

MARION TOWNSHIP PARKING ORDINANCE

ORDINANCE NO. 2003 - 49

AN ORDINANCE OF THE TOWNSHIP OF MARION, CENTRE COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF STOPPING, STANDING, AND PARKING VEHICLES ON HIGHWAYS, ROADS, AND STREETS IN THE TOWNSHIP OF MARION, PROVIDING THE PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Marion Township, Centre County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION 1: Enforcement Officer. The provisions of this Ordinance may be enforced by any police officer sworn to enforce the laws of the Commonwealth of Pennsylvania. For purposes of this Ordinance, the definition of police officer shall include, but not be limited to, Pennsylvania State Police Officers, adjoining municipal police officers, and the Marion Township Zoning Officer.

SECTION 2: Prohibitions in Specified Areas. Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle, or in compliance with law or the direction of a police officer or official traffic control device, the following prohibitions shall be in effect:

A. Stopping, standing, or parking a vehicle is expressly prohibited under the following circumstances:

1. On the roadway side of any vehicle stopped, or parked at the edge, or curb of the street.
2. On any sidewalk.
3. Within any intersection.
4. On any crosswalk.
5. Along side or opposite any street excavation or obstruction which would obstruct traffic.
6. Upon any bridge or other elevated structure.
7. On public or private property which is expressly reserved for handicapped persons or disabled veterans where said property has been posted in accordance with the regulations of the Pennsylvania Department of Transportation.
8. Parking on or adjacent to any cul-de-sac.
9. At any place where official signs prohibit same.

B. Standing and parking vehicles is expressly prohibited under the following circumstances:

1. In front of a public or private driveway.
2. Within fifteen (15) feet of a fire hydrant.
3. Within twenty (20) feet of a crosswalk at an intersection.
4. Within thirty (30) feet of any flashing signal, stop sign, yield sign, or traffic control signal located at the site of a roadway.
5. Within twenty (20) feet of the driveway entrance to any fire station or when properly posted, on the side of a street opposite the entrance of any fire station within seventy-five (75) feet of the entrance.
6. At any place where official signs prohibit same.

SECTION 3. Parking on Private Property.

A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property; except in the case of an emergency or disablement of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible.

B. The provisions of Subsection A of Section 3 shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions in which case the operator of a vehicle should not violate said posted restrictions. For the purpose of this section, "private parking lot" means a parking lot open to the public and used for parking with or without charge.

SECTION 4. Additional Parking Regulations.

A. Every vehicle which is standing or parked on a two-way highway shall be positioned parallel to either the curb or the edge of the highway and in all cases in the direction of authorized traffic movement. The vehicle shall be parked such that the right hand wheels are within twelve (12) inches of the right hand curb. Or in the absence of a curb, the vehicle shall be parked such that the left hand wheels are at least twelve (12) inches from the edge of the highway.

B. Every vehicle which is standing or parked on a one-way highway shall be positioned parallel to the curb or edge of the highway in the direction of authorized traffic movement. Said vehicle shall be parked