

PARKING ORDINANCE

**GLENBURN TOWNSHIP
ORDINANCE NO 2014-01**

AN ORDINANCE OF THE TOWNSHIP OF GLENBURN, LACKAWANNA COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF STOPPING, STANDING AND PARKING VEHICLES ON HIGHWAYS, ROADS AND STREETS IN THE TOWNSHIP OF GLENBURN, SPECIFICALLY INCLUDING ARCH AVENUE, PROVIDING THE PENALTIES FOR VIOLATION THEREOF, TO BE KNOWN AS THE "PARKING ORDINANCE OF GLENBURN TOWNSHIP", SUPERSEDING AND/OR REPLACING ANY PRIOR PARKING ORDINANCES.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Glenburn, Lackawanna County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION I. - STOPPING, STANDING AND PARKING OUTSIDE BUSINESS AND RESIDENCE DISTRICTS

A. General Rule - Outside a business or residence district, no person shall stop, park or stand any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or stand the vehicle off the roadway. In the event it is necessary to stop, park, or stand the vehicle on the roadway or any part of the roadway, an unobstructed width of the highway opposite the vehicle shall be left for the free passage of other vehicles and the vehicle shall be visible from a distance of 500 feet in each direction upon the highway.

B. Exception for Disabled Vehicles - This section and Section II (relating to prohibitions in specified places) and Section IV (relating to additional parking regulations) do not apply to the driver of any vehicle which is EMERGENTLY DISABLED in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving the vehicle in that position.

SECTION II. - PROHIBITIONS IN SPECIFIED PLACES

Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle, or in compliance with law or the direction of a police officer or official traffic control device, the following prohibitions shall be in effect:

A. Stopping, standing, or parking a vehicle is expressly prohibited under the following circumstances:

- 1. On the roadway side of any vehicle stopped, or parked at the edge, or curb of the Street.**
- 2. On any sidewalk.**
- 3. Within any intersection.**
- 4. On any crosswalk.**

5. Alongside or opposite any street excavation or obstruction which would obstruct traffic.
6. Upon any bridge or other elevated structure.
7. On public or private property which is expressly reserved for handicapped persons or disabled veterans where said property has been posted in accordance with the regulations of the Pennsylvania Department of Transportation.
8. At any place where official signs prohibit same, specifically including Arch Avenue in Glenburn Township, Lackawanna County, Pennsylvania, or any like roadway, where the distance between the center of the center line pavement markings (or the center of the roadway if center line pavement markings are not present) and the curb or edge of the roadway is less than eighteen (18) feet on the roadway (Pennsylvania Code, Chapter 2012, Subchapter B., Section 212.114(a)(1), and where the street width of Arch Avenue is such that, if vehicles are parked along one or both curb faces or edges of the roadway, two vehicles cannot move abreast of one another in the same or the opposite direction without one yielding to allow the other vehicle to pass. (Pennsylvania Code, Chapter 2012, Subchapter B., Section 212.114(a)(2).

B. Standing and parking vehicles is expressly prohibited under the following circumstances: In front of a public or private driveway.

1. Within fifteen (15) feet of a fire hydrant.
2. Within twenty (20) feet of a crosswalk at an intersection.
3. Within thirty (30) feet of any flashing signal, stop sign, yield sign or traffic control signal located at the site of a roadway.
4. At any place where official signs prohibit same.

SECTION III. - PARKING ON PRIVATE PROPERTY

A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control of possession of the property; except in the case of an emergency or disablement of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible.

B. The provisions of Subsection A of Section III shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions in which case the operator of a vehicle should not violate said posted restrictions. For the purpose of this section "private parking lot" means a parking lot open to the public and used for parking with or without charge.

SECTION IV. - ADDITIONAL PARKING REGULATIONS

A. Every vehicle which is standing or parked on a two-way highway shall be positioned parallel to either the curb or the edge of the highway and in all cases in the direction of authorized traffic movement. The vehicle shall be parked such that the right-hand wheels are within twelve (12) inches of the right-hand curb. Or in the

absence of a curb, the vehicle shall be parked such that the left-hand wheels are at least twelve (12) inches from the edge of the highway.

B. Every vehicle which is standing or parked on a one-way highway shall be positioned parallel to the curb or edge of the highway in the direction of authorized traffic movement. Said vehicle shall be parked so that its wheels are within twelve (12) inches from the curb, or in the absence of a curb, as close as practicable to the shoulder of the road.

SECTION V. - PARKING OF COMMERCIAL EQUIPMENT

A. No commercial equipment, including, but not limited to trucks, tandems (in excess of one ton capacity), tractor trailers, tractors or other commercial construction, or cargo moving vehicles or equipment shall be parked upon any highway or Street within the Township of Glenburn after completion of the normal working day, i.e., from 9:00 a.m. to 5:00 p.m.

