

**ORDINANCE NO. 348**

AN ORDINANCE REPEALING THE MOTOR VEHICLES AND TRAFFIC ORDINANCE FOR MILESBURG BOROUGH, PENNSYLVANIA (ORDINANCE NO. 345) AND RE-ENACTING SAID ORDINANCE WITH TECHNICAL CORRECTIONS, REGULATING MOTOR VEHICLES AND TRAFFIC WITHIN THE BOROUGH.

WHEREAS, the Pennsylvania Borough Code authorizes and empowers the Borough to adopt and amend ordinances regulating motor vehicles, traffic, and pedestrian use of streets, alleys, sidewalks, and thoroughfares; and

WHEREAS, the Borough Council previously adopted Ordinance No. 345 on April 14, 2014, a codification revising and replacing certain existing ordinances with a comprehensive ordinance regulating motor vehicles and traffic within the Borough; and

WHEREAS, subsequent to adoption Borough Council determined that certain technical corrections and revisions to Ordinance No. 345 were required; and

WHEREAS, following review by Borough Council, said technical corrections and revisions were embodied in this new ordinance intended to replace, in its entirety, Ordinance No. 345; and

WHEREAS, said ordinance was introduced at the regular meeting of Borough Council held on March 9, 2015; and

WHEREAS, said ordinance was properly advertised for consideration and adoption at the regular meeting of Borough Council conducted on April 13, 2015.

NOW, THEREFORE, it is hereby ORDAINED, that

1. The motor vehicles and traffic ordinance attached hereto and incorporated herein by reference, is hereby ADOPTED.


2. Ordinance No. 345 as adopted by Borough Council on April 14, 2014, is hereby REPEALED.

ENACTED AND ORDAINED THIS 13<sup>TH</sup> DAY OF APRIL, 2015.

MILESBERG BOROUGH

  
\_\_\_\_\_  
Council President

Attest:

  
\_\_\_\_\_  
Secretary-Treasurer

  
\_\_\_\_\_  
Mayor

**ORDINANCE NO. 348**

**MILESBURG BOROUGH**

**MOTOR VEHICLES AND TRAFFIC**

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**PART 1**

**GENERAL REGULATIONS**

**§101. DEFINITIONS AND INTERPRETATION.**

1. Words and phrases, when used in this Chapter, except for Sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code, the Act of June 17, 1976, P.L. 162 No. 81, as amended, except that in this Chapter the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
2. The term "legal holidays" as used in this Chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§102. MANNER OF ADOPTING PERMANENT TRAFFIC AND PARKING REGULATIONS.**

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this Chapter, except where the law specifically authorizes less formal action.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§103. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.**

The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit, or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§104. TEMPORARY AND EMERGENCY REGULATIONS.**

The Mayor, the Street Committee Chairman, and the Borough Council President shall each have the following powers to regulate traffic and parking temporarily and in time of emergency:

- (a) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations:
- (b) In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

Such temporary and emergency regulations shall be enforced by the Mayor, the Borough Council President, the Code Enforcement Officer, the Street Committee Chairman, or any other person designated by Council in the same manner as permanent regulations by ticketing the offending vehicle. Any person, except for emergency responders, Borough officials, or others designated by Borough officials, who shall operate or park a vehicle or tractor in violation of any such regulation, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted, or made to give notice of any such regulations, shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this chapter, to a fine of not less than twenty-five (\$25.00 ) dollars and not more than one-hundred (\$100.00) dollars and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than one (1) day for each twenty-five (\$25.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§105. EXPERIMENTAL REGULATIONS.**

The Borough Council may, from time to time, designate places upon and along the highways in the Borough where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall operate or park a vehicle or tractor in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who shall violate any provision of this section shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature, and in case of a violation for which no specific



penalty is set forth in the law or elsewhere in this chapter, to a fine of not less than twenty-five (\$25.00) dollars, and not more than one-hundred (\$100.00) dollars and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than one (1) day for each twenty-five (\$25.00) dollars of the unpaid balance of the fine and costs. Provided: the purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§106. TRAFFIC STREETS CLOSED OR RESTRICTED FOR CONSTRUCTION, MAINTENANCE OR SPECIAL EVENTS.**

1. The Mayor or Borough Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
2. The Mayor or Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.
3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars, and not more than one-hundred (\$100.00) dollars and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than one (1) day for each twenty-five (\$25.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§107 USE OF STREETS BY PROCESSIONS AND ASSEMBLAGES.**

1. For the purpose of this Section, the words "assemblage" and "procession" shall have the following meanings:

**ASSEMBLAGE** - a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street.

**PROCESSION** - a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Borough Council, or its designee, which shall be issued without fee. Application for the permit shall be made at least 1 week in advance of the day on which the assemblage is proposed to be held, but in any case where a State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.
3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Borough Council, or its designee, which shall be issued without fee. Application for the permit shall be made at least 2 weeks in advance of the day when the procession is proposed to be held, but in any case where the state-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.
4. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars, and not more than one-hundred (\$100.00) dollars and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than one (1) day for each twenty-five (\$25.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§108. AUTHORITY OF POLICE OFFICERS.**

Any police or other law enforcement officers having jurisdiction within the Borough are hereby authorized to direct traffic on the highways of the Borough and at intersections thereof and to otherwise enforce the provisions of this Chapter.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§109. AUTHORIZATION FOR USE OF SPEED TIMING DEVICES.**

