



ORDINANCE NO. 2009-1

AN ORDINANCE OF THE TOWN OF WESTVILLE, INDIANA, PROHIBITING THE PLACEMENT OF SNOW ON PUBLIC RIGHT OF WAYS LOCATED WITHIN THE TOWN LIMITS OF WESTVILLE, INDIANA

WHEREAS, the Westville Town Council has determined that the accumulation of snow and ice on the public streets and sidewalks located within the Town of Westville represents a potential threat to the health, safety and welfare of the citizens of the Town of Westville, and;

WHEREAS, an ordinance prohibiting the removal of snow from private property and placement of same into public streets and sidewalks is necessary in order to protect the health, safety and welfare of the citizens of the Town of Westville.

NOW, THEREFORE, BE IT ORDAINED BY THE WESTVILLE Town COUNCIL, AS FOLLOWS:

SECTION 1. It shall be unlawful for any person, firm or corporation to shovel, plow or remove snow from any private property or sidewalk and deposit the snow on any public sidewalk or street within the Town of Westville.

SECTION 2. Violation of this Ordinance shall be punishable by a fine of \$25 for the first violation and \$50 for a second or subsequent violation. Each incident in violation of this Ordinance constitutes a separate violation. In addition, the Town of Westville may seek injunctive relief against any and all person, firms, corporation or other entity who violate the provisions of this Ordinance.

SECTION 3. If any portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion or provision of this Ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinance or parts of ordinances are hereby ratified, re-established and confirmed.

SECTION 5. This Ordinance shall be effective from and after its passage and any publication required by law.