

ORDINANCE NO. 2009-03

**AN ORDINANCE OF THE BOROUGH OF PARRYVILLE, CARBON COUNTY,
PENNSYLVANIA ESTABLISHING GENERAL PARKING REGULATIONS,
REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES, AND
SNOW AND ICE EMERGENCY**

BE IT ORDAINED by the council of the Borough of Parryville, and it is hereby ordained
by the authority of the same as follows:

Part 1

General Parking Regulations

SECTION 1. Definitions and Interpretations.

Words and phrases , when used in this Part, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania, as now in force, or as may hereafter be amended, enacted or re-enacted, except in those instances where the context clearly indicates a different meaning.

SECTION 2. Parking in Prohibited Areas.

When signs are erected by the Borough, giving notice thereof, no person shall park a vehicle, at any time, upon any of the streets or parts of streets designated as prohibited parking areas.

SECTION 3. Parking Limited in Designated Areas.

When signs are erected by the Borough, giving notice thereof, no person shall park a vehicle longer than the time permitted upon any streets or parts of streets designated as limited parking areas.

SECTION 4. Parking Prohibited in Specific Areas.

No person shall park a vehicle or tractor, or permit it to stand, whether attended or unattended, upon a street or highway or in any of the following places:

- A. Within an intersection.
- B. On a crosswalk.
- C. Within 25 feet from the intersection of curb lines, or, if none, then within 15 feet of the intersection of property lines at an intersection of highways.
- D. Within 30 feet upon the approach to any official flashing signal, stop sign or traffic signal located at the side of the roadway.
- E. Within 15 feet of a fire hydrant.
- F. On a sidewalk.
- G. In front of a private driveway, or alongside any street or highway excavation or obstruction, not opposite the same, unless a clear and unobstructed width of not less than 20 feet upon the main traveled portion of the street or highway shall be left free for passage of other vehicles thereon.
- H. On the roadway side of any vehicle stopped or parked at the curb or edge of the highway.
- I. At any place where official signs have been erected prohibiting standing or parking.
- J. Within 50 feet of the nearest rail or railway crossing.
- K. Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator of a vehicle shall not stop, stand or park such vehicle on the highway within a business or residence district other than parallel with the edge of

the highway, headed in the direction of the traffic, and with the curb side of the vehicle within 6 inches of the edge of the highway or curb. Vehicles, which because of the type of construction cannot load or unload parallel to the curb, shall be exempt, while loading or unloading only, from the requirements of standing parallel to the curb.

L. No person shall park a vehicle at any time in front of, opposite to, or in such a position as to block entrance to or exit by a vehicle from a garage.

SECTION 5. Parking or Storing Vehicles upon Streets and Alleys Prohibited.

No person shall park, store or permit to be parked or stored any vehicle upon any street or alley in the Borough of Parryville in one place for a period of more than 72 hours.

SECTION 6. Parking Under Certain Conditions Prohibited.

1. No person shall park, store or permit to be parked or stored on any street, alley or private property in any residentially zoned district in the Borough of Parryville any vehicle, where the same is in public view, which:

- A. Is wrecked, or
- B. Is abandoned, or
- C. Is dismantled, or
- D. Is inoperative, or
- E. Does not display a current legal license plate, or
- F. Does not display a current legal inspection sticker

unless such vehicle is parked or stored completely within solid fencing, or is parked or stored completely within an enclosed building, so such vehicle is not in public view. The Borough of Parryville has determined such vehicles to be unsightly, unhealthy and a potential

harborage for insect and/or rodents.

SECTION 7. Special Purpose Parking Zones; Parking Otherwise Prohibited.

Special purpose parking zones are established in the locations incorporated into and made a part of this section, and it shall be unlawful for any person to park a vehicle or to allow a vehicle to remain parked in any such zone, except as specifically provided for that zone.

SECTION 8. Notice of Violation; Penalties and Procedures.

1. For violation of any provisions of this Part, the owner or operator shall, within 7 days of the time such notice was attached to his vehicle, or given to the owner of the property where the vehicle is stored or parked, pay as a penalty, the sum of \$100.

2. In all cases, failure of the owner or operator to make payment within 7 days, shall subject the owner or operator to a fine of not more than \$100 and costs of prosecution, and in default of payment thereof, shall undergo imprisonment for not more than 5 days.

SECTION 9. 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):

Street	Between
Peach Alley	Entire Length
Water Street	Entire Length
Oak Street	Entire Length
Chestnut Drive	Entire Length
Main Street	Entire Length

Part 2

Removal and Impoundment of Illegally Parked Vehicles

SECTION 1. Applicability and Scope.

This Part is enacted under authority of §6109(a)(22) of the Vehicle Code, 75 Pa.C.S.A. §6109(a)(22), and gives authority to the Borough to remove and impound those vehicles which are parked in a tow-away zone or 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.

SECTION 2. 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 Part 2, Section 1. Provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part or the provisions of the Vehicle Code.