1. The Police having jurisdiction within the Borough, are hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Title 75, Pa. C.S.A. §3368.
2. This Section authorizes the use of said devices upon all highways within the Borough be they Borough, county or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. §6101 *et seq.*, (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§110 PLACEMENT OF MATERIAL OR OBJECTS ON HIGHWAY.**

It shall be unlawful for any person to place on any highway, street, alley or thoroughfare any materials, including but not limited to, grass clippings, leaves, snow, ice, construction materials, demolition materials or other objects, unless a permit for temporary placement has first been obtained from the Borough. Any person who shall violate this section by placing snow or ice on any highway, street, alley, or thoroughfare shall, upon conviction thereof, be liable to pay a fine as set forth in Section 705 of this Ordinance. Any person who shall violate this section by placing other objects, items or materials on any highway, street, alley or thoroughfare shall, upon conviction thereof, be liable to pay a fine of not more than twenty-five (\$25.00) dollars for each day that the violation occurs or continues.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§111. PENALTY FOR VIOLATION**

Any person who shall violate any provisions of Section Nos. 104, 105, 106, 107, or 110 shall, upon conviction, be sentenced to pay a fine as provided in the section of this

ordinance so violated. It shall be the duty of the person issuing any notice of violation to report to the Mayor or the Borough Council all violations of any provisions of this part indicating in each case the section thereof violated, the location where such violation took place, the time of such violation, and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending such violation. The person making such report shall also attach to every such vehicle, or otherwise issue to every such person, a notice of violation, which notice shall contain instructions to the owner or operator of such vehicle, or to such person, that if he or she shall place the sum of fifteen (\$15.00) dollars enclosed within the envelope provided in the special fine box installed at the Borough Building Door located at 416 Front Street, within seventy-two (72) hours from the time of violation noted on the ticket, the same shall save such violator from prosecution and from payment of the fine and costs hereinabove prescribed.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§112. SEVERABILITY.**

The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§ 113. REPEALER**

Any resolution, ordinance, or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed, including the following Milesburg Borough Ordinances:

<u>Ordinance Number</u>	<u>Date of Enactment</u>
140	March 1, 1943
143	September 6, 1949
147	February 7, 1955
166	April 18, 1961
169	July 9, 1962
174	March 14, 1966
199	August 1, 1983
202	November 23, 1982
204	October 1, 1984
206-D	May 7, 1984
211	October 6, 1986

215	June 1, 1987
219-C	August 13, 1990
234	January 4, 1993
243	March 14, 1994
248	May 8, 1995
253	May 12, 1997
262	July 13, 1998
267	October 12, 1998
273	August 9, 1999
274	November 1, 1999
277	January 3, 2000
287	February 12, 2001
289	May 14, 2001
293	May 13, 2002
298	April 14, 2003
299	June 16, 2003
306	April 12, 2004
312	April 10, 2006
321	March 10, 2008
334	November 8, 2010
345	April 14, 2014

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§ 114. EFFECTIVE DATE**

This ordinance shall become effective immediately.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**PART 2**

**TRAFFIC REGULATIONS**

**§201. MAXIMUM SPEED LIMITS ESTABLISHED ON CERTAIN STREETS.**

1. The maximum speed limit for all streets, roads and highways in the Borough shall be 25 miles per hour (mph) unless otherwise provided herein. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

<u>Street</u>	<u>Between</u>	<u>Maximum Speed Limit</u>
Mill Street	Borough Limits To Intersection of Turnpike Street And Market Street	35mph
Turnpike Street	Entire Length	35 mph
Water Street	Entire Length	35 mph

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of fifty (\$50.00 dollars plus five (\$5.00) dollars for every mile per hour over the maximum speed limit.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§202 . MAXIMUM SPEED LIMITS ESTABLISHED IN PARKS.**

1. A speed limit of 15 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Borough, except in the following locations, where the lower maximums, as specified, shall apply:

<u>Park</u>	<u>Street</u>	<u>Location</u>	<u>Maximum Speed Limit</u>
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2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of fifty (\$50.00) dollars plus five (\$5.00) dollars for every mile per hour over the maximum speed limit.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§203. TRAFFIC SIGNALS AT CERTAIN LOCATIONS.**

1. At the following locations, traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

<u>Location</u>	<u>Type of Signal</u>
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2. Any driver of a vehicle who disobeys the directions of any traffic signal shall, upon conviction, be sentenced to pay a fine of fifty (\$50.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§204 INTERSECTIONS WHERE TURN PROHIBITED ON RED SIGNAL.**

1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

<u>Intersection</u>	<u>Vehicles Traveling On</u>	<u>Facing</u>
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2. Any driver of a vehicle who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of fifty (\$50.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§205. ONE-WAY STREETS ESTABLISHED.**

1. The following are established as one-way streets, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>
Smith Street	Turnpike Street	Church Street	East to West
Smith Street	Turnpike Street	Mill Street	West to East

Any person who shall operate a motor vehicle upon any highway or portion thereof hereby establishes a one-way highway other than in the direction hereby established for traffic thereon shall upon conviction thereof be sentenced to pay a fine of not less than fifty (\$50.00) dollars, nor more than one-hundred (\$100.00) dollars and costs of prosecution, or in default in payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00 ) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§206. THROUGH HIGHWAYS ESTABLISHED.**

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this Section shall stop the vehicle or yield right-of-way as required by §§3323(b) or 3323(c) of the Vehicle Code, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that Section of the law:

<u>Highway</u>	<u>Between</u>
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2. Any person who violates any provision of this Section shall, upon conviction thereof be sentenced to pay a fine of not less than fifty (\$50.00) dollars, nor more than one-hundred (\$100.00) dollars and costs of prosecution, or in default in payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00 ) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§ 207. STOP INTERSECTIONS ESTABLISHED.**

1. The following intersections (in addition to intersections with the through highways established by §212) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by §3323(b) of the Vehicle Code, and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that Section of the law.

