

ORDINANCE NO. 142 OF 1993
Borough of Sugarcreek
Venango County, Pennsylvania

AN ORDINANCE OF THE BOROUGH OF SUGARCREEK, COUNTY OF VENANGO, COMMONWEALTH OF PENNSYLVANIA,
PROVIDING FOR AREAS OF NO PARKING AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained, under the Authority of the Borough Code, Act of February 1, 1966, (1965 P.L. 1656, Act No. 581) as amended by the Council of the Borough of Sugarcreek, County of Venango, Commonwealth of Pennsylvania, as follows:

Section One: Title: This Ordinance shall be known as and may be cited as "The Parking Ordinance".

Section Two: Definitions: The following words and phrases when used in this Ordinance, shall, for the purpose of this Ordinance, have the meanings respectively ascribed to them in this section, except in those instances when the context clearly indicates a different meaning:

- a. Council: The Council of the Borough of Sugarcreek.
- b. Borough: The Borough of Sugarcreek.
- c. Crosswalk:
 - (1) That part of the roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs, or, in the absence of curbs, from the edge of the traversable roadway; and in the absence of a sidewalk on one side of a roadway, that part of a roadway included within the extension of the lateral lines of the existing sidewalk.
 - (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- d. Driver: A person who drives or is in actual physical control of a vehicle.
- e. Driveway: A way or place extending from a roadway onto or towards an abutting lot used for vehicular travel and pedestrian traffic by the owner of the abutting lot and those having express or implied permission from the owner, and not by other persons.
- f. Highway: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a public or private school or public or historical park.
- g. Official traffic-control devices: Signs, signals, marking and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warnings or guiding traffic.
- h. Operator: A person who drives or is in actual physical control of a vehicle.
- i. Owner: A person, other than a lien holder, having the property right in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.
- j. Park or Parking:
 - (1) When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway.
 - (2) When prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

- k. Pedestrian: A natural person afoot.
- l. Person: A natural person, firm, co-partnership, association or corporation.
- m. Police Officer: A natural person authorized by law to make arrests for violations of law.
- n. Private road or driveway: A way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.
- o. Railroad grade crossing: One or more railroad tracks, but not streetcar tracks, which intersect or cross a highway at the same level or grade.
- p. Roadway: That portion of a highway, improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder even though such sidewalk, berm or shoulder is used for pedal cycles. In the event a highway includes two or more separate roadways, the term "roadway" refers to each roadway separately, but not all such roadways collectively.
- q. Shall: Indicates that an action is required or prohibited.
- r. Should: Indicated that an action is advisable, but not required.
- s. Sidewalk: That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians; or that portion of a street right-of-way outside the lateral lines of the main travelled portion of the street or road, intended for use by pedestrians.
- t. Stand of Standing: When prohibited, means the halting of a vehicle whether occupied or not, except momentarily for the purpose of and while actually engaged in receiving or discharging passengers.
- u. Stop or Stopping:
 - (1) When required, means complete cessation from movement.
 - (2) When prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.
- v. Traffic: Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, whether singly or together, using any highway for purposes of travel.
- w. Traffic Control Signal: A device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.
- x. Trailer: A vehicle designed to be towed by a motor vehicle.
- y. Truck: A motor vehicle designed, used or maintained primarily for the transportation of property.
- z. Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

Section Three: The proper officers of the Borough shall erect and cause to be maintained official signs regulating, requiring and prohibiting parking, stopping, loading and unloading vehicles in accordance with the provisions of this Ordinance.

Section Four: PARKING/NO PARKING

Paragraph One: The term "No Parking", when used in this Ordinance, shall mean that no person shall park a vehicle or permit it to stand, either attended or unattended, between the hours specifically ordered in the appropriate sections of this Ordinance.

Paragraph Two: No person shall park a vehicle or permit it to stand, either attend or unattended, for more than 48 hours at any one time upon the passageway of any street in the Borough.

