

**BOROUGH OF ST. LAWRENCE
BERKS COUNTY PENNSYLVANIA**

Ordinance No. 426

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, DEFINING A "SNOW EMERGENCY" AND PROVIDING FOR A DECLARATION OF A SNOW EMERGENCY; DESIGNATING CERTAIN STREETS AS "SNOW EMERGENCY ROUTES" REQUIRING SNOW TIRES OR CHAINS TO OPERATE A VEHICLE ON DESIGNATED "SNOW EMERGENCY ROUTES" DURING A DECLARED SNOW EMERGENCY; PROHIBITING PARKING ON "SNOW EMERGENCY ROUTES" DURING A DECLARED "SNOW EMERGENCY"; PROVIDING FOR REMOVAL AND IMPOUNDMENT OF VEHICLES PARKED OR STALLED ON A SNOW EMERGENCY ROUTE; SETTING FORTH PENALTIES FOR VIOLATION; PROVIDING FOR THE PLACEMENT OF SIGNS ALONG DESIGNATED SNOW EMERGENCY ROUTES; AND REPEALING PRIOR ORDINANCES

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of St. Lawrence, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. Definitions. For purposes of this Ordinance, the following definitions shall apply:

(a) **Borough.** The Borough of St. Lawrence, Berks County, Pennsylvania.

(b) **Person.** Any natural person, partnership, co-partner, corporation, joint stock company, syndicate, tenant, property owner (real or personal), occupant, lessor, executor, administrator, or agent in control of a property.

(g) **Snow Emergency.** A declaration by the Manager, Mayor, President or the Vice President of Borough Council, based upon falling snow, sleet, or freezing rain, or a prediction thereof, that conditions exist requiring the restriction of traffic and parking on certain Borough streets for purposes of

snow, sleet, or ice removal and abatement, and to expedite the movement of emergency and official vehicles.

(h) Snow Emergency Route. Those roads or streets designated and marked as such in accordance with Section 2 of this Ordinance.

(i) Snow Tires. Any tires mounted on drive wheels of motor vehicles which are specifically designed by the manufacturers to give effective traction on snow, mud, or ice-covered streets by means of extra-duty treads with special high-traction patterns, except that no tire so defined shall be construed to be a snow tire if it is worn to less than three-sixteenth inches (3/16") tread depth or is damaged or worn to the extent that its performance would be substantially impaired.

(j) Tire Chains. Any hard metal chains mounted on drive wheels of motor vehicles which cross the tread of each tire laterally in at least eight (8) different places.

Section 2. Snow Emergency Routes Designated. The following streets or portions of streets within the Borough are designated as "Snow Emergency Routes":

(a) SR0562, known as "St. Lawrence Ave," for its entire length in the Borough, both sides

(b) Oley Turnpike Road, for its entire length in the Borough, both sides.

(c) Adams Street, for its entire length in the Borough, both sides.

(d) Jacksonwald Avenue, from its intersection with Chestnut Street to its intersection with Ganster Street, south side.

(e) Jacksonwald Avenue, "circle" area, twenty-five (25) feet from its intersection with Adams St, the entire perimeter.

(f) Ganster Street, for its entire length in the Borough, both sides.

(g) Stoner Ave, from its intersection with Adams Street to its intersection with Chestnut Street in the Borough, north (odd-numbered address) side.

- (h) Elm Street, for its entire length in the Borough, west (even-numbered address) side.
- (i) Patton Street, from its intersection with Walnut Street to its intersection with Brown Street, both sides.
- (j) Patton Street, from its intersection with Brown St to its intersection with Elm Street, south (even-numbered address) side.
- (k) Lynn Court, for its entire length in the Borough, both sides.
- (l) Orchard Court, for its entire length in the Borough, both sides.
- (m) Penn's Court, for its entire length in the Borough, both sides.
- (n) Poplar Drive, from its intersection with Teak Drive to the cul-de-sac, both sides.

Section 3. Authorization of Signs Designating Snow Emergency Routes. In order to assist owners and operators of motor vehicles in determining streets affected by this Ordinance, the Borough shall cause to be placed on poles along streets or portions of streets listed in Section 2 of this Ordinance signs indicating that the street or portion of street is a Snow Emergency Route. It shall be unlawful, and a violation of this Ordinance, for any person to remove without the authorization of Borough Council any sign or notice posted in accordance with the provisions of this Ordinance, or to obstruct, obscure, or deface such a sign or notice.

Section 4. Declaration of Snow Emergency.

(a) The President or Vice President of Borough Council, Borough Manager, Mayor or the designee of any of the above, shall have the authority, based upon falling snow, sleet, or freezing rain, or a prediction thereof, to declare a Snow Emergency by proclamation, which shall put into effect the parking and traffic restrictions contained in this Ordinance. The official declaring the Snow Emergency shall make every effort to disseminate the proclamation to local radio stations, television stations, newspapers, and the Borough internet site, but failure of a person prosecuted hereunder to have knowledge of the proclamation shall not be a defense to such prosecution.