<u>Stop Highway</u>	<u>Through Highway</u>	<u>Direction of Travel</u>
Boggs Street	Centre Street	East
Boggs Street	Mill Street	West
Brick Street	High Street	East
Brick Street	Spring Street	West
Broadway Street	Front Street	South
Canal Street	Centre Street	2-way Stop
Canal Street	Mill Street	West
Catherine Street	Hazel Street	4 - way Stop
Centre Street	Hazel Street	4 - way Stop
Centre Street	Market Street	4 - way Stop

Centre Street	Water Street	North
Church Street	Church St. Ext.	East
Church Street	Commercial Street	North
Church Street	Smith Street	2 -way Stop
Church Street Ext.	Turnpike Street	East
Commercial Street	Turnpike St. (SR144)	East
Cove Street	Dell Street	South
Creek Street	Grove Street	East
Creek Street	Grove Street	West
Cross Street	Cove Street	2- way Stop
Cross Street	Serge Street	2-way Stop
Darrell Street	Dell Street	North 2-way Stop
Darrell Street	Dell Street	South 2-way Stop
Eagle Street	Mill Street	West
East Street	Cross Street	South
Eagle Street	Water Street	South
Flood Street	Iddings Street	East
Flood Street	Logan Street	West
Front Street	SR144/Mill Street	East
Grove Street	Front Street	South
Hazel Street	Mill Street	West
High Street	Iddings Street	2-way Stop
Iddings Street	Front Street	Sout

<u>Stop Highway</u>	<u>Through Highway</u>	<u>Direction of Travel</u>
Iddings Street	SR144/Mill Street	2-way Stop
Lions Street	Turnpike Street	West
Logan Street	Broadway Street	3 - way Stop
Logan Street	High Street	East
Logan Street	Spring Street	West
Market Street	Catherine Street	4 - way Stop
Market Street	Mill Street	2 - way Stop
Miles Street	Catherine Street	East
Miles Street	Centre Street	2 - way Stop
Mill Street	Market Street	2 - way Stop
Owl Street	Catherine Street	East
Owl Street	Hazel Street	South
Railroad Street	Front Street	West
Second Street	Darrell Street	East
Serge Street	Dell Street	4 - way Stop
Smith Street	Mill Street	East
Spring Street	Iddings Street	3 - way Stop
Spring Street	Front Street	South
Third Street	Darrell Street	East
Wagner Street	Logan Street	South

<u>Stop Highway</u>	<u>Through Highway</u>	<u>Direction of Travel</u>
Water Street	Mill Street	West
Wetzler Street	High Street	East
Wetzler Street	Iddings Street	West
Wetzler Street	Spring Street	West

2. Any operator of a vehicle who shall fail to come to a full stop within a reasonable distance before entering any stop intersection as hereinabove required shall upon conviction thereof be sentenced to pay a fine of not less than fifty (\$50.00) dollars, nor more than one-hundred (\$100.00) dollars and costs of prosecution or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

### PART 3

#### RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

#### §301. VEHICLE WEIGHT LIMITS ESTABLISHED ON CERTAIN STREETS AND BRIDGES.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be, except local delivery only.
  - A. It shall be unlawful for any person to operate any motor vehicle or other tractor, trailer or tractor trailer combination having a gross weight in excess of 30,000 pounds upon any Borough highway or portion thereof except:

<u>Highway</u>	<u>Between</u>
Catherine Street	From Water Street to Hazel Street
Centre Street	From Water Street to Limestone Street
Hazel Street	Entire length
Mill Street	From Turnpike Street to Limestone Street

Any person who shall violate any provision of this section shall upon conviction thereof be sentenced to pay a fine of seventy-five (\$75.00) dollars per each five hundred (500) pounds, or part thereof, in excess of one thousand (1,000) pounds over the maximum allowable weight, plus costs of prosecution, or in default of payment of such fines and costs to undergo imprisonment for one (1) day for each seventy-five (\$75.00) dollars of the unpaid balance of the fine and costs

B. It shall be unlawful for any person to operate any motor vehicle or other tractor, trailer or tractor trailer combination having a gross weight in excess of 23 tons (46,000 pounds) upon or over the following bridges:

<u>Bridge</u>	<u>Weight Limitation</u>
Commercial Street	46,000 pounds

Any person who violates any provision of this Section shall be prosecuted under Section 4902 of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 1,000 pounds over the maximum allowable weight, and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§302. RESTRICTIONS AS TO WEIGHT AND SIZE OF VEHICLES ON CERTAIN STREETS AND BRIDGES.**

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street.

<u>Street or Bridge</u>	<u>Between</u>	<u>Restrictions</u>
Railroad Street	High Street to Front Street	Tractor trailers and other vehicles having a gross weight in excess of 20,000 pounds, except when making a local delivery

- Any person who violates any provisions of this Section shall be prosecuted under Section 4902 of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not less than fifty (\$50.00) dollars and not more than one-hundred (\$100.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§303. TRUCK TRAFFIC RESTRICTED ON CERTAIN STREETS.**

- It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

<u>Street</u>	<u>Between</u>	<u>Restriction</u>
Front Street	Railroad Street and Mill Street	During Funerals And Viewings
Iddings Street	High Street and Front Street	During Funerals And Viewings
Spring Street	Iddings Street and Front Street	During Funerals and Viewings

Temporary closure of the above listed streets shall be indicated by the placement of temporary signs stating "Viewing/Funeral In Progress, ONLY Passenger Cars And Please Use Alternate Route," with arrows facing in both right and left directions.

