

Chapter 15

Motor Vehicles and Traffic

Part 1 General Regulations

- §15-101. Definitions and Interpretation
- §15-102. Manner of Adopting Permanent Traffic and Parking Regulations
- §15-103. Continuation of Prior Regulations
- §15-104. Temporary and Emergency Regulations
- §15-105. Experimental Regulations
- §15-106. Authority of Police Officers
- §15-107. Authorization for Use of Speed Timing Devices

Part 2 Traffic Regulations

- §15-201. Motor Vehicles Not to Be Driven on Sidewalks
- §15-202. Speed Limits Established
- §15-203. Traffic Signals at Certain Intersections
- §15-204. Right Turn on Red Signal Prohibited at Certain Intersection
- §15-205. Stop Intersections
- §15-206. Yield Intersections
- §15-207. Through Streets Established
- §15-208. One-Way Streets
- §15-209. Traffic to Keep Right of Certain Structures and Barriers
- §15-210. U-Turns Prohibited on Certain Streets or Portions Thereof
- §15-211. Gross Weight Limits Established
- §15-212. Trucks Prohibited on Certain Streets/Exceptions
- §15-213. Trucks to Travel in Low Gear
- §15-214. Local Traffic Only on Certain Streets
- §15-215. Unlawful to Operate Motor Vehicles on Streets Closed for Construction or Repair
- §15-216. Play Streets Authorized

Part 3 General Parking Regulations

- §15-301. Parking Without Lights Authorized
- §15-302. Loading and Unloading
- §15-303. Angle Parking Required on Portions of Certain Streets
- §15-304. Vehicles to Be Parked Within Marked Spaces; Parking Prohibited in Certain Marked Areas
- §15-305. Parking Prohibited at All Times in Certain Locations
- §15-306. Parking Prohibited at Certain Times on Certain Streets and Alleys
- §15-307. Parking Time Limited in Certain Locations
- §15-308. [Insert Time] Parking Limit for Certain Types of Vehicles

- §15-309. Special Purpose Parking Zones Established; Parking Otherwise Prohibited
- §15-310. Parking for Repairs
- §15-311. Trailer Parking Restricted
- §15-312. Penalties
- §15-313. General Parking Rules
- §15-314. Loading Zone Violations
- §15-315. Operation of Parking Meters
- §15-316. Leaving Ignition Keys in Unattended Vehicle

Part 4

Unlicensed, Uninspected and Dismantled Vehicles

- §15-401. Parking and Storage of Unlicensed and Uninspected Vehicles on Streets and Alleys Restricted
- §15-402. Dismantled Vehicles Not to Be Stored or Parked on Streets and Alleys
- §15-403. Removal of Vehicle
- §15-404. Reclamation Costs
- §15-405. Penalty

Part 5

Removal and Impoundment of Illegally Parked Vehicles

- §15-501. Authority to Remove and Impound Illegally Parked Vehicles
- §15-502. Approved Storage Garages
- §15-503. Towing and Storage Charges
- §15-504. Garage to Post Bond
- §15-505. Notification to Owners of Impounded Vehicles
- §15-506. Effect of Payment of Towing and Impoundment Charges Without Protest
- §15-507. Effect of Payment of Towing and Impoundment Charges Under Protest
- §15-508. Records of Vehicles Removed and Impounded
- §15-509. Owner or Operator of Vehicle Remains Liable for Fine or Penalty
- §15-510. Restrictions upon Removal of Vehicles

Part 6

Snow and Ice Emergency

- §15-601. Definitions
- §15-602. Declaration of Snow Removal Condition
- §15-603. Unattended Vehicles Prohibited During Emergency
- §15-604. Certain Streets Designated for Snow Removal
- §15-605. Snow Tires or Chains Required
- §15-606. Placement of Signs Along Highways Affected; Information on Existence of Emergency
- §15-607. Penalties

Part 1**General Regulations****§15-101. Definitions and Interpretation.**

Words and phrases, when used in this Chapter, shall have the meanings ascribed in the Vehicle Code, 75 P.S. §101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania, unless the context clearly indicates a different meaning.