(b) Notwithstanding the provisions of subsection (a) of this Section, a parking prohibition shall automatically go into effect on any part of a Snow Emergency Route on which there has been an accumulation of snow and/or ice of four inches (4") or more between the hours of 6:00 a.m. and 11:00 p.m. prevailing time.

(c) Once in effect, a prohibition under this Section shall remain in effect until terminated by an announcement by an official authorized herein to declare a Snow Emergency except any street area that has become substantially clear of snow or ice from curb to curb for the length of an entire block shall automatically be excluded from the prohibition under this Section. Nothing in this Section shall be construed to permit parking at any time or place where it is prohibited by law or by any other ordinance.

Section 5. Restrictions on Driving and Parking Along Snow Emergency Routes.

(a) In the event of a Snow Emergency, a parking prohibition shall be in effect on all designated Snow Emergency Routes, and the parking prohibition shall remain in place as set forth in Section 4(c) above.

(b) No person operating a motor vehicle on a Snow Emergency Route on which there is a covering of snow, sleet, or ice shall allow that vehicle to become stalled wholly or partly because its drive wheels are not equipped with tire chains or snow tires providing effective traction; because the motor fuel supply has been exhausted, or because the battery has become inoperative.

Section 6. Removal of Vehicles. The Code Official or designee of the Code Official; or police having jurisdiction in the Borough are authorized to order removed and impounded any vehicle from a Snow Emergency Route, or have it towed from a Snow Emergency Route when:

(a) The vehicle is parked on a part of a Snow Emergency Route on which a parking prohibition is in effect, or is about to interfere with snow removal operations.

(b) The vehicle is stalled on part of a Snow Emergency Route on which there is a covering of snow, sleet, or ice and on which there is a parking prohibition or other operating restriction in effect, and the owner or person who is or was operating the vehicle does not appear to be removing it, or it appears that the operator is not able to remove it.

(c) The towing, impoundment, and storage of a vehicle removed under this Section shall be at the sole cost and expense of the owner of the vehicle.

Section 7. Citation of Vehicle Parked, Left, or Otherwise in Violation of Snow Emergency Provisions. Whenever any motor vehicles is found parked, stalled, left, or otherwise in violation of any provisions of this Ordinance, notice of violation shall be given in the same manner as provided for parking violations.

Section 8. Evidence With Respect to Vehicles Parked, Left, or Otherwise in Violation of Snow Emergency Provisions. In any prosecution with regard to a vehicle parked, stalled, left, or otherwise in violation of any provision of this Ordinance, proof that the particular vehicle described in the complaint was parked, stalled, left, or otherwise in violation of this Ordinance, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute prima facie evidence that the defendant was the person who parked, left, or otherwise operated the vehicle in violation of this Ordinance.

Section 9. Penalty for Violation.

a) If at any time during a period of Snow Emergency, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a Snow Emergency Route, that person shall be guilty of a violation of this Ordinance and, upon conviction, shall be sentenced to pay a fine of not less than Fifty Dollars and 00/100 (\$50.00) plus costs of prosecution.

b) If at any time during a period of Snow Emergency a person shall operate a motor vehicle upon a Snow Emergency Route without having that vehicle equipped with snow tires or tire chains, or shall allow it to become stalled along a Snow Emergency Route, that person shall be guilty of a violation of this Ordinance, and, upon conviction, shall be sentenced to pay a fine of not less than Fifty Dollars and 00/100 (\$50.00) plus costs of prosecution.

Section 10. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough that such Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

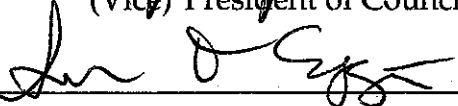
Section 11. Repealer. Borough Ordinance No. 408 is expressly repealed, and replaced herewith. All ordinances or parts of ordinances of this Borough which are inconsistent herewith are hereby repealed.

Section 12. Effective Date. This Ordinance shall become effective on the earliest date allowed by law.


DULY ENACTED AND ORDAINED this 9th day of Oct, 2014.

BOROUGH OF ST. LAWRENCE
BERKS COUNTY, PENNSYLVANIA

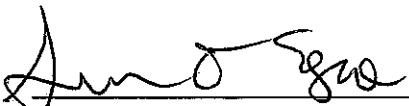
By: 
(Vice) President of Council

Attest: 
Secretary

Approved as an Ordinance this 9th day of Oct, 2014.

By: 
, Mayor

I certify that this is a true and correct copy of an Ordinance adopted by the Borough of St. Lawrence, Berks County, Pennsylvania on October 9, 2014.


Secretary

{ No.0000423933

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Proof of Publication of Notice in Reading Eagle
Under Act No. 587, Approved May 16, 1929.

Commonwealth of Pennsylvania,
County of Berks

} SS:

Lynn Schittler, Assistant Secretary, READING EAGLE COMPANY, of the County and Commonwealth aforesaid, being duly sworn, deposes and says that the READING EAGLE established January 28, 1868 is a newspaper of general circulation published at 345 Penn Street, City of Reading, County and State aforesaid, and that the printed notice or publication attached hereto is exactly the same as printed and published in the regular edition and issues of the said READING EAGLE on the following dates, viz.:

Reading Eagle Tuesday, September 30, 2014, A.D.

