thirty (30) days.

e. Each day that any violation of this Ordinance continues shall constitute a separate violation of this Ordinance and shall subject the person to additional penalties, in an amount no less than the minimum, for such days.

**SECTION 10: ENFORCEMENT.** The provisions of this Ordinance shall be enforced by the Mayor of Felton Borough, or any Borough employee or official designated from time to time by the Borough Council, or by any police officer having authority within Felton Borough.

**SECTION 11: REPEALER.** All prior ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 12: SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 13: EFFECTIVE DATE.** This Ordinance shall become effective five days after the date of its enactment as provided by law.

**ORDAINED AND ENACTED** this 9th day of December 2002.

**ATTEST:**

**BOROUGH COUNCIL FOR  
FELTON BOROUGH**

\_\_\_\_\_  
**Secretary**

By: \_\_\_\_\_  
**President**

Approved this 9th day of December 2002.

By: \_\_\_\_\_  
**Mayor**

**SCHEDULE – A**  
**SNOW EMERGENCY ROUTES**

High Street