

CODE OF THE CITY OF EASTON, PENNSYLVANIA, v0 Updated 12-15-2008 / PART II GENERAL LEGISLATION / Chapter 515, STREETS AND SIDEWALKS / ARTICLE IV, Snow and Ice Removal; Obstructions [Adopted 9-16-1964 by Ord. No. 1836 (Art. 713 of the 1965 Codified Ordinances)]

ARTICLE IV, Snow and Ice Removal; Obstructions [Adopted 9-16-1964 by Ord. No. 1836 (Art. 713 of the 1965 Codified Ordinances)]

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§ 515-35 Removal of snow and ice from sidewalks and gutters. [Amended 12-9-1987 by Ord. No. 2918]

- A. It shall be the duty of owners or occupants of property abutting on sidewalks in the City to remove therefrom all snow, sleet or ice within eight working hours after the same has ceased to fall or accumulate thereon. When a building has two or more occupants, the duty of cleaning the sidewalks and gutters shall devolve upon the occupant or occupants on the first or ground floor; if the ground floor occupants number two or more, each such occupant shall clean the sidewalk, gutters and drains immediately in front of his respective portion of the building, together with 1/2 of the space, if any, intervening between such portions and that of the next adjoining occupant. Occupants of corner buildings shall clean the sidewalks and gutters in front thereof and also on the sides for the distance back from the corner their occupancy may extend. Sidewalks and gutters in front of and at the sides of vacant lots or vacant buildings shall be cleaned by the owners of such vacant buildings or lots; when the owner in any such case is a nonresident, it shall be the duty of the agent of such owner to remove the snow, ice or sleet.
- B. In all cases, the snow, ice or sleet, when so removed, shall be thrown toward the outside of the sidewalk but not into the gutters paralleling the sidewalks or into the traveled lanes of any public street or highway. "Traveled lanes of any public street or highway" means, for the purpose of this article, that portion of any such street or highway as is five feet distant from existing curbs or the established curblines of such street or highway. However, wherever and whenever it may be impossible to remove all snow, sleet or ice which may have been compacted by travel or formed on sidewalks so as to present a slippery surface, it shall be the duty of the occupants, agents or owner of the premises abutting to cover the same with ashes,

cinders, sand, grit or any suitable substance in such manner as to make walking upon the sidewalk safe.

- C. No person shall suffer or allow ice or snow to remain or accumulate in any drain or gutter crossing or paralleling any sidewalk, whether paved or unpaved, so as to impede the flow of water therein, in case of thaw or rain.

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§ 515-36 Placing snow in streets restricted.

No person shall throw, shovel or cast onto any public street in the City any snow or ice gathered or scraped from the premises of any gasoline station, parking lot or other business premises, other than from public sidewalks.

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§ 515-37 Driving on sidewalks prohibited; exception.

No person shall drive any truck or other vehicle on or over the sidewalks except for the purpose of loading or unloading, and then only when the sidewalks are protected by planks or other devices so as to prevent damage to such sidewalks. Any damage to the sidewalks resulting from such use shall be prima-facie evidence that the protection required by this section was not provided.^{EN(1)}

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§ 515-38 Depositing of salt water and wastes.

No person shall empty, place or deposit on the streets any salt water from ice cream freezers,

delivery trucks or from any other source, or any wastes from boilers, engines, engine rooms or heating systems.

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§ 515-39 Obstructions on walks and streets prohibited; exceptions; dumpsters and portable storage containers. [Amended 6-27-2001 by Ord. No. 3981]

- A. No person shall stand or place or cause to be placed any barrels, boxes, wares, goods, merchandise, brick, stone, material or lumber, of any kind or description whatsoever, whether for sale, display storage, or otherwise, on or over any part of the sidewalks or streets of the City or in front of the house, store, warehouse or premises occupied by him, nor in any case in front of any other property, even though consent of the owner or lessee thereof is obtained, or upon any sidewalk or portion of the street beyond building lines. The provisions of this section shall not apply when the temporary placing of necessary building materials is permitted under the rules and regulations promulgated by the Department of Police. However, merchants or dealers may use the sidewalks when it is otherwise impossible to load or unload merchandise, for the time reasonably required for the actual loading or unloading of merchandise, and in such a manner as not to interfere with the free use of same by pedestrians.
- B. Temporary obstructions. No person shall place or cause to be placed any dumpster or other type of trash receptacle or portable storage container in the right-of-way area of the City street, except upon having obtained a dumpster or portable storage container permit to be issued by the Police Department upon the following conditions: [Amended 7-25-2007 by Ord. No. 4990]
- (1) Dumpsters or portable storage containers may not be placed on a sidewalk unless express permission of the Police Department is given and has been noted on the dumpster or portable storage container permit.
 - (2) Dumpsters or portable storage containers shall not extend into the travel portion of any roadway.
 - (3) All dumpsters or portable storage containers within the cartway shall be clearly marked with reflectors or reflective tape.
 - (4) All dumpsters shall be covered when not in use.

