

ORDINANCE NO. 2010-2 #2-2010

AN ORDINANCE OF THE BOROUGH OF EAST BANGOR, ESTABLISHING REGULATIONS FOR OPERATION AND PARKING OF MOTOR VEHICLES DURING SNOW EMERGENCIES AS DEFINED HEREIN AND DESIGNATED BY THE MAYOR, DURING SNOW AND ICE STORMS AND DURING SNOW AND ICE REMOVAL FROM BOROUGH STREETS AND SETTING FORTH PENALTIES FOR VIOLATION OF THE SAME, REPEALING INCONSISTENT ORDINANCES, PROVIDING FOR PARTIAL INVALIDITY, AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED AND ORDAINED BY THE BOROUGH OF EAST BANGOR, and it is hereby enacted and ordained by authority of the same:

SECTION 1. Snow Emergencies. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the streets and roads of this Borough, the Mayor, in his discretion, may declare a snow or ice emergency (hereinafter referred to as a "snow emergency"). Information on the existence of a snow emergency shall be given by the Borough through radio, newspaper, or other available media, and information regarding the termination of the emergency shall be given by the use of the same media.

A. After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person

1. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in Subsection 3, below; or

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

3. The following are designated as snow emergency routes:

a. Central Avenue (entire length through Borough).

b. Any street later designated by Borough Council, after recommendation of the Chief of Police and Street Supervisor, by Resolution of Council.

Continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as provided above for each separate offense.

SECTION 2. Parking during snowstorm and snow removal on streets not designated as snow emergency routes, or on all Borough streets during snowstorms in which a snow emergency has not been declared. During any snowstorm (defined as any weather condition in which any accumulation of snow or sleet greater than two inches (2") has fallen or is predicted to fall, or in which there has been or is predicted any accumulation of ice) parking shall be regulated on all Borough streets as follows:

A. During the course of any snowstorm, parking shall be prohibited on the uneven numbered side of all Borough streets (i.e., house numbers are uneven numbers) until such time as plowing, salting, and/or cindering is completed on said side of the street.

B. After 8:00 a.m. on the day following any snow storm, and until after plowing, salting, and/or cindering is completed, parking shall be prohibited on the even numbered side of all Borough streets (i.e., house numbers are even numbers) until such time as plowing, salting, and/or cindering is completed on said side of the street.

C. At all times during and after any snow storm, it shall be prohibited for any person to shovel, push, throw, or plow snow from a sidewalk, driveway, lot, or any other area into the street.

D. Borough police are hereby authorized to have any vehicle parked in violation of this Section towed away at the expense of the owner of said vehicle.

E. There is, upon conviction, hereby imposed a fine not to exceed Three Hundred (\$300.00) Dollars for any violation of the provisions of this Section. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as provided above for each separate offense.

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SECTION 3. Any ordinance or part of any ordinance that is in conflict with this Ordinance is hereby repealed. All ordinances not inconsistent with this Ordinance shall be and remain in full force and effect.

A. If at any time during a period of snow emergency declared under this Section a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere along a snow emergency route, the person shall be guilty of a violation of this Section, and upon conviction, shall be fined as set forth in Section G below.

B. If, at any time during a period of snow emergency declared under this Section, a person shall drive a motor vehicle upon a snow emergency route, without having that vehicle equipped with snow tires or chains plus adequate equipment to provide sufficient traction to keep such vehicle in motion so that other traffic on such roadways will not be blocked or impeded, that person shall be guilty of a violation of this Section, and, upon conviction, shall be fined as set forth in Subsection G hereinbelow.

C. Any person who operates a motor vehicle upon any road or street or portion thereof listed in Subsection A, above, which vehicle shall become stalled upon any of the roads, streets or portions thereof listed above during a period of emergency declared as provided by this Section, if such stalling shall have been by reason of failure to have such vehicle equipped with the equipment prescribed in Subsection C above, shall be guilty of a violation of this Section, and, upon conviction, shall be fined as set forth in Subsection G hereinbelow; and assessed costs for removal of said vehicle from the road or street.

D. Any prior ordinances or resolutions pertaining to parking along Central Avenue are hereby repealed.

E. The Borough Police are hereby authorized to have any cars parked in violation of this Section towed away at the expense of the owner.

F. In order to assist operators of motor vehicles in determining the highways affected by this Section, there shall be placed, on signs on the roads and streets designated in Subsection A, above, signs reading as follows:

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SNOW EMERGENCY ROUTE
SNOW TIRES OR CHAINS REQUIRED
NO PARKING DURING EMERGENCY
VEHICLES TOWED AWAY

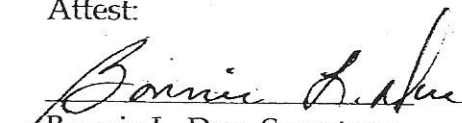
G. Unless another penalty is expressly provided by the Pennsylvania Vehicle Code, any person who shall be convicted of violating or failing to comply with the provisions of this Section before any District Justice shall be punishable by a fine or not more than Three Hundred (\$300.00) Dollars, together with costs of prosecution and costs for towing and storing the vehicle(s).

SECTION 4. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect the provisions of the Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

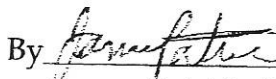
SECTION 5. This Ordinance shall take effect on the earliest day and date after enactment permitted by law.

ENACTED INTO AN ORDINANCE AND PASSED at the Borough of East Bangor, Pennsylvania, this 5th day of October, 2010.

Attest:

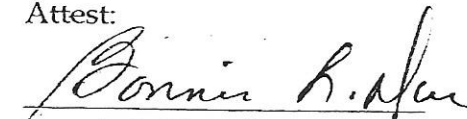

Bonnie L. Due, Secretary

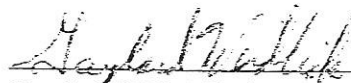
BOROUGH OF EAST BANGOR

By 
James Patrick, President

APPROVED this 5th day of October, 2010.

Attest:


Bonnie L. Due, Secretary

 (SEAL)
Gaylord Weidlick, Mayor

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