

**INDIAN LAKE BOROUGH**  
**ORDINANCE NO. 103**

AN ORDINANCE OF INDIAN LAKE BOROUGH PROHIBITING THE PLACEMENT OF  
PERSONAL PROPERTY IN THE  
BOROUGH RIGHT-OF-WAYS, AND SETTING FORTH RESPONSIBILITY  
FOR DAMAGES TO ANY PERSONAL PROPERTY PLACED IN A RIGHT-OF-WAY  
OF INDIAN LAKE BOROUGH

WHEREAS, the streets and roads of Indian Lake Borough have been constructed on right-of-ways specifically excepted and reserved to Indian Lake Borough;

WHEREAS, Indian Lake Borough has accepted the responsibility for the maintenance of streets and roads within the Borough, including but not limited to snow removal;

WHEREAS, Indian Lake Borough Council is concerned about the liability for personal property placed within the right-of-ways, and the health, safety and welfare of users of the right-of-way with the Borough.

NOW THEREFORE, the Council of Indian Lake Borough hereby ordains and enacts the following Ordinance:

1. "No person, persons, or other legal entity shall place any personal property within a right-of-way for any Borough street, road, or alleyway without the express written permission of the Borough.

"In the event that any person, persons, legal entity or entities place any personal property within a Borough right-of-way, and damage is caused by or occurs to said personal property, the person, persons, entity or entities placing the personal property in the Borough right-of-way shall be responsible for any and all damages sustained by the Borough, any person, persons, or legal entities, which damages were caused in whole or in part by the placement of personal property within the Borough right-of-way."

2. The provisions of this Ordinance shall be severable, and if any provision thereof shall be declared unconstitutional, illegal or invalid, by a Court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Borough that this Ordinance would have been enacted had any such Constitutional, illegal or invalid provision not been included therein.

4. This Ordinance shall be effective upon approval by the Indian Lake Borough Council.

ENACTED AND ORDAINED THIS 14th DAY OF May, 1996.

ATTEST:

INDIAN LAKE BOROUGH BY:

Theresa L. Keyant  
Secretary - Indian Lake Borough

Richard W. Stein  
President - Borough Council

The foregoing Ordinance having been approved by the Borough Council of Indian Lake Borough shall hereafter be entered on the Ordinance books of the Borough:

Barry Luby  
Mayor