Provided: nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

- Any person who violates any provisions of this Section shall be prosecuted under Section 4902 of the Vehicle Code, and, upon conviction, shall be sentenced to

pay a fine of not less than fifty (\$50.00) dollars and not more than one-hundred (\$100.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00) dollars of the unpaid balance of the fine and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

#### **PART 4**

### **GENERAL PARKING REGULATIONS**

#### **§401. VEHICLES TO BE PARKED WITHIN MARKED SPACES.**

Wherever a space shall be marked off on any highway for the parking of an individual vehicle (such as for parallel, angled or head-in parking), every vehicle there parked shall be parked within the lines bounding such space. No vehicle shall be parked in or upon any area so as to block access to any private driveway, parking area or garage.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2014)

#### **§402. PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS.**

Parking shall be prohibited at all times in the following locations:

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Boggs St.	Both	Mill St. - Centre St.
Brick St.	Both	High St. - Spring St.
Broadway St.	Both	Front St. - Railroad St.
Canal St.	Both	Mill St. - Catherine St.
Catherine St.	Both	Water St. - Canal St.
Centre St.	Both	Eagle St. - Limestone St.
Church St.	Both	Church St. Ext. - Turnpike St.
Church St. Ext.	Both	Commercial St. - end

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Commercial St.	Both	Mill Street - Oklawaha St.
Cove St.	Both	Cross St. - Dell St.
Creek St.	Both	Grove St. - deadend
Creek Street	Both	Grove St. - gate
Cross St.	Both	Darrell St. - West St.
Darrell St.	Both	Cross St. - First St.
Dell St.	Both	Borough line - Borough line
Depot St.	Both	Grove St. - deadend
East St.	Both	Cross St. - View St.
Eagle St.	Both	Mill St. - Centre St.
First St.	Both	Darrell St. - deadend
Flood St.	Both	Iddings St. - Logan St.
Front St.	South side	Railroad St. - Iddings St.
Front St.	South side	Spring St. - Mill St.
Front St.	North	Railroad Tracks - Railroad St.
Grove St.	Both	Front St. - Railroad St.
Hazel St.	West	Mill St. - Catherine St.
High St.	Both	Railroad St. - deadend
Iddings St.	Both	Broadway St. - Rt. 144
Iddings St.	Both	Rt. 144 - Borough line
Limestone St.	Both	Mill St. - Centre St.
Lions St.	Both	Turnpike St. - end



<u>Highway</u>	<u>Side</u>	<u>Between</u>
Logan St.	Both	Broadway St. - High St.
Market St.	South	Former parking space near water shutoff valve located approximately 40 feet North of intersection with Mill Street
Market St.	South	1 Parking space in front of 101 Market Street - "No Parking Do Not Block Driveway"
Miles St.	Both	Mill St. - Catherine St.
Mill St.	West	Community Center - Commercial St.
Mill St.	East	Market St. - Limestone Street
Oklawaha St.	Both	end - end (entire street)
Owl St.	Both	Catherine St. - Hazel St.
Playground Ave.	Both	Commercial St. - end
Railroad St.	Both	High St. - Front St.
Second St.	Both	Darrell St. - deadend
Serge St.	Both	Cross St. - deadend
Smith St.	Both	Church St. - Mill St.
Spring St.	Both	Front St. - deadend
State Route 144	West	Iddings Street and a point 230 feet North of Iddings Street
Third St.	Both	Darrell St. - deadend
Turnpike St.	West	Market Street to Borough Line
View St.	Both	East Street to West Street
Wagner St.	Both	Logan St. - deadend

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Water St.	South	Between signs at 103 Water Street
Water St.	North	The Driveway of 100 Mill Street and the driveway at 100 Water Street driveway
West St.	Both	Cross St. - View St.
Wetzler St.	Both	Spring St. - High St.

Local deliveries shall not be deemed to be prohibited by this Section 402. Parking may be permitted in the locations identified in this Section 402 by application upon approval of Borough or its designated officer for special events such as parties, showers, or other gatherings.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§403. PARKING PROHIBITED ON PAVEMENT IN CERTAIN LOCATIONS**

It shall be unlawful to park any vehicle so that any portion of the vehicle or attachments thereto are parked on, or protrude onto or over, the paved portion of the roadway in the following locations:

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Limestone St.	Both	Mill St. – Centre St.
Canal St.	Both	Mill St. – Catherine St.
Boggs St.	Both	Mill St. – Centre St.
Miles St.	Both	Mill St. – Catherine St.
Eagle St.	Both	Mill St. – Centre St.
Mill St.	Both	Hazel St. – Centre St.
Centre St.	Both	Eagle St. – Limestone St.
Owl St.	Both	Catherine St. - Dead End