Legal holidays - New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas.

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

(Ord. 117, 2/6/1984)

§15-102. 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.

(Ord. 117, 2/6/1984)

§15-103. Continuation of Prior Regulations.

The provisions of this Chapter, so far as they are the same as those of ordinances in force immediately prior to the adoption of this Chapter, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this Chapter shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under any such ordinances or regulations as aforesaid.

(Ord. 117, 2/6/1984)

§15-104. Temporary and Emergency Regulations.

The Mayor shall 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 72 hours.

Such temporary and emergency regulations shall be enforced by the police department serving the Borough in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or 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 Chapter 15

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 \$25 together with costs of prosecution. [Ord. 145-07]

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

§15-105. Experimental Regulations.

The Borough Council may, from time to time by resolution, designate places upon and along the highways in the Borough of Modena where for a period of not more than 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 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 subject 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 more than \$25 together with costs of prosecution; 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. 117, 2/6/1984)

§15-106. Authority of Police Officers.

The police officers of the Borough of Modena are hereby given authority to direct traffic on the highways of the Borough and at intersections thereof.

(Ord. 117, 2/6/1984)

§15-107. Authorization for Use of Speed Timing Devices.

The police department serving the Borough is hereby authorized to use all mechanical or electrical 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, including but not limited to E.S.P. and Vascar systems. [Ord. 145-07]

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 P.S. §101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

Part 2

Traffic Regulations

§15-201. Motor Vehicles Not to Be Driven on Sidewalks.

No person shall drive any vehicle except a human powered vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway. Any person who shall violate any provision of this Section shall, upon conviction thereof be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

§15-202. Speed Limits Established.

The following speed limits are hereby established:

Street	Between	Speed Limit
All streets and alleys		25 mph

Any person who shall operate a vehicle at a speed in excess of that established therefor, upon any highway or portion thereof as specified in this Section, shall, upon conviction thereof, be sentenced to pay a fine of \$35 and, for exceeding a maximum speed limit by more than 5 miles per hour, shall pay an additional fine of \$2 for each mile per hour in excess of 5 miles per hour over the maximum speed limit.

(Ord. 117, 2/6/1984)

§15-203. Traffic Signals at Certain Intersections.

At the following intersections, official traffic signals shall be erected (or are hereby ratified if heretofore erected), and traffic at such intersections shall be directed by such signals:

[Reserved]

Any driver of a vehicle who shall disobey the directions of any traffic signal shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

§15-204. Right Turn on Red Signal Prohibited at Certain Intersection.

It shall be unlawful for the driver of any vehicle traveling on the first-named street at any of the following intersections, in the direction or directions hereby indicated in each case to make a right turn when his or her vehicle is facing a steady red traffic signal:

Street	Intersecting Street	Direction of Travel

[Reserved]

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

§13-205. Stop Intersections.

The following intersections are hereby established as stop intersections, and official stop signs shall be erected (or are hereby ratified if heretofore erected) in such a position as to face traffic approaching the second-named street upon the first-named street, in the direction or directions hereby indicated. It shall be unlawful for all vehicles approaching any such intersection upon the first-named street, in the direction or directions hereby indicated, to not come to a full stop, within a reasonable distance, before entering any such intersection:

Stop Street	Through Street	Direction of Travel
Baker Street	Brandywine Avenue	East
Brandywine Avenue	Hephzebah Road	North
Brandywine Avenue	Union Street	South
Mary Street	Baker Street	North [Ord. 130]
Mary Street	Woodland Street	South
Meredith's Court	Union Street	East
Modena Road	Union Street	North and south
Mortonsville Road	Union Street	North and south
Woodland Avenue	Brandywine Avenue	East and west

Any driver of a vehicle who shall violate any provision of this Section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution. (Ord. 117, 2/6/1984; as amended by Ord. 130, 1/7/1991)

§15-206. Yield Intersections.

