

ORDINANCE NO. 94-2

AN ORDINANCE OF THE TOWNSHIP OF EAST BETHLEHEM REGULATING MOTOR VEHICLES GENERALLY; ESTABLISHING TRAFFIC REGULATIONS; ESTABLISHING GENERAL PARKING REGULATIONS; PROVIDING FOR ON-STREET AND OFF-STREET PARKING; AUTHORIZING THE REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES; AUTHORIZING REGULATIONS DURING SNOW AND ICE EMERGENCIES; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

The East Bethlehem Township Board of Commissioners hereby ordain:

I. GENERAL REGULATIONS

Section 101. Definitions and Interpretation.

1. Words and phrases, when used in this ordinance, except for sections 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 ordinance, 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 ordinance shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

3. In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 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 or as amendments to ordinances, except where the law specifically authorizes less formal action.

Section 103. Temporary and Emergency Regulations.

The East Bethlehem Township Police Department shall have the following powers to regulate traffic and parking temporarily in time of emergency or public events:

1. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and

2. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to permit, restrict, or prohibit traffic and/or parking in limited areas for a period of not more than 4 hours prior to an event and 1 hour after the event.

Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance 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 ordinance, a fine of not more than Fifty Dollars (\$50.00) plus the costs of prosecution and the cost of removal and storage of the vehicle.

#### Section 104. Experimental Regulations.

The purpose of this section is to allow for the testing and experimental determination of the feasibility and desirability of permanent changes in the ordinances or the Township of East Bethlehem relative to traffic and parking.

The East Bethlehem Township Board of Commissioners may, from time to time, by resolution, designate places upon and along the highways in the Township of East Bethlehem 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 as if they had been specified in this ordinance. 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 subject to the penalty set forth in the law or elsewhere in this ordinance 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 more than Fifty Dollars (\$50.00) plus costs of prosecution and the cost of removal and storage of the vehicle.

Section 105. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. The Board of Commissioners 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 Board of Commissioners 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. If the construction or maintenance work or event is being conducted by person(s) other than the Township, that person(s) is required to provide the flagman. 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 flag or devise, not to proceed.

Any person who shall violate any provision of this section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance 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 or not more than Fifty Dollars (\$50.00) together with costs of prosecution and the cost of removal and storage of the vehicle.

Section 106. Authority of Police Officers.

The police officers of the Township of East Bethlehem are hereby authorized to direct traffic on the highways of the Township of East Bethlehem and at intersections thereof and to otherwise enforce the provisions of this ordinance.

Section 107. Authorization of Use of Speed Timing Devices.

The East Bethlehem Township Police Department is 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. This section authorizes the use of said devices upon all highways within the Township of East Bethlehem, be they township, 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., as amended, supplemented, modified or enacted by the General Assembly of Pennsylvania.

II. TRAFFIC REGULATIONS

Section 201. One-Way Streets Established.

1. In order to ensure public safety, 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> |
|---------------|-------------|-----------|----------------------------|
| Cherry Alley  | Front St.   | Water St. | East                       |
| Potters Alley | Front St.   | Water St. | East                       |

2. Any person who shall violate any provision of this section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance 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 more than Fifty Dollars (\$50.00) plus costs of prosecution and the cost of removal and storage of the vehicle.

III. GENERAL PARKING REGULATIONS

Section 301. Vehicles to be Parked Within Marked Spaces.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Section for any person to park a vehicle or allow it to remain parked otherwise.

Section 302. Parking Time Limited in Certain Locations and for Certain Times.

No person shall park a vehicle, or allow it to remain parked, in any location identified below, for longer than the times indicated, except on Sundays and legal holidays:

| <u>Street</u> | <u>From</u> | <u>To</u>    | <u>Side</u>  | <u>Time</u>  |
|---------------|-------------|--------------|--------------|--|
| Front St.     | North St.   | Crawford Rd. | Left (East)  | 15 minutes   |
| Front St.     | North St.   | Crawford Rd. | Right (West) | From 6 am without restriction as to the amount of time parked during 6 am until midnight |

Section 303. Parking Prohibited.

No person shall park any vehicle, or allow it to remain parked at any time, in the location(s) specified below:

Parking is prohibited on both sides of Walnut Street from Potter Alley to Market Street.

Section 304. Reserved Parking Spaces for Handicapped.

East Bethlehem Township may provide reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs which state thereon the penalty for violation in accordance with 75 Pa.C.S. §3354. It shall be unlawful, and a violation of this section, for any person to park in any such reserved parking space, any vehicle unless that vehicle bears or displays either: a "handicapped registration plate, or "handicapped parking placard", a "disabled veteran registration plate", or a "disabled veteran placard". However, all provisions, requirements and restrictions contained in the other sections of this ordinance shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

At the request of any handicapped person or severely disabled veteran, the Township may erect on the highway as close as possible to his place of residence a sign or signs indicating that place is reserved for the handicapped person or severely disabled veteran, that no parking is allowed there by others, and that any unauthorized person parking there shall be subject to a fine.