- (5) At no time will any material be thrown from any structure to a dumpster unless the construction area conforms to Sections 6G and 6H of the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration (23 CFR Part 655.603).
- (6) At no time will any material extend above the solid sides of the dumpster.
- (7) Dumpster or portable storage container permits must be obtained no less than five days before delivery of the dumpster or portable storage container.
- (8) Dumpster or portable storage container permits must be displayed on the roadway side of the dumpster or portable storage container.
- (9) A copy of the dumpster or portable storage container permit shall be retained by the property owner or construction company using the dumpster and by the owner of the dumpster or portable storage container during the time the dumpster or portable storage container is within the right-of-way of the roadway.
- (10) Permits will be valid for the time period specified on the permit.
- (11) Permits for dumpsters shall be valid for 30 days unless express permission of the Police Department is given. Permits for portable storage containers shall be valid for seven days.
- (12) The owner of the dumpster or portable storage container shall not place a dumpster or portable storage container within any right-of-way without having a valid dumpster or portable storage container permit in his possession and affixed to the dumpster or portable storage container.
- (13) The fee for a dumpster or portable storage container permit shall be specified in Chapter 285, Fees. Upon expiration of said permits, renewal fees shall apply. Renewal for a portable storage container shall be valid for seven days only.
- (14) All applications for a dumpster or portable storage container will be accompanied by a sketch showing the location of the dumpster or portable storage container. If the portable storage container is to be used for moving purposes, a copy of a valid moving permit under § 365-1 of the Code of the City of Easton shall be required at time of application.
- (15) If immediate removal of a dumpster or portable storage container is required due to an emergency condition (including but not limited to street repairs, waterline and sewer line breaks, fire, etc.) removal of the dumpster or portable storage container will be at lessee's expense.

C. Snow emergency routes.

- (1) During a snow emergency, the City may order the immediate removal of any dumpster

within the cartway of any snow emergency route.

- (2) Costs for removal of the dumpster during a snow emergency will be the responsibility of the lessee.
- (3) If any additional costs are incurred during a dumpster removal due to snow being plowed or otherwise placed in close proximity to the dumpster, these additional costs will be the responsibility of the lessee.

D. Nothing in this section shall be construed to prevent persons from placing trash at the curbside for regular scheduled pickup.^{EN(2)}

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§ 515-40 Merchandise on sidewalks prohibited.

No person shall maintain upon the sidewalks in the City, in excess of three feet beyond the building line upon which sidewalks front, any show case or display case containing samples or displays of merchandise. All such cases now being maintained are declared a public nuisance and an obstruction and shall be removed within 30 days from the passage of this article.

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§ 515-41 Cleats on wheels or tracks prohibited; special permit. [Amended 11-4-1971 by Ord. No. 2113]

- A. No person, firm, company or corporation shall operate or move any crawler track equipment or any type of vehicle with wheels upon or in which protruding cleats of any type or height are mounted, inserted or attached, on any surface, other than earth, of any right-of-way within the City.
- B. As used in this article, "cleats" include crawler-type tracks, boltheads, spikes, lugs, nuts and/or any other type of protrusion from the flat surface of wheels, but excluding metallic studs and rubber cleats contained on snow tires permitted under the motor vehicle regulations

of the Commonwealth of Pennsylvania.

- C. By special permit, issued by the Bureau of Engineering after inspection of the subject area, the vehicle and/or tracks as described in Subsections A and B hereof may be used in a specified area when the surface thereof is completely protected by wood planks or other approved devices.^{EN(3)}

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§ 515-42 Violations and penalties.

Any person violating the provisions of this article shall be fined not more than \$300 and, in default of payment of fine and costs, imprisoned not more than 90 days.

Endnotes

1 (Popup - Popup)

Editor's Note: Original Sec. 713.04, Littering prohibited, which previously followed this section, was superseded 6-14-1972 by Ord. No. 2144. See now § 444-87 of this Code of the City of Easton for relevant legislation.

2 (Popup - Popup)

Editor's Note: Original Subsection 713.06(e), Penalty, which previously followed this subsection, was deleted during codification (upon enactment, adoption information will be inserted here). See now § 515-42, Violations and penalties.

3 (Popup - Popup)

Editor's Note: Original Sec. 713.09, Mobile food pushcart units, which previously followed this section, is included in Ch. 415, Peddling and Soliciting.