The following intersections are hereby established as yield right-of-way intersections and official yield signs shall be erected (or are hereby ratified if heretofore erected) in such a position as to face traffic approaching the second-named street upon the first-named street. All vehicles approaching any such intersection upon the first-named street shall yield the right-of-way to any vehicle in the intersection or approaching on the second-named street so closely as to constitute an immediate hazard during the time that the driver of such vehicle is moving across or within such intersection:

Yield Highway	Through Highway	Direction of Travel
	[Reserved]	

Any driver of a vehicle who shall violate any provision of this Section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution. (Ord. 117, 2/6/1984)

§15-207. Through Streets Established.

The following streets are hereby established as through streets, and the driver of a vehicle upon approaching any such street at any intersection thereof (except for

intersections where there are now or shall hereafter be located official traffic control signals) shall come to a full stop, within a reasonable distance, before entering any such through street:

Street	Between
Brandywine Avenue, North	Entire length
Modena Road	Entire length
Mortonville Road	Entire length
Union Street	Modena Road to North Brandywine Avenue

Any driver of a vehicle who shall violate any provision of this Section, shall upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution. (Ord. 117, 2/6/1984)

§15-208. One-Way Streets.

The following are hereby established as one-way streets with operation of vehicles thereupon to be in the direction hereby indicated:

Streets	From	To	Direction of Travel
		[Reserved]	

Any person who shall violate a provision of this Section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 and costs of prosecution. (Ord. 117, 2/6/1984)

§15-209. Traffic to Keep Right of Certain Structures and Barriers.

All vehicular traffic shall keep to the right of the following structures or barriers located in the center of the specified intersections:

Structure	Intersection
	[Reserved]

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution. (Ord. 117, 2/6/1984)

§15-210. U-Turns Prohibited on Certain Streets or Portions Thereof.

It shall be unlawful for the driver of a motor vehicle to make a U-turn on any of the following streets or portions of streets:

Street	Between
	[Reserved]

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

§15-211. Gross Weight Limits Established.

The following weight limits are hereby established, and it shall be unlawful for any person to drive any motor vehicle or other vehicle, trailer or tractor-trailer combination having a gross weight in excess of that herein prescribed, upon any of the following streets or portions thereof where such streets or portions thereof have been posted with notice of such maximum weight:

Street	Between	Maximum Gross Weight
	[Reserved]	

Provided: the aforesaid weight limit shall not apply to any motor vehicle or other vehicle, trailer or tractor-trailer combination making deliveries or picking up goods, wares, material or merchandise at or on premises located in any such street or portion thereof, listed above, or any motor vehicle or other vehicle, or trailer or tractor-trailer combination for which a special permit to operate on any such street or portion thereof shall have been issued by the Chief of Police. Provided further, the provisions of this Section shall not apply to the driving of vehicles hauling food or household goods, public utility vehicles, firefighting equipment, garbage and rubbish vehicles, or school and public transportation buses.

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$75 plus \$75 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight limit, together with costs of prosecution.

(Ord. 117, 2/6/1984)

§15-212. Trucks Prohibited on Certain Streets/Exceptions.

It shall be unlawful for any person to operate any truck, which shall mean a motor vehicle designed, used or maintained primarily for the transportation of property, freight, or merchandise, upon any of the following streets, or portions thereof, as herein designated:

Street	Between
Woodland Avenue	Brandywine Avenue and Borough line

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution; provided, nothing in this Section shall make it unlawful to operate a truck upon any street or portion thereof, listed above for delivery and pickup of goods, wares, material or merchandise, at or on premises located at any such street or portion thereof.

(Ord. 117, 2/6/1984)

§15-213. Trucks to Travel in Low Gear.

