

**ORDINANCE 2025-02**

**COVINGTON TOWNSHIP  
LACKAWANNA COUNTY, PENNSYLVANIA**

**AN ORDINANCE PROHIBITING THE PLACEMENT OF BUILDING OR  
LANDSCAPING MATERIALS IN ANY ROADWAY OF COVINGTON TOWNSHIP.**

**IT IS HEREBY ENACTED AND ORDAINED** by the governing body of Covington Township as follows:

**Section 1. Title:**

This ordinance shall be known as the Prohibited Obstructions Ordinance.

**Section 2. Purpose:**

The purpose of the Ordinance is to prohibit the placement of building and landscaping materials in any roadway of Covington Township and to establish penalties for violations of this Ordinance.

**Section 3. Definitions:**

“Act of God” means an event caused by no direct human action including snowstorms, earthquakes, floods, hurricanes, and tornadoes.

“Building or Landscaping Materials” means piles of stone or rock, piles of mulch, piles of topsoil or fill material, grass clippings (whether piled or blown), sod, lumber, firewood, asphalt, bark, sweeping, ashes, glass, metal, refuse, or any other dangerous or detrimental substance.

**Section 4. Prohibited Obstructions:**

The placement of any building or landscaping materials of any kind in any roadway of Covington Township is strictly prohibited and hereby declared a nuisance.

**Section 5. Exceptions:**

The following are excepted from being declared a nuisance under this Ordinance:

- A. Any building or landscaping materials placed in any roadway of Covington Township by or under the direction of Covington Township or PennDOT.
- B. Any building or landscaping materials placed in a roadway of Covington Township by an Act of God.

## **Section 6. Removal of Obstructions:**

Any of the described obstructions are nuisances and are a hazard to the public and shall be removed immediately from any roadway of Covington Township.

- A. Immediate removal shall be defined as before the time of sunset of the date of notification.
  - 1. Notification may be given in person by an authorized representative of Covington Township; or
  - 2. By certified mail.
- B. Covington Township shall have the right to immediately remove any building or landscaping materials occupying any roadway of Covington Township if Covington Township determines that an immediate hazard to public safety exists.
  - 1. The persons responsible for the obstruction's placement shall be responsible for Covington Township's cost of removing the obstruction.

## **Section 7. Enforcement; Penalties**

- A. The provisions of this Ordinance shall be enforced by the following Covington Township Departments:
  - 1. Police Department
  - 2. Department of Public Works
  - 3. Emergency Management
  - 4. Building Code Office
  - 5. Volunteer Fire Department
  - 6. Zoning Officer
  - 7. Any other appropriate officer or officers.
- B. Any person, firm, or corporation who violates or fails to comply with any provision of this Ordinance shall be issued a Notice of Violation by Covington Township which specifies the violation, and the action required to remedy it. If, after thirty (30) days from the date of the notice of violation, Covington Township determines, in its discretion, that the parties have not resolved the alleged violation, Covington Township may institute civil enforcement proceedings or any other remedy at law or in equity to ensure compliance with this Ordinance.

If Covington Township institutes and prevails in such civil enforcement proceedings, legal or equitable, the person, firm, or corporation shall be responsible for all fees, costs, and attorney fees related to said proceedings. A separate offense shall be deemed committed on each day during or on which a violation or failure to comply occurs or continues.

## Section 8. Severability:

If any provision of this Ordinance, or the application thereof, to any person or circumstance is for any reason held invalid, such invalidity shall not affect other provisions of applications of the Ordinance, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

This Ordinance is hereby Ordained and Enacted by the Board of Supervisors of Covington Township, Lackawanna County, Pennsylvania, at a duly convened meeting of the Board of Supervisors of Covington Township, this \_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, to become effective immediately.

COVINGTON TOWNSHIP BOARD OF SUPERVISORS:

\_\_\_\_\_  
Melissa A. Kearney, Chairwoman

\_\_\_\_\_  
William J. Willson, Supervisor

\_\_\_\_\_  
F. Marshall Peirce, Vice-Chairman

\_\_\_\_\_  
William Beavers, Supervisor

\_\_\_\_\_  
Wanda Andreoli, Supervisor

Attest:

\_\_\_\_\_  
Melissa Kearney, Secretary

(Seal)