

AN ORDINANCE RESTRICTING OBSTRUCTIONS AND ENCROACHMENTS UPON SIDEWALKS IN THE BOROUGH; PROVIDING FOR REMOVAL OF THE SAME; AND PROVIDING FOR THE FINES AND COSTS IN THE EVENT OF VIOLATION OF THE SAME.

OBSTRUCTIONS AND ENCROACHMENTS

I. Definitions and Word Usage:

A. As used in this Article, the following term shall have the meaning indicated:

Person - Any natural person, partnership, association, firm or corporation.

B. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

II. Awnings and Overhangs.

It shall be unlawful for any person to erect any awning or overhang, any part of which extends over or above any sidewalk, unless every part of such awning or overhang shall extend no more than three (3) feet from the structure it is attached to and at least seven (7) feet above the surface of the sidewalk.

III. Removal of Obstructions.

Any awning or overhang located or maintained in conflict with the provisions of the Ordinance, shall be removed by the owner of the property where such awning or overhang is maintained within ten (10) days after notice from Borough Council to do so, and in default of such removal by said property owner within the required time limit, the Borough may cause the same to be removed, and may collect the cost of such removal, with a penalty of ten percent (10%) from such property owner.

IV. Violations and Penalties.

Any person who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction thereof before the District Justice, be sentenced to pay a fine of not more than three hundred dollars (\$300.00), and costs of prosecution for each and every such offense, provided that each day that a violation or failure to comply shall continue, shall constitute a separate offense.

V. Repeals.

Any prior ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Theodore Heller  
Mayor

BOROUGH OF NEW FLORENCE

Eugene A. Genovese  
President of Council

Margaret P. Doyle

Date: February 21, 1995