All trucks are to use low gear when traveling on the following streets or portions thereof:

Street

Between

[Reserved]

Any person who shall violate any provision of this Section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.
(Ord. 117, 2/6/1984)

§15-214. Local Traffic Only on Certain Streets.

The following streets or portions of streets are hereby designated as being for local traffic only:

Street

Between

[Reserved]

Any person who shall use as a through street, the streets or portions thereof hereby designated as being for local traffic only shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution; provided, local traffic, as used herein, shall mean access to and egress from properties and businesses or parking facilities located along said streets.

(Ord. 117, 2/6/1984)

§15-215. Unlawful to Operate Motor Vehicles on Streets Closed for Construction or Repair.

It shall be unlawful for any person to operate any vehicle upon any street that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

§15-216. Play Streets Authorized.

1. The Mayor is hereby authorized to designate as play streets, whenever and for whatever period of time he shall deem advisable, any portion of any street whereon sledding and coasting shall be permitted. Such street shall be set apart for this purpose under the direction of the Mayor.

2. No person shall operate any motor vehicle upon any play street at any time when such street shall be so designated, except in case of emergency, with special permission of the Police Officer in charge, who shall first clear such play street of all persons using such street for the purpose for which it was set aside.

3. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

Part 3

General Parking Regulations

§15-301. Parking Without Lights Authorized.

The boundary limits of the Borough of Modena are hereby established as a zone in which motor vehicles may remain standing without lights, and all highways within such boundary limits are hereby designated as highways where motor vehicles may remain standing without lights.

(Ord. 117, 2/6/1984)

§15-302. Loading and Unloading.

The loading and unloading of goods, wares and merchandise is hereby restricted to such length of time as is absolutely necessary for the purpose of loading or unloading of such goods, wares and merchandise. For the purpose of enforcement of this Section, such loading or unloading of any vehicle shall not be considered as parking; provided, without having first obtained permission from the Chief of Police to do so, no person shall load or unload a vehicle from any place upon any street or alley in the Borough where parking is prohibited; or shall allow a vehicle to remain, for loading or unloading, in any place upon any street or alley where parking is limited as to time, for longer than the time for which parking is permitted; or shall load or unload upon any street or alley in such a way that one lane for vehicular traffic shall not be kept open at all times. Where such permission is granted by the Chief of Police, he may, at his discretion, block off the portion of the street or alley affected by such loading or unloading.

(Ord. 117, 2/6/ 1984)

§15-303. Angle Parking Required on Portions of Certain Streets.

Only angle parking shall be permitted on the following portions of the streets:

Street	Between
	[Reserved]

On all streets or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

(Ord. 117, 2/6/1984)

§15-304. Vehicles to Be Parked Within Marked Spaces; Parking Prohibited in Certain Marked Areas.

1. Wherever a particular parking space shall be lined or marked off on any street or alley or upon the adjacent curb, every vehicle parked shall be parked within the lines marking such parking space. All vehicles parked on streets or alleys whether parking spaces are marked or not shall be parked only in the direction of the permitted traffic flow.

2. Parking shall be prohibited at all times by any vehicle which in any way will

block the intersection of any street or alley or the entrance or exit of any street or alley. Parking shall at all times be prohibited within the painted line area adjacent to any fire hydrant; within the painted line area marking the permissible distance to park from any intersection; in any area where erected signs or painted lines indicate a "No Parking" area; in any manner so as to block any private or public driveway or access way to a parking lot or parking facility or other facility of the Borough.

(Ord. 117, 2/6/1984)

§15-305. Parking Prohibited at All Times in Certain Locations.

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

Street	Side	Between
Brandywine Avenue	Both	Entire length (except as provided in §15-307)
Woodland Avenue	Both	North and east of Brandywine Avenue

(Ord. 117, 2/6/1984)

§15-306. Parking Prohibited at Certain Times on Certain Streets and Alleys.