Affiant further deposes that this person is duly authorized by READING EAGLE COMPANY, a corporation, publisher of said READING EAGLE, a newspaper of general circulation, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place, character of publication are true.

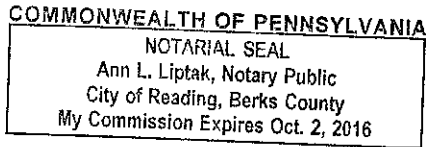
Lynn Schittler

Lynn Schittler

Sworn to and subscribed before me on this day of September 30, 2014

Ann L. Liptak

Notary



NOTICE TO THE BOROUGH OF ST. LAWRENCE RESIDENTS AND PROPERTY OWNERS

The Borough Council of St. Lawrence, Berks County, Pennsylvania, hereby serves notice of its intention to adopt the following summarized Ordinances at its regularly scheduled meeting to be held on Thursday, October 9, 2014 starting at 7:30 p.m. in the Borough Municipal Building, 3540 St. Lawrence Avenue, Berks County, Pennsylvania. The complete title and a summary of the proposed Ordinances are as follows:

BOROUGH OF ST. LAWRENCE BERKS COUNTY PENNSYLVANIA

Ordinance No. 424

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, PENNSYLVANIA, PROHIBITING NON-STORMWATER DISCHARGES TO THE STORM DRAINAGE SYSTEM OF THE BOROUGH; PROHIBITING CONNECTIONS TO THE STORMWATER DRAINAGE SYSTEM WHICH WOULD HAVE THE EFFECT OF ADMITTING NON-STORMWATER DISCHARGES TO THE STORMWATER DRAINAGE SYSTEM OF THE BOROUGH; PROVIDING AUTHORITY FOR SUSPENSION OF MS4 ACCESS TO STOP AN ACTUAL OR THREATENED DISCHARGE PRESENTING IMMINENT AND SUBSTANTIAL DANGER OF INJURY TO PERSONS OR THE ENVIRON-

MENT; PROVIDING REGULATIONS FOR INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES; PROVIDING FOR THE MONITORING OF DISCHARGES OF STORMWATER; REQUIRING THE USE OF BEST MANAGEMENT PRACTICES TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS; PROVIDING FOR PROTECTION OF WATERCOURSES PASSING THROUGH PRIVATE PROPERTY BY PROPERTY OWNERS AND OCCUPANTS; REQUIRING NOTIFICATION TO THE BOROUGH CODE ENFORCEMENT OFFICER OF SPILLS WHICH RESULT OR MAY RESULT IN ILLICIT DISCHARGES OR POLLUTANTS DISCHARGING INTO STORMWATER; PROVIDING FOR ENFORCEMENT, PENALTIES, AND APPEALS FROM ENFORCEMENT ACTIONS, AND PROVIDING FOR SEVERABILITY OF PORTIONS FOUND TO BE UNLAWFUL AND REPEAL OF INCONSISTENT ORDINANCES

ORDINANCE No. 425

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, ESTABLISHING "NO PARKING" ZONES ALONG PORTIONS OF BINGAMAN STREET, JACKSONWALD AVENUE, BROWN STREET, BRUMBACH STREET, GANSTER STREET, ST LAWRENCE AVENUE, NORTH PROSPECT STREET, PARKVIEW ROAD AND LYNN AVENUE; AUTHORIZING THE ERECTION OF "NO PARKING" SIGNS; PROVIDING PENALTIES FOR VIOLATION; AND REPEALING ALL INCONSISTENT ORDI-

NANCES

Ordinance No. 426

AN ORDINANCE OF THE BOROUGH OF ST. LAWRENCE, BERKS COUNTY, DEFINING A "SNOW EMERGENCY" AND PROVIDING FOR A DECLARATION OF A SNOW EMERGENCY; DESIGNATING CERTAIN STREETS AS "SNOW EMERGENCY ROUTES" REQUIRING SNOW TIRES OR CHAINS TO OPERATE A VEHICLE ON DESIGNATED "SNOW EMERGENCY ROUTES" DURING A DECLARED SNOW EMERGENCY; PROHIBITING PARKING ON "SNOW EMERGENCY ROUTES" DURING A DECLARED "SNOW EMERGENCY"; PROVIDING FOR REMOVAL AND IMPOUNDMENT OF VEHICLES PARKED OR STALLED ON A SNOW EMERGENCY ROUTE; SETTING FORTH PENALTIES FOR VIOLATION; PROVIDING FOR THE PLACEMENT OF SIGNS ALONG DESIGNATED SNOW EMERGENCY ROUTES; AND REPEALING PRIOR ORDINANCES

Copies of the full text of the ordinance may be examined without charge or obtained for a charge not greater than the cost thereof at the Borough Hall, 3540 St. Lawrence Avenue, Reading, PA 19606, at the Berks County Law Library, Berks County Courthouse, Sixth and Court Streets, Reading, PA 19601, and at the Reading Eagle, 345 Penn Street, Reading, PA 19601.

Allison A. Leinbach,
Borough Manager