

*W. D. G. W.*

# AN ORDINANCE

Prescribing the Duties of Owners of the Abutting Lots or Lands to Keep Sidewalks in Good Repair; Prescribing the Duties of Owners and Persons Resident upon Abutting Lots or Lands, to Maintain Sidewalks and Gutters Clean and Clear of all Obstructions, Including Snow and Ice; Prescribing A Penalty for Violations of the Provisions of this Ordinance, and Repealing all Ordinances or parts of Ordinances Inconsistent Herewith.

BE IT ORDAINED by the Burgess and the Town Council of the Borough of Jermyn, Penna., and it is hereby ordained by the authority of the same.

Section One. It shall be the duty of the owners of the abutting lots or lands in the Borough of Jermyn, Penna., to keep sidewalks in good repair and in a safe condition for travel, either as against ordinary wear and tear, ditches, tracks or obstructions. Any failure to do so shall be deemed negligence on the part of the lot owner, and such owner shall be liable for damages which may occur by reason of such negligence.

Section Two. In all cases where sidewalks have not yet been constructed but where the public is accustomed to travel over the space where such sidewalks should be laid, it shall be the duty of the abutting lot owner to keep such places in

a safe condition as against accidents and obstructions with the same liability for negligence as provided in Section One hereof.

Section Three. Any owner of such lots as shall fail to comply with the provisions of Sections One and Two of this Ordinance shall also forfeit and pay a fine of Ten Dollars for each offence, and each continued failure or neglect to comply with the provisions of this Ordinance for a period of ten days shall constitute a new offense.

Section Four. It shall be the duty of the abutting lot owners in the Borough of Jermyn, Penna., and of the persons residing upon the same to keep and maintain that portion of the sidewalk and gutter immediately in front of their said lots or lands or pieces of land clean and clear of all obstructions; and whenever

any snow or slush or ice or other obstructions shall be or shall have accumulated upon the said sidewalk or in said gutter it shall be the duty of the said person or persons to remove the same, and any person neglecting or refusing to remove the same for a period of twelve hours after such obstruction shall have occurred shall be liable to a penalty for any such refusal or neglect as hereinafter provided.

Section Five. Any person or persons, firm or corporation neglecting or refusing to clean his, their or its sidewalks or gutters as aforesaid and as provided in Section Four shall be liable to a fine of not less than Five Dollars nor more than Ten Dollars (the amount of the fine to be determined by the length of the sidewalk in question) for each offense, and every period of twelve hours that said sidewalks and gutters shall be left in such condition shall constitute a new offense and shall make the owner or owners and persons residing thereon again liable to said penalty; provided that the provisions of this Section shall not apply to places where no sidewalks are laid, provided the same have not been directed to be laid.

Section Six. Recovery of the penalties provided for in this Ordinance shall be by complaint to the Burgess or any Justice of the Peace of the Borough of Jermyn, upon affidavit of the person making the complaint, whereupon the Burgess or Justice of the Peace before whom the

complaint is made shall proceed to hear said complaint and upon conviction of the party sought to be charged with violation of any of the provisions of this Ordinance may fine the defendant offender as hereinbefore provided; and in default of payment of said penalty and costs may commit the said defendant offender to the Lackawanna County Jail until the said penalty and costs are paid; such imprisonment, however, in no case to exceed ten days for any one conviction.

Section Seven. All fines and penalties which may be recovered by the Burgess or Justice of the Peace by virtue of convictions under any of the provisions of this Ordinance shall be paid to the Borough Treasurer within Thirty (30) days from date of collection.

ORDAINED and enacted into an Ordinance this Second day of March, A. D., 1914.

THOMAS MORCOM,  
President of the Town Council of  
the Borough of Jermyn, Pa.

Attest:—ROBERT HALL,  
Secretary of the Town Council of  
the Borough of Jermyn, Pa.

Approved this Fourth day of March,  
A. D., 1914.

THOMAS HUNTER,  
Burgess.