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Catherine St.	Both	Water St. – Canal St.
Market St.	Both	Catherine St. – Borough Line
Lions St.	Both	Turnpike St. – End
Smith St.	Both	Church St. – Mill St.
Church St.	Both	Church St. Ext. – Turnpike St.
Church St. Ext.	Both	Commercial St. – End
Commercial St.	Both	Mill St. – Oklawaha St.
Playground Ave.	Both	Commercial St. – End
Oklawaha St.	Both	Entire Street
Front St.	South	Mill St. – Railroad St.
Grove St.	Both	Front St. – Railroad St.
Creek St.	Both	Grove St. - Dead End
Depot St.	Both	Grove St. - Dead End
Railroad St.	Both	High St. - Front St.
Broadway St.	Both	Front St. - Railroad St.
Wagner St.	Both	Logan St. - Dead End
Logan St.	Both	Broadway St. – High St.
Iddings St.	Both	Broadway St – Rt. 144
Iddings St.	Both	Rt. 144 – Borough Line
Wetzler St.	Both	Spring St. – High St.
Spring St.	Both	Front St. – Dead End
Brick St.	Both	High St. – Spring St.

<u>Highway</u>	<u>Side</u>	<u>Between</u>
Flood St.	Both	Iddings St. – Logan St.
First St.	Both	Darrell St. – Dead End
Second St.	Both	Darrell St. – Dead End
Third St.	Both	Darrell St. – Dead End
Darrell St.	Both	Cross St. – First St.
Serge St.	Both	Cross St. – Dead End
Cove St.	Both	Cross St. – Dell St.
Dell St.	Both	Borough Line – Borough Line
Cross St.	Both	Darrell St. – West St.
View St.	Both	East St. – West St.
West St.	Both	Cross St. – View St.
East St.	Both	Cross St. – View St.
High St.	Both	Railroad St. – Dead End

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§404 .        PARKING PROHIBITED IN CERTAIN LOCATIONS, CERTAIN DAYS AND HOURS.**

Parking shall be prohibited in the following locations at all times on the days and between the hours hereby indicated.

<u>Highway</u>	<u>Side</u>	<u>Between</u>	<u>Restriction</u>
Hazel St.	Both	Entire Length	No parking for 24 hours After a snow fall of four (4) Inches or more

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§405. PARKING OF TRUCKS, BUSES AND CERTAIN OTHER VEHICLES PROHIBITED IN CERTAIN LOCATIONS.**

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets, any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

<u>Street</u>	<u>Between</u>
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(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§406. STANDING OR PARKING ON ROADWAY FOR LOADING OR UNLOADING**

It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4 p.m., and for no longer than necessary for the loading or unloading.

<u>Street</u>	<u>Side</u>	<u>Between</u>
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(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§407. PARKING PROHIBITED ON PORTIONS OF CERTAIN HIGHWAYS DURING STREET SWEEPING HOURS.**

It shall be unlawful for any person to park a vehicle or to allow the same to remain parked, at any time between 8 a.m. and 10 a.m. on any of the following portions of the highways of the Borough on the days hereby respectively designated for street sweeping purposes:

<u>Street</u>	<u>Between</u>	<u>Day</u>
Hazel St.	Entire Length	Wednesday

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§408. RESERVED PARKING SPACES FOR HANDICAPPED MAY BE PROVIDED.**

1. The Borough Council may, by resolution and at its discretion, designate on a temporary basis, at convenient and suitable locations along streets, roads and highways within the Borough, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. Residents who qualify to park in handicapped spaces may apply to Council for such designations. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space, any vehicle unless that vehicle bears or displays either: a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate," or a "disabled veteran placard." Provided: all provisions, requirements and restrictions contained in the other Sections of this Part shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.
  
2. Any person who violates this section shall, upon conviction, be sentenced to pay a fine of not less than one hundred (\$100.00) dollars, and not more than two hundred (\$200.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each one hundred (\$100.00) dollars of the unpaid fine and costs. It shall be the duty of the person issuing any notice of violation to report to the Mayor or the Borough Council all violations of any provisions of this part indicating in each case the section thereof violated, the location where such violation took place, the time of such violation, and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending such violation. The person making such report shall also attach to every such vehicle, or otherwise issue to every such person, a notice of violation, which notice shall contain instructions to the owner or operator of such vehicle, or to such person, that if he or she shall place the sum of fifty (\$50.00) dollars enclosed within the envelope provided in the special fine box installed at the Borough Building Door, located at 416 Front Street, within seventy-two (72) hours from the time of violation noted on the ticket, the same shall save such violator from prosecution and from payment of the fine and costs hereinabove prescribed.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

§409. **CERTAIN TYPES OF PARKING PROHIBITED.**

The following types of parking in the Borough are declared unlawful and are prohibited:

- A. Parking within an intersection.
- B. Parking within 25 feet of any intersection of highways.
- C. Parking within 30 feet of any traffic signal or stop sign.
- D. Parking on a crosswalk.
- E. Parking within 15 feet of a fire hydrant.
- F. Parking on a sidewalk.
- G. Parking in front of a private drive.
- H. Parking on the highway.
- I. Parking on the left side of a highway or street against traffic.
- J. Parking more than 6 inches from the curb.
- K. Parking within 15 feet of the entrance of any fire station.
- L. Parking overtime in posted areas.
- M. Where the parking is at such place that the vehicle would prevent or impede the free movement of traffic.

Local deliveries shall not be deemed to be prohibited by this Section 410. Parking may be permitted in the locations identified in this Section 410 by application upon approval of Borough or its designated officer for special events such as parties, showers, or other gatherings.

Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

§410 . **PENALTIES.**

1. Any person who shall violate any provisions of Part 4 (Sections 401 through 407 and Section 409) shall upon conviction thereof be sentenced to pay a fine of fifty (\$50.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00) dollars of the unpaid balance of the fine and costs. Provided: it shall be the duty of the police officers or persons designated by the Borough Council to report in writing to the Mayor or Borough Council on a monthly basis all violations of any provisions of this part indicating in each case the section thereof violated, the license number of the vehicle involved in such violation, the location where such violation took place, the time of such violation and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending such violation.
2. The police officer or person designed by Council to make such reports shall also attach to every such vehicle a notice that such vehicle was parked in violation of this ordinance, which notice shall contain instructions to the owner or operator of such vehicle that if he shall place the sum of fifteen (\$15.00) dollars enclosed

within the envelope provided in the special parking fine box installed at the Borough Building door located at 416 Front Street within seventy-two (72) hours from the time of violation noted on the ticket, the same shall save such violator from prosecution and from payment of the fine and costs hereinabove prescribed.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**PART 5**

**OFF-STREET UNMETERED PARKING**

**§501. UNMETERED PARKING LOTS ESTABLISHED.**

The following are established as the unmetered parking lots operated by the Borough:

<u>Location</u>	<u>Max. Days in Parking</u>	<u>Hours in Operation</u>	<u>Operation Time</u>
Commercial St. Parking Lot from 207 Mill St. to Commercial St. Bridge	12 hrs.	7 days per week	24 hrs per day

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§502. RESERVED PARKING SPACES FOR HANDICAPPED MAY BE PROVIDED.**

The Borough Council at its discretion, may provide, at convenient and suitable locations in one or more of the unmetered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space, any vehicle unless that vehicle bears or displays either: a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate," or a "disabled veteran placard." Provided: all provisions, requirements and restrictions contained in the other Sections of this Part shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)



**§503. UNLAWFUL TO PARK OVERTIME OR WHEN LOT CLOSED.**

It shall be unlawful for any person to park a vehicle, or to allow a vehicle to remain parked in any unmetered parking lot:

- A. For longer than the maximum parking time prescribed by §501 of this Part.
- B. At any time when the lot is not in operation and is closed to public use.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§504. UNMETERED LOTS FOR CERTAIN TYPES OF VEHICLES.**

The unmetered parking lots established by §501 of this Part shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other kind or class of vehicle in any such lot.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§505. MANNER OF PARKING.**

Every vehicle parked in an unmetered parking lot shall be parked wholly within the lines bounding or marking the individual parking space assigned to that vehicle, and shall be parked headed into the parking space. It shall be unlawful for any person:

- A. To park a vehicle in a space not rented by him.
- B. To park a vehicle otherwise than as required by this Section.
- C. To park a vehicle elsewhere than in an individual parking space, the prohibited areas including, but not limited to, the access and exit driveways and turning and maneuvering spaces.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§506. PARKING ON RENTAL BASIS ONLY.**

The parking spaces in the unmetered parking lots shall be available for parking on a monthly rental basis only. The rental fee shall be fixed by the Borough Council pursuant to a resolution and shall be for a calendar month or the part of a calendar month remaining after the rental arrangements are made. The rental fee shall be paid in advance to the Borough Secretary for the use of the Borough, and after the first month shall be automatically renewable until the renter notifies the Borough that he wishes to terminate the rental arrangements. At any time, however, the Borough may, by amending §501 of this Part, discontinue provision of a specific unmetered parking lot or

a portion of the parking spaces in any such lot, or may change any unmetered parking lot, or part of an unmetered parking lot, to a metered parking lot or to metered parking spaces. The rental parking spaces shall be assigned by the Borough Secretary. The name of the renter of a parking space and/or the numbers and/or letters on the registration tag of the vehicle entitled to be parked there shall be posted by the Borough at the rental space or shall be painted on the surface of that parking space.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§507. PENALTY FOR VIOLATION.**

1. Any person who shall violate any provisions of Part 5 (Sections 501 through 506) shall upon conviction thereof be sentenced to pay a fine of fifty (\$50.00) dollars and costs of prosecution, or in default of payment of such fine and costs to undergo imprisonment for not more than one (1) day for each fifty (\$50.00) dollars of the unpaid balance of the fine and costs. Provided: it shall be the duty of the police officers or persons designated by the Borough Council to report in writing to the Mayor or Borough Council on a monthly basis all violations of any provisions of this part indicating in each case the section thereof violated, the license number of the vehicle involved in such violation, the location where such violation took place, the time of such violation and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending such violation.
2. The police officer or person designed by Council to make such reports shall also attach to every such vehicle a notice that such vehicle was parked in violation of this ordinance, which notice shall contain instructions to the owner or operator of such vehicle that if he shall place the sum of fifteen (\$15.00) dollars enclosed within the envelope provided in the special parking fine box installed at the Borough Building door located at 416 Front Street within seventy-two (72) hours from the time of violation noted on the ticket, the same shall save such violator from prosecution and from payment of the fine and costs hereinabove prescribed.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**PART 6**

**REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES**

**§601. APPLICABILITY AND SCOPE.**

This Part is enacted under the authority of Section 1202(51) of the Borough Code, and the authority of the Vehicle Code, and gives authority to the Borough to remove and impound those vehicles which are parked in a tow-away zone or otherwise in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others, may be towed under the provisions of the Pennsylvania Vehicle Code.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§602. AUTHORITY TO REMOVE AND IMPOUND.**

The Borough shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally, provided that the circumstances of its parking were within the conditions stated in §801 of this Part. Provided: no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§602. TOW AWAY ZONES DESIGNATED.**

The following designated streets and/or parking lots are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of the Borough parking regulations.

