

No. 98

AN ACT

HB 1030

Amending the act of June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," changing the date for placement of snow fences.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 414, act of June 1, 1945 (P. L. 1242), known as the "State Highway Law," is amended to read:

Section 414. Snow Fences; Entry on Private Lands to Place.—The department shall have authority to enter upon private property adjacent to any State highway, and place thereon snow fences at any point deemed necessary, in order to eliminate snow drifting on the traveled portion of the highway. Such snow fences shall not be placed more than one hundred (100) feet from the right of way line of the highway.

No snow fence authorized under this act shall be placed prior to [November] *October* first, [~~nor shall the same~~] *however if the fence is to be erected on property containing unharvested crops it may not be placed prior to November first unless the written consent of the owner of the adjacent property is obtained. No snow fence authorized under this act shall* remain in place after April first of the succeeding year, unless the written consent of the owner of the adjacent property is obtained, agreeing to an extension of time for the removal of said snow fence.

If the department shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed, the owner may petition the court of the proper county for the appointment of viewers to ascertain the amount of damage incurred in such case. The procedure for the ascertainment of such damages shall be in accordance with the provisions of this act for the ascertaining of damages to private property due to a relocation of a State highway. Such damages, if any, when ascertained, shall be paid by the department.

Section 2. This act shall take effect immediately.

APPROVED—The 8th day of October, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly
No. 98.

A handwritten signature in black ink, reading "Louis L. Kelley II". The signature is written in a cursive style with a large initial "L" and a prominent "K".

Secretary of the Commonwealth.