1. Parking is hereby prohibited on the following streets and alleys of the Borough at any and all times between the hours of [insert times]:

Street	Side	Between	Hours
		[Reserved]	

2. For street sweeping purposes, parking will be prohibited on certain streets at certain times according to a schedule which will be published in a local newspaper and posted at prominent locations in the Borough.

(Ord. 117, 2/6/1984)

§15-307. Parking Time Limited in Certain Locations.

It shall be unlawful to park any vehicle or allow the same to remain parked, for more than the indicated length of time in any of the following locations:

Street	Between	Side	Time Limit
Brandywine Avenue	In front of Post Office	East	5 minutes

(Ord. 117, 2/6/1984)

§15-308. [Insert Time] Parking Limit for Certain Types of Vehicles.

No person shall park any truck of the weight classification of the Commonwealth of Pennsylvania of V-plate capacity or heavier, or any tractor or trailer, or tractor-trailer combination, or allow the same to remain parked, on any street or alley in the Borough, for a period longer than _____ (_____) [minutes or hours].

(Ord. 117, 2/6/1984)

§15-309. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.

The following are hereby established as special purpose parking zones, and it shall be unlawful for any person to park any vehicle or tractor or to allow the same to remain parked, in any such zone, except as specifically provided for such zone:

Street	Between	Side	Purpose
		[Reserved]	

(Ord. 117, 2/6/1984)

§15-310. Parking for Repairs.

The parking of any motor vehicle, tractor or trailer, or combination thereof, upon streets and highways of the Borough for repairs, whether upon the traveled or untraveled portion thereof, shall be temporary only and limited to times for emergency repairs. This Section shall not be construed to permit parking for repairs at locations where parking is otherwise prohibited.

(Ord. 117, 2/6/1984)

§15-311. Trailer Parking Restricted.

It shall be unlawful for any person to park a trailer (which shall mean a vehicle without motive power, designed to carry property of passengers or designed and used exclusively for living quarters wholly on its own structure, and to be drawn by a motor vehicle or tractor and including, but not limited to, house trailers, boat trailers, and rental handling trailers), upon any street or highway in the Borough, without having attached to such trailer a means of mechanical traction constructed or designed for the purpose of drawing such trailer.

(Ord. 117, 2/6/1984)

§15-312. Penalties.

Any person, firm or corporation who shall violate any provision of the Part, §§15-302 through 15-311, shall be fined, together with costs of prosecution, \$50.

(Ord. 117, 2/6/1984; as amended by Ord. 123-06, 4/3/2006)

§15-313. General Parking Rules.

1. At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directional of a policeman or traffic control device:

- A. In any alley.
- B. In any crosswalk.
- C. In any place where the vehicle would block the use of a private driveway.
- D. In any restricted area.
- E. In any place where the vehicle would obstruct a traffic lane.
- F. Double parked along side another vehicle.

- G. Across lines.
 - H. In any prohibited area.
 - I. Within 15 feet of a fire hydrant.
 - J. Within 20 feet of any intersection.
 - K. Within 30 feet of a stop sign.
 - L. Within 20 feet of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within 75 feet of such entrance.
 - M. With the left side of such vehicle next to the curb, except on one-way streets; \$15, this amount is still governed by Vehicle Code under 75 Pa.C.S. §3354(F)(a).
 - N. In any restricted area requiring permits or decals without such permits or decals properly placed and made visible.
2. Any person, firm or corporation violating any provision of this Section shall be fined, together with cost of prosecution, as follows.
- A. Fifty dollars for those violations in subsection .1.A through .1.C.
 - B. Fifty dollars for those violations in subsection .1.D and .1.E.
 - C. Fifty dollars for those violations in subsection .1.F and .1.G.
 - D. Fifty dollars for those violations of in subsection .1.H through .1.L.
 - E. Fifteen dollars for violation in subsection .1.M.
 - F. Fifty dollars for violations in subsection .1.N.
3. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- (Ord. 117, 2/6/1984; as added by Ord. 123-06, 4/3/2006)

§15-314. Loading Zone Violations.