<u>Street</u>	<u>Side</u>	<u>Between</u>
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(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§604. DESIGNATION OF APPROVED STORAGE GARAGES; BONDING; TOWING AND STORAGE.**

Removal and impounding of vehicles under this Part shall be done only by "approved storage garages" that shall be designated from time to time by the Borough Council. Every such garage shall submit evidence to the Borough Council that it is bonded or has acquired liability insurance in an amount satisfactory to the Borough Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Borough Council its schedule of charges for towing and storage of vehicles under this Part, and, when the schedule is approved by Borough Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. The Borough Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Part.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§605. PAYMENT OF TOWING AND STORAGE CHARGES.**

The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§606. RECLAMATION COSTS.**

In order to reclaim the vehicle, the owner shall pay towing and storage costs, plus a \$25.00 fee to the Borough.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§607. RECORDS OF VEHICLES REMOVED AND IMPOUNDED.**

The Borough shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§608. RESTRICTIONS UPON REMOVAL OF VEHICLES.**

No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§609. PENALTY FOR VIOLATION.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of fifteen (\$15.00) dollars together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §7301 *et seq.*, (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§610. REPORTS AND DISPOSITION OF UNCLAIMED VEHICLES.**

If after a period of 15 days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with §7311 of The Vehicle Code, by the person having legal custody of the vehicle. If the vehicle has not been claimed after 30 days, the vehicle may be transferred to a licensed Salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Pennsylvania Motor Vehicle Code (75 Pa C.S.A. §101 *et seq.*, as amended).

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**PART 7**

**SNOW AND ICE EMERGENCY**

**§701. DECLARATION OF SNOW AND ICE EMERGENCY.**

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in §703 of this Part, the Borough Council, or its designee, in his discretion, may declare a snow and ice emergency (designated in the Part as a "snow emergency"). Information on the existence of a snow emergency shall be given by the Borough through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§702 PARKING PROHIBITED, DRIVING MOTOR VEHICLES RESTRICTED, ON SNOW EMERGENCY ROUTES DURING EMERGENCY.**

After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

- A. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in §703 of this Part; or
- B. To drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§703. SNOW EMERGENCY ROUTES DESIGNATED.**

The following are designated as snow emergency routes:

Street

Between

Water Street

Mill Street and Catherine Street

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§704. PENALTY FOR VIOLATION.**

If, at any time during a period of snow emergency declared under §701 of this Part, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§705 Shoveling or Plowing of Snow Onto Streets Prohibited.**

1. It shall be unlawful at any time to shovel or plow snow on to any street in the Borough of Milesburg.
2. Any person who shall violate this Section shall, upon conviction thereof, be sentenced to pay a fine, as follows:
  - A. First violation: \$15 plus costs of prosecution;
  - B. Second violation: \$25 plus costs of prosecution;
  - C. Third violation: \$40 plus costs of prosecution;
  - D. Fourth violation: \$55 plus costs of prosecution;
  - E. Fifth and subsequent violations:  
\$70 plus \$15 for each violation  
after the fifth violation, up to a  
maximum of \$300 plus costs of prosecution.

**PART 8**

**FLOODING OR ROAD BLOCKAGE EMERGENCY**

**§801. Parking Prohibited, Driving Restricted, on Flooded or Blocked Roads.**

Whenever any road, or portion thereof, is closed due to flooding, or due to blockage by snow accumulation or other natural or man-made conditions, it shall be unlawful for any person:

- A. To park a motor vehicle, or to allow a motor vehicle to remain parked, anywhere on such road or any portion thereof closed due to flooding or blockage, or for purposes of alleviating such flooding or blockage;

- B. To drive any motor vehicle on such road or portion thereof closed for flood or blockage, other than emergency responders, Borough officials, or Borough employees.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§802. PENALTY FOR VIOLATION.**

If at any time when a road, or portion thereof, is closed due to flooding or other blockage, a person not authorized pursuant to Section 801 to operate or park a vehicle thereon, that person shall be guilty of a violation of this Part, and upon conviction, shall be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**PART 9**

**REGULATION OF PEDALCYCLES, NONMOTORIZED VEHICLES, AND OTHER CONVEYANCES AND DEVICES ON BOROUGH STREETS, ALLEYS, SIDEWALKS, AND THOROUGHFARES**

**§901. RIDING AND PARKING OF PEDALCYCLES ON SIDEWALKS ALONG CERTAIN STREETS PROHBITIED.**

- 1. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along the following portions of the streets in the Borough:

<u>Street</u>	<u>Side</u>	<u>Between</u>
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- 2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of fifteen (\$15.00) dollars and costs).

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§902. RESTRICTIONS ON USE OF PUSHCARTS.**

- 1. The word "pushcart," as used in this Section, shall mean a vehicle, including a pedalcycle, propelled solely by human power, and used or intended for use for the display, transport, exhibit or sale of goods, wares or merchandise.
- 2. It shall be unlawful for any person to propel a pushcart upon any sidewalk in any business district except as necessary to move the pushcart to a location from which it is to be loaded or unloaded or from which goods, wares or merchandise



are to be sold or dispensed under permit from the Borough Council as provided in subsection (3) of this Section.

