

*over*

TOWNSHIP OF WEST MAHANoy  
SCHUYLKILL COUNTY  
PENNSYLVANIA

ORDINANCE NO. 1990-4

AN ORDINANCE REGULATING AND PROHIBITING THE USE OF  
SLEIGHS ON THE PUBLIC STREETS OF THE TOWNSHIP OF WEST  
MAHANoy, AND PROVIDING PENALTIES FOR VIOLATION.

WHEREAS, the Board of Supervisors of the Township of  
West Mahanoy finds that the use of sleighs on public  
streets may involve risk of injury to persons and damage  
to property, and the degree of such risk can and should  
be kept at a minimum; and

WHEREAS, the health, welfare and safety of the public  
will be better protected by prohibiting the use of sleighs  
on Township streets, in most instances, and confining use  
of sleighs to limited areas.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors  
of the Township of West Mahanoy and it is hereby ordained  
by the Board of Supervisors of the same as follows:

SECTION 1 - DEFINITIONS

The following definitions shall apply in the interpretation  
and enforcement of this ordinance:

- A. Sleigh or sled - A recreational vehicle designed for  
travel on snow or ice which is steered by wheels, skis or  
runners.
- B. Operate - To control the operation of a sleigh.
- C. Operator - A person who operates or is in actual control  
of a sleigh.

SECTION 2 - REGULATIONS

It shall be unlawful for any person to operate a sleigh under any of the following circumstances:

- (a) Within the right of way of any public street, highway or alley within the Township of West Mahanoy.
- (b) On private property of another without the express permission to do so by the owner or occupant of said property.
- (c) In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of another persons.
- (d) In a careless, reckless or negligent manner so as to endanger the safety of any person or the property of any other person.

SECTION 3 - FURTHER REGULATIONS

Further regulations may be issued from time to time as may be deemed necessary to effectuate the intent of this Ordinance.

SECTION 4 - INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

If any section or part of any section, sentence or clause or phrase of this Ordinance shall be construed to be unconstitutional or invalid by any Court of competent jurisdiction, the same shall not affect the validity of any other section, sentence, clause or phrase hereof, which shall remain in full force and effect; and, for this purpose, the provisions of this Ordinance are hereby repealed declared to be severable.

SECTION 5 - PENALTIES

Any person who shall violate or fail to comply with any of the provisions of this Ordinance, rules or regulations adopted hereunto, upon conviction in a summary proceeding, shall be subject to a fine or penalty of not more than \$300.00 plus costs of prosecution and in default of payment thereof, to be imprisoned for not more than 30 days.

SECTION 6 - EFFECTIVE DATE

This Ordinance shall be effective upon its final adoption.

ENACTED AND ORDAINED INTO ORDINANCE THIS 18 DAY  
OF July, 1990.

BOARD OF SUPERVISORS  
OF WEST MAHANoy TOWNSHIP

BY Robert Paul Davis  
Chairman

David J. McElwain  
Supervisor

Donald J. Hughes  
Supervisor

ATTEST:

Michael P. McElwain  
Secretary