1. It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not exceeding 1 minute, and for the driver to stand any freight carrying vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

2. Any person, firm or corporation who shall violate this provision shall be fined \$50 together with the costs of prosecution.

(Ord. 117, 2/6/1984; as added by Ord. 123-06, 4/3/2006)

§15-315. Operation of Parking Meters.

1. Except in a period of emergency determined by an officer of the fire or police department serving the Borough, or in compliance with the directions of a police officer or traffic control sign or signal when any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the said parking place immediately deposit or cause to be deposited in said meter such proper coin of the United States as is required for such parking meter and as is designated by proper coin or coins, shall set in operation the timing

mechanism on such meter in accordance with the directions properly appearing thereon, and failure to deposit of proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this Part. Upon the deposit of such coin (and the setting of the timing mechanism in operation when so required), the parking space be lawfully occupied by such a vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin as long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the time limit set for such parking space, and if the meter shall indicate such illegal parking, than, and in the event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this Section. [Ord. 145-07]

2. Any person, firm or corporation who shall violate this provision shall be fined \$50 together with costs of prosecution.

(Ord. 117, 2/6/1984; as added by Ord. 123-06, 4/3/2006; and as amended by Ord. 145-07, 12/11/2007)

§15-316. Leaving Ignition Keys in Unattended Vehicle.

1. No person driving or in charge of a motor vehicle shall permit it to stand unattended in any public place, or in any used or new car lot without first stopping the engine, locking the ignition and removing the ignition key from the vehicle.

2. Whenever any police officer shall find a motor vehicle standing unattended with the ignition key in the ignition, in violation of this provision, such police officer is authorized to remove such key from such vehicle and to deliver such key to the police officer in charge of the police station.

3. The registered owner of a vehicle found in violation of this Section shall be held prima facie responsible for any such violations.

4. Any person, firm or corporation violating any of the provisions of this Section shall be fined \$50 together with cost of prosecution.

(Ord. 117, 2/6/1984; as added by Ord. 123-06, 4/3/2006)

Faint, illegible text, likely bleed-through from the reverse side of the page.

Faint, illegible text, likely bleed-through from the reverse side of the page.

Part 4

Unlicensed, Uninspected and Dismantled Vehicles**§15-401. Parking and Storage of Unlicensed and Uninspected Vehicles on Streets and Alleys Restricted.**

It shall be unlawful for any owner of any type of motor vehicle requiring a registration plate and a State inspection sticker under the applicable provisions of the Vehicle Code,¹ to park or store or permit the same to be parked or stored on any public street or public alley within the limits of the Borough for a period in excess of 48 hours, if said motor vehicle does not have attached to it a current valid registration plate and a current valid State inspection sticker required under the applicable provisions of the Vehicle Code.

(Ord. 117, 2/6/1984)

§15-402. Dismantled Vehicles Not to Be Stored or Parked on Streets and Alleys.

It shall be unlawful for any owner of any motor vehicle requiring a registration plate and a state inspection sticker under the applicable provisions of the aforesaid Vehicle Code, to park or store or to permit to be parked or stored any such motor vehicle on any street or alley within the Borough when such motor vehicle is to any extent partially dismantled and inoperable.

(Ord. 117, 2/6/1984)

§15-403. Removal of Vehicle.

1. Any police officer may remove or cause to be removed to a nearby garage or other place of safety, a vehicle in violation of any provision of this ordinance. Prior to removal of such vehicle bearing a registration plate by which the last registered owner of the vehicle can be determined, notice shall be sent by certified mail to the last registered owner of the vehicle informing him that unless the vehicle is moved to a suitable location within 5 days of the date the notice is mailed, the vehicle will be removed and held at a suitable facility where it may be reclaimed. If the vehicle does not bear an identifiable registration plate, the notice may be secured to the vehicle.