3. It shall be unlawful for any person to park a pushcart upon any sidewalk except for the purpose of selling or dispensing from the pushcart goods, wares or merchandise to passersby under permit from the Borough Council. Every such permit shall be issued to the person making application for the permit, upon payment of a fee, which shall be for the use of the Borough set by the Borough Council, pursuant to a resolution. The permit shall be granted to the applicant, upon payment of the fee, and upon his signing an agreement with the Borough Council that he shall be bound by the conditions imposed by Borough Council and made a part of the permit, dealing with the following matters:
  - A. Restricting or limiting the parking of the pushcart to one or more stated locations upon the sidewalk and to stated days and hours at each location;
  - B. Stating requirements to be adhered to in connection with the disposal of garbage and refuse resulting from the operations carried on;
  - C. Requiring that there be no violation of any law, ordinance or regulation pertaining to health, sanitation and the handling of food or drink.
4. Any person who violates any provision of this Section, or any condition of any permit granted under this Section, shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§903. OPERATION OR LOCATION OF CERTAIN CONVEYANCES OR DEVICES ON BOROUGH STREETS, ALLEYS, SIDEWALKS OR THOROUGHFARES PROHIBITED.**

1. The following definitions shall apply to this Section:

Skateboard. A vehicle propelled by human power and gravity consisting of material or portions of material formed in a thin firm sheet with wheels attached to the underside.

Remote-Controlled Devices. A mechanical device controlled remotely by a user, including but not limited to remote-controlled toy vehicles.

Basketball Hoop. A hoop, regardless of size or height, and without regard to netting or backboarding, used for or intended to be used for playing basketball.

Sled. A vehicle or other conveyance on runners intended to be used principally for transportation over snow or ice.

Ski. A narrow strip of wood, plastic, fiberglass or other material intended to be used primarily for gliding over snow or ice. The term “ski” or “skis” shall be deemed to include snowboards.

2. Unless a roadway has been blocked off for pursuit of a special designated activity by authority of §106 of Part I of this Ordinance, it shall be unlawful to engage in the following activities on or upon any road, street, alley, or thoroughfare within the Borough at any time:
  - A. Skateboarding or riding upon or propelling any skateboard;
  - B. Using or operating any remote-controlled device;
  - C. Using or riding in a toy vehicle;
  - D. Erecting or playing with a basketball hoop;
  - E. Using a sled;
  - F. Using a ski or skis.
3. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Borough; provided, that nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk,
4. It shall be unlawful for any person to engage in roller-skating, skateboarding, skiing, sledding or operating a toy vehicle upon any sidewalk located in a business district; provided that nothing in this Subsection shall prevent a pedestrian from pulling a wagon or other toy vehicle, with or without a rider, upon a sidewalk.
5. It is further unlawful for the parent, guardian, or other legal custodian of a minor to permit or allow said minor to engage in any of the actions or activities set forth in the preceding Subsections 2, 3, and 4.
6. Any person who violates any provision of this Section shall be subject to the following penalties:
  - A. First violation. Any person or entity violating this Section shall be given a warning for the first offense. If the person violating this Section is a minor, the Borough or the Borough’s Code Enforcement Officer shall notify the parents, guardian, or other person having legal custody of said minor of the violation of this Section and, upon request, said individual shall be provided with a copy of this Section.

- B. Section violation. Any person or entity violating this Section for a second time shall, upon conviction, be sentenced to pay a fine of \$25 plus costs of prosecution. In the event said person is a minor, the parent, guardian, or other person having legal custody of said minor shall, upon conviction, be sentenced to pay a fine of \$25 plus costs of prosecution.
  - C. Third and subsequent violations. Any person or entity violating this section for a third or subsequent time, shall, upon conviction, be sentenced to pay a fine of \$50 plus costs of prosecution. In the event said person is a minor, the parent, guardian, or other person having legal custody of said minor shall, upon conviction, be sentenced to pay a fine of \$50 plus costs of prosecution.
6. The provisions of this Section shall be enforced by the designated or authorized agent of the Borough and/or the Borough's Code Enforcement Officer.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

## PART 10

### PEDESTRIAN REGULATIONS

#### **§1001. PEDESTRIANS TO OBEY TRAFFIC-CONTROL SIGNS.**

At all locations in the Borough where official traffic-control signals are installed, pedestrians, , shall obey the directions of those traffic-control signals, as follows:

- A. When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk;
- B. When facing a steady yellow signal, a pedestrian shall not start to cross the roadway;
- C. When facing a steady red signal, a pedestrian shall not enter the roadway.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2014)

#### **§1002. LOCATIONS WHERE PEDESTRIAN CROSSING IN UNMARKED CROSSWALKS RESTRICTED.**

Except when authorized by a police officer or other appropriately attired person authorized to direct, control or regulate traffic, it shall be unlawful for any pedestrian to

cross the roadway at any of the following streets, at the intersection with that street indicated.

<u>Street</u>	<u>Intersection</u>	<u>Direction of Travel</u>
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(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)

**§1003. LOCATIONS WHERE PEDESTRIANS MAY CROSS ONLY IN CROSS-WALK.**

It shall be unlawful for any pedestrian:

- A. To cross any roadway in a business district within the Borough except in a crosswalk;
- B. To cross the roadway, in any of the following portions of streets in the Borough, except in a crosswalk:

<u>Street</u>	<u>Between</u>
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(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2014)

**§1004. PENALTY FOR VIOLATION.**

Any pedestrian who violates any provision of this Part shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. No. \_\_\_\_\_, \_\_\_\_\_, 2015)