SECTION 3. 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 Borough parking regulations:

Street	Side	Between	Parking Lot
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SECTION 4. 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. Every such garage shall submit evidence to the Borough that it is bonded or has acquired liability insurance in an amount satisfactory to the Borough 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 its schedule of charges for towing and storage of vehicles under this Part and, when the schedule is approved by the Borough, 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 shall delete from its list of approved storage garages any garage that make any unapproved charge in connection with any vehicle removed or impounded under this Part.

SECTION 5. 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.

SECTION 6. Reclamation Costs.

In order to reclaim his vehicle, the owner shall pay towing and storage costs plus a \$50 fee, of which \$25 shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

SECTION 7. 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.

SECTION 8. 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.

SECTION 9. Penalty For Violation.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under the provisions of the Vehicle Code, 75 P.S. §7301 *et seq.*

SECTION 10. 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, 75 Pa.C.S.A. §7311 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 Vehicle Code (75 Pa C.S.A. §7301 *et seq.*).

Part 3

Snow and Ice Emergency

SECTION 1. Definitions

Certain terms as used in this Part are defined as follows:

Snow - any precipitation depositing any accumulation on the streets, including snow, sleet, hail, ice and freezing rain.

Snow emergency - a state of highway condition that is hazardous and dangerous to vehicular and pedestrian traffic and is so declared by the Mayor.

Snow emergency routes - streets in the Borough so designated and marked.

Chains - full chains, strap chains or other type of chains mounted on both drive wheels on a motorized vehicle.

Snow tires - tires having treads designated for use in snow and labeled by the manufacturer on one sidewall with the word "Mud/Snow" or any contraction using the letters "M" and "S", such as MUS, M/S, M&S, etc., and are in such condition as and to serve the purpose for which they are designed.

Vehicle - all self-propelled motorized vehicles using Borough streets and highways.

SECTION 2. 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 Part 3, Section 4, and/or to facilitate the plowing or de-icing of Borough streets, the Mayor, with consent of the Borough Road Committee, may declare a snow emergency. The Mayor may declare any snow emergency route or any part of a snow emergency route or any Borough street or part of a Borough street to be free from restrictions herein imposed when so directed by the Road Committee. Information as to the existence of a

snow emergency may be given by the Borough through the radio, newspaper or other available media, and information on the termination or modification of the emergency may be given by use of the same media.

SECTION 3. Parking Prohibited, Driving Motor Vehicles Restricted on Snow Emergency Routes During Emergency.

1. 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 or leave unattended a vehicle or to allow that vehicle to remain parked or unattended anywhere on any snow emergency route designated in Part 3, Section 4.

B. To drive any vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

SECTION 4. Snow Emergency Routes Designated.

The following are designated as snow emergency routes:

Street	Between
Main Street	Entire Length

SECTION 5. Emergency Towing.

1. During a snow emergency, any vehicle parked, stalled, incapable of moving under its own power or left unattended on any street designated as snow emergency route may be removed or towed to any other location by direction of the Mayor or by the Police, at the owner's expense.

2. During a snow emergency, any vehicle parked or left unattended on a Borough street in violation of the provisions set forth in Part 3, Section 3(4), may be removed or towed to another location by direction of the Mayor or by the Police, at the owner's expense.

SECTION 6. Other Prohibited Parking.

Nothing in this Chapter shall be construed to permit parking at any time or place where it is forbidden by other Ordinances or Statutes.

SECTION 7. Penalty.

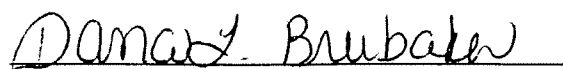
1. If, at any time during a period of snow emergency declared under Part 3, Section 2, a person shall park a vehicle, or allow a vehicle to remain unattended, or whose vehicle is incapable of moving under its own power anywhere on a snow emergency route, or where prohibited by Part 3, Section 3(1), that person shall be guilty of a violation of this Chapter and upon conviction shall be sentenced to pay a fine of \$25 per day, plus towing and storage charges, if any, and costs.

2. If at any time during a period of snow emergency declared under Part 3, Section 2, a person drives a vehicle on a snow emergency route without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Chapter and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

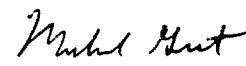
ENACTED AND ORDAINED, by the Council of the Borough of Parryville, this day of December 4, 2009.

ATTEST

BOROUGH OF PARRYVILLE

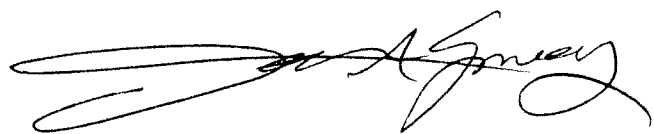


Dana Brubaker, Secretary/Treasurer



By: Michael Grant, President

Approved this 4th day of December, 2009.



By: Dean Emrey, Mayor