2. Within the 5-day period, the owner shall be given, if requested, an opportunity to explain to police officers or the department why the owner believes the vehicle should not be removed. If the police officers or department decide that the vehicle shall be moved, the owner shall be given an additional 48 hours to move the vehicle or have it moved.

(Ord. 117, 2/6/1984)

§15-404. Reclamation Costs.

¹75 P.S. §101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

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.

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

§15-405. Penalty.

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 provisions of the Vehicle Code, 75 P.S. §7301 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. 117, 2/6/1984)

Part 5

Removal and Impoundment of Illegally Parked Vehicles**§15-501. Authority to Remove and Impound Illegally Parked Vehicles.**

The police department serving the Borough is hereby authorized to remove and impound, or to order the removal and impoundment of any vehicle parked upon any street, alley, highway or public property in the Borough in violation of any provision of the law or of any ordinance of the Borough; provided, no vehicle shall be removed for overtime parking.

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

§15-502. Approved Storage Garages.

The Borough Council shall have authority to designate, from time to time, one or more garages as approved storage garages, to serve as a pound for the storage of such impounded vehicles.

(Ord. 117, 2/6/1984)

§15-503. Towing and Storage Charges.

Every such approved storage garage shall have authority to charge the owner of record of every such impounded vehicle the towing and storage charges that shall be fixed and approved by resolution of the Borough Council.

(Ord. 117, 2/6/1984)

§15-504. Garage to Post Bond.

Every such approved storage garage shall furnish a bond in an adequate amount as shall be fixed by the Borough Council, for the indemnifying of the owner of any such impounded vehicle against the loss thereof, or injury or damage thereto, while in the custody of the keeper of the pound.

(Ord. 117, 2/6/1984)

§15-505. Notification to Owners of Impounded Vehicles.

1. Within 48 hours from the time of removal of any vehicle under authority granted by this part, notice of the fact that such vehicle has been impounded shall be sent by the Pennsylvania Department of Transportation to the owner of record of such vehicle and all lienholders of record. Such notice shall include the make, model, title number, vehicle identification number and registration plate number if known, the location the vehicle is held, notification of the right to reclaim said vehicle within 30 days after the date of the notice upon payment of a fee of \$25, towing and storage charges, and notification that failure to reclaim said vehicle is deemed consent to the disposition of the vehicle and of all lienholders to dissolution of their laws.

2. If the identity of the last registered owner and of all lienholders cannot be determined with reasonable certainty, the contents of the notice set forth above shall be published one time in one newspaper, of general circulation in the area where the

vehicle was abandoned. Notice by publication shall be the responsibility of the storage garage.

(Ord. 117, 2/6/1984)

§15-506. Effect of Payment of Towing and Impoundment Charges Without Protest.

The payment of any towing and impounding charges, authorized by this Part shall, unless such payment shall have been made under protest, be final and conclusive, and shall constitute a waiver of any right to recover the money so paid.

(Ord. 117, 2/6/1984)

§15-507. Effect of Payment of Towing and Impoundment Charges Under Protest.

In the event that any towing and impounding charges, authorized by this Part, shall be paid under protest, the offender shall be entitled to a hearing before a magisterial district judge or court of record having jurisdiction, in which case the defendant shall be proceeded against and shall receive such notice as is provided for by the Vehicle Code², in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

§15-508. Records of Vehicles Removed and Impounded.

The police department serving the Borough shall keep a record of all vehicles impounded, and it shall be able at all reasonable times to furnish the owners or agents of the owners thereof, information as to the place of storage of such vehicles.

(Ord. 117, 2/6/1984; as amended by Ord. 145-07, 12/11/2007)

§15-509. Owner or Operator of Vehicle Remains Liable for Fine or Penalty.

The payment of towing and storage charges shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for the violation of any law or ordinance on account of which such vehicle was removed and impounded.

(Ord. 117, 2/6/1984)

§15-510. Restrictions upon Removal of Vehicles.