Paragraph Three: No owner, operator, or other person shall park a vehicle or permit a vehicle to stand, either attended or unattended, in any of the following places, on or in the vicinity of, a highway:

- a. Within an intersection
- b. On a crosswalk
- c. Within twenty-five (25) feet of the intersection of curb lines, or if none, then within 15 (15) feet of the intersection of street or road right-of-way lines, at an intersection of highways or streets.
- d. Within fifteen (15) feet of a fire hydrant
- e. In front of private driveway
- f. On a sidewalk
- g. Alongside a street or highway excavation or obstruction, or opposite the same, unless a clear and unobstructed width of not less than one-half (1/2) of the main traveled portion of said 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 and/or parking.
- j. In a position other than parallel with the edge of the highway, headed in the direction of traffic, and with the curb side of the vehicle within six (6) inches of the edge of the highway or curb, except where angle parking is directed and permitted.
- k. In a position other than with the front of the vehicle toward the curb of a highway when angle parking is directed and permitted, except a tractor vehicle while being loaded or unloaded.
- l. In the part of the public street right-of-way or highway or alley not occupied by the roadway except in a driveway.
- m. In parking areas designated for Handicapped Parking Without a Handicapped vehicle license or a Handicapped Parking Placard or Severely Disabled Veteran Parking Placard (as prescribed in the Pennsylvania Vehicle Code).
- n. In a fire lane designated by signs

Paragraph Four: This Ordinance may restrict parking for vehicles or combinations of vehicles which exceed or exceeds twenty (2) feet in length overall where designated by official signs erected on said street or streets.

Section Five:

Paragraph One: An officer shall by signal, order or direction require the removal of a legally or illegally parked vehicle for, and temporarily prohibit the operation or parking of a vehicle in sections or areas of highways in the operation without delay, obstruction and interruption in said sections or areas, of vehicles and equipment owned or leased by the Borough, including fire and police vehicles, shovel and equipment engaged in the opening of excavations, and refilling of excavations, and the repair, resurfacing and the cleaning of the surface of the highway or the removal of snow therefrom.

Paragraph Two: It shall be unlawful for an owner or operator of a vehicle to fail or refuse to comply with an order, signal, direction or request given by an officer in accordance with, and as provided in, Paragraph One of Section nine of this Ordinance.

Section Six: This Ordinance is not intended and shall not be construed to any manner supersede, suspend, revoke, alter or amend any provisions of the "Motor Vehicle Code" of the Commonwealth of Pennsylvania.

Section Seven:

Paragraph One: Any person violating a provision of this Ordinance or aiding, abetting, or assisting in the violation of a provision hereof, shall upon conviction in a summary proceeding before a District Magistrate, be subject to a fine of not less than Twenty Dollars (\$20.00), or more than Twenty-five Dollars (\$25.00), together with the costs of prosecution; and in default of the payment of fine and costs shall undergo imprisonment in the jail of the County of Venango, Pennsylvania, for a period to exceed no more than ten days.

Paragraph Two: Any person receiving a ticket or notice of a parking violation may, in lieu of a summary proceeding before a District Magistrate, pay to the borough:

- (a) Within seventy-two hours at the Borough Office:
 - (1) \$5.00 for parking in a No Parking area of prohibited parking area.
 - (2) \$10.00 for parking in a Fire Lane, or within fifteen (15) feet of a fire hydrant, or in an area designated for Handicapped Parking.
 - (3) \$5.00 for any other violation of this Ordinance.
- (b) After seventy-two (72) hours, but within one hundred twenty (120) hours:
 - (1) \$10.00 for parking in in No Parking area or prohibited parking area.
 - (2) \$20.00 for parking in a Fire Lane, or within fifteen (15) feet of a fire hydrant, or in an area designated for Handicapped Parking.
 - (3) \$10.00 for any other violation of this Ordinance.

The time periods herein provided for payment of fines without a summary proceeding shall commence at the time of the issuance of the ticket or notice of a parking violation. Failure to pay within said periods of time shall result in a summary proceeding as provided in Paragraph One of this Section.

Section Eight: If any provision, section, or part of this Ordinance shall be adjudicated invalid or unconstitutional by a court of competent jurisdiction, this adjudication shall not affect the validity of this Ordinance as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section Nine: This Ordinance shall become effective at the earliest date permitted by law.

ENACTED AND ORDAINED into law by the Council of the Borough of Sugarcreek, Venango County, Pennsylvania, in lawful session this 16th day of June, 1993.