B. Exceptions - the following are exceptions to the restrictions set forth in subsection A of Section V:

1. Any commercial equipment described in this section may legally park for the purpose of delivering goods or rendering services during the normal course of business provided that such vehicle does not substantially impede the flow of vehicular traffic.

2. Vehicles being used for the purpose of road construction shall be permitted to park, stand or stop on any highway or Street within the Township of Glenburn when construction is in progress upon said highway or street.

SECTION VI. - SNOW REMOVAL

A. The provisions hereafter set forth in this Section shall apply to snow and ice clearing in the Township:

1. It shall be unlawful to park a vehicle on any road, street, and public right-of-way in the Township of Glenburn between November 15 and the following April 1, given the need to remove snow and ice for the safety of the travelling vehicle.

2. It shall be unlawful to throw, shovel or otherwise move, pile or dump snow or ice removed from sidewalks, driveways or other areas into roads, streets or rights-of-way.

SECTION VII. - PENALTIES

A. Violations of Section II, Subsection A-7. (Handicapped & Disabled Veteran Parking). Any person violating the provisions of Section II, Subsection A-7 of this Ordinance shall be guilty of a summary offense, and upon conviction before a magistrate shall be fined \$50.00 (Fifty) plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days in the Lackawanna County prison.

B. Violations of Section VI, Subsection A-I and/or Subsection A-2. (Snow Removal Parking). Any person violating the provisions of Section VI, Subsection A-i and/or Subsection A-2 of this Ordinance shall be guilty of a summary offense, and upon conviction before a magistrate shall be fined \$25.00 (Twenty-Five) plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days in the Lackawanna County prison.

C. Violations of all Sections except Section II, Subsection A 7 and Section VI, Subsection A-I and/or Subsection A-2. Any person violating the provisions of any of the sections except Section II, Subsection A 7 and Section VI, Subsection A-I and/or Subsection A-2 of this Ordinance shall be guilty of a summary offense, and upon conviction before a magistrate shall be fined \$15.00 (Fifteen) plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days in the Lackawanna County prison.

D. Reduced penalty. In any case where a police officer of the Township of Lackawanna County shall first give notice of the offense by handing to the offending operator or affixing securely to the motor vehicle illegally parked hereunder a ticket on which he has noted the time and place of the offense, the nature of the offense, and the license registration of the vehicle and bearing the statement that no prosecution shall be instituted for seventy-two (72) hours thereafter, and if during the said seventy-two (72) hour period, the offending operator shall voluntarily appear at the office of the Waverly Township Police, Lake Henry Drive, Waverly, Pennsylvania, 18471 and voluntarily enter a plea of guilty, and pay the appropriate fine payable to Glenburn Township, then no further prosecution for said offense shall thereafter be brought. In the alternative, said offender may forward to the office of the Township Police by regular mail the appropriate fine and no prosecution for the offense shall be thereafter brought so long as the envelope is postmarked within 72 hours of the violation.

SECTION VIII. - REMOVAL OF VEHICLE BY OR AT DIRECTION OF POLICE

A. In addition to the penalties herein provided, whenever any police officer finds an attended vehicle in violation of any provisions of this ordinance, the officer may move the vehicle, or cause the vehicle to be moved, or require the driver or other person in charge of the vehicle to move the vehicle, to a position off the roadway where the vehicle will not interfere unduly with the normal movement of traffic or constitute a safety hazard.

B. In addition to the penalties herein provided, whenever any police officer finds an unattended vehicle in violation of any provisions of this ordinance, the officer may remove or cause to be removed to the place of business of the operator of a wrecker or to a nearby garage or other place of safety selected by the Township; that said owner of said vehicle, if known, together with the address, shall be notified in writing of the fact of said removal, and the place of deposit of said vehicle; that said vehicle may be reclaimed and surrendered upon payment of towing and storing charges.

SECTION IX. - SEVERABILITY - The provisions of this Ordinance are severable. If any Section, sentence, clause or phrase of this Ordinance shall be held illegal, invalid, unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or phrases of this ordinance.

It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such invalid or unconstitutional section, sentence, clause or phrase not been included herein. Furthermore, it is the intent of this Ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies.

SECTION X - REPEALER - All ordinances or parts of ordinances that are inconsistent herewith are hereby repealed.

SECTION XI - EFFECTIVE DATE - This Ordinance shall take effect and be enforced from and after its approval as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of Lackawanna County, Pennsylvania this 20 day of Oct, 2014.

GLENBURN TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Joanne C. Binor
Secretary

By: Michael Savitsky
Michael Savitsky, Chairman

By: William Wicks
William Wicks, Supervisor

By: David Jennings
David Jennings, Supervisor