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

(Ord. 117, 2/6/1984)

²75 P.S. §§101-9701, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

Part 6**Snow and Ice Emergency****§15-601. Definitions.**

The following words when used in this Part shall have the following meanings unless the context clearly indicates a different meaning:

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

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

Snow removal condition - state of street conditions that are hazardous and dangerous to vehicular and pedestrian traffic, as so declared by the Mayor or such person designated by the Mayor.

Snow tires - tires having treads designed for use in snow, which tires must be in such condition as to serve the purpose for which they are designed.

Vehicle - any self-propelled motorized vehicle licensed to travel upon the streets, roads and highways of the Borough.

(Ord. 117, 2/6/1984)

§15-602. Declaration of Snow Removal Condition.

A snow removal condition is hereby declared to exist in the Borough whenever snow falls so that, in the opinion of the Mayor, or such person designated by the Mayor, the street conditions are hazardous and dangerous to vehicular and pedestrian traffic because of snow accumulation. The Mayor, or such person designated by the Mayor, shall have authority to declare a snow removal condition, notice of which shall immediately be issued to local radio and news services. In either instance, a snow removal condition is presumed to continue for a period of 24 hours following the accumulation of snow, or until such period of time as designated by the Mayor.

(Ord. 117, 2/6/1984)

§15-603. Unattended Vehicles Prohibited During Emergency.

During such time as a snow removal condition is in effect, it shall be a violation of this Part for any person, firm, organization or entity to park, abandon or leave unattended any vehicle on any streets, roads and highways and their adjacent right-of-ways within the boundaries of the Borough that have been publicly designated for snow removal or plowing.

(Ord. 117, 2/6/1984)

§15-604. Certain Streets Designated for Snow Removal.

The following streets within the Borough are hereby designated for snow removal or plowing, and parking thereon shall be prohibited while a snow removal condition is in effect:

Street	Between
North Brandywine Avenue	Entire length
South Brandywine Avenue	Entire length

(Ord. 117, 2/6/1984)

§15-605. Snow Tires or Chains Required.

During such time as a snow removal condition is in effect any person, firm, organization or entity operating or causing to be operated a vehicle which is not equipped with snow tires or chains upon any street, road or highway within the boundaries of the Borough resulting in such vehicle becoming stalled or incapable of moving under its own power, or who leaves such vehicle abandoned or unattended on any street, road or highway within the boundaries of the Borough as a result of its inability to move under its own power because of its failure to be equipped with snow tires or chains, shall be in violation of this Part and shall be subject to the penalties and fines set forth in §15-607.

(Ord. 117, 2/6/1984)

§15-606. Placement of Signs Along Highways Affected; Information on Existence of Emergency.

In order to assist the operators of motor vehicles and tractors in determining the highways affected by this Part, the Mayor or the Chief of Police shall place around the utility poles on the highways or portions thereof designated in §15-604 of this Part signs reading as follows: "Snow/Emergency/Route/ Snow Tires or/Chains Required/No Parking/ During Emergency/Vehicles/Towed Away." The Mayor or the Chief of Police shall also, through radio, newspaper or other available media, disseminate information as to the existence of such an emergency.

(Ord. 117, 2/6/1984)

§15-607. Penalties.

1. During such time as a snow removal condition is in effect, any person who shall park a vehicle anywhere upon or along any of the streets of the Borough that have been publicly designated for snow removal or plowing shall be guilty of a violation of this Part and, upon conviction thereof, shall be sentenced to pay a fine of \$15 together with costs of prosecution.

2. Any person who shall operate a vehicle upon any street of the Borough, if such vehicle shall become stalled during such time as a snow removal condition is in effect, and if such stalling shall have been by reason of the failure to have such vehicle equipped as prescribed in §15-605 of this Part, shall be guilty of a violation of this Part, and, upon conviction thereof, such person shall be sentenced to pay a fine of \$25 together with costs of prosecution.

(Ord. 117, 2/6/1984)

Chapter 16

[Reserved]

Chapter 17

[Reserved]