Section 305. Any person who shall violate any provision of sections 301-304 shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance 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 more than Fifty Dollars (\$50.00) plus costs of prosecution and the cost of removal and storage of the vehicle.

IV. OFF-STREET PARKING

Section 401. Unmetered Parking Lots Established.

The following are established as the parking lots owned by the Township of East Bethlehem:

Location

Front Street  
Water Street

Parking in these areas is limited to "head in" parking only.

Section 402. Reserved Parking Spaces for Handicapped To Be Provided.

East Bethlehem Township may provide at convenient and suitable locations in one or more of the 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", or "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.

Any person who shall violate any provision of this section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance 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 more than Fifty Dollars (\$50.00) plus costs of prosecution and the cost of removal and storage of the vehicle.

Section 403. Lots for Certain Types of Vehicles.

The parking lots established by Section 401 of this ordinance shall be for the use of emergency vehicles, passenger cars, vans, and pick-up trucks registered and used as personal vehicles only, and it be unlawful for any person to park any other kind or class of vehicle in any such lot.

Section 404. Penalty for Violation.

1. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this ordinance, and instructing the owner or driver that if he will report to the Offices of East Bethlehem Township and pay, for the use of East Bethlehem Township, the sum of Twenty-Five (\$25.00) Dollars within twenty-four (24) hours, that act will save the violator from prosecution and from payment of the fine prescribed in Subsection 2 hereof.

2. Any person who violates any provision of sections 401-403 and who fails to pay the fine set forth in section 404, shall be cited within fifteen (15) days of the violation and upon conviction, be sentenced to pay a fine of not more than Fifty

Dollars (\$50.00) plus cost of prosecution and the costs of removal and storage of the vehicle.

3. Failure to remove the cited vehicle within 12 hours of issuance of the citation or to otherwise remedy the situation for which the individual has been cited shall constitute a separate offense, for which subsequent additional citations may be issued by the Township.

#### V. REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES

##### Section 501. Applicability and Scope.

This section is enacted under authority of the Pennsylvania Vehicle Code, and gives authority to the Township of East Bethlehem to remove and impound those vehicles which are parked in violation of parking regulations of this ordinance. 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 502. Authority to Remove and Impound.

The Township of East Bethlehem shall have the 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 Section 501 of this ordinance. Provided: no such vehicle shall be removed or impounded except in accordance with the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code.

##### Section 503. Reclamation Costs.

In order to reclaim his vehicle, the owner shall pay towing and storage costs.

##### Section 504. Restrictions upon Removal of Vehicles.

No vehicle shall be removed under the authority of this section 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 505. Penalty for Violation.

Any person who shall violate any provision of sections 501-504 shall, upon conviction thereof, be sentenced to pay a fine of Fifty

(\$50.00) Dollars together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §7301 et seq. as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

VI. MISCELLANEOUS

Section 601. Repealer.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 602. Severability.

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Township of East Bethlehem that this chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 603. Effective date. This ordinance shall become effective on June 21, 1994.

EAST BETHLEHEM TOWNSHIP  
BOARD OF COMMISSIONERS

(SEAL)

Frank S. Barber

Susan B. Morgan  
Susan B. Morgan, Secretary



RESOLUTION

DESIGNATION OF CERTAIN HANDICAPPED PARKING SPACES PURSUANT TO EAST BETHLEHEM TOWNSHIP'S ORDINANCE 94-2, SECTION 304.

AND NOW, this 16th day of June, 1995, be it resolved that in accordance with the authority granted by East Bethlehem Township Ordinance 94-2, Section 304, and upon the request of various handicapped persons, the East Bethlehem Township Board of Commissioners hereby establishes, ordains, and designates the following reserved handicapped parking spaces:

Vestaburg

444 First Street - Kiwall Residence  
445 First Street - Finley Residence  
420 Second Street - Marchines Residence  
413 Second Street - Shumock Residence  
409 Second Street - Faieta Residence  
313 Second Street - Murray Residence

Fredericktown

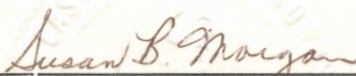
Front Street near Post Office  
Market Street near Integra Bank  
Front Street - Parking Lot - near Potters Alley  
Front Street - Parking Lot - near Legion  
Walnut Street - beside Fire Hall  
Crawford Road - near Front Street  
Water Street - Parking Lot - near Library

Accordingly, the Township shall delineate the parking spaces and designate those spaces by appropriate signs in a manner consistent with the requirements imposed by statute and by East Bethlehem Township Ordinance 94-2.

Violators will be subject to the penalties set forth in East Bethlehem Township Ordinance 94-2, Section 305A.

Effective immediately following compliance with East Bethlehem Township Ordinance 94-2, Section 304, regarding parking space designation and posting of handicapped signs.

EAST BETHLEHEM TOWNSHIP  
BOARD OF COMMISSIONERS



Susan B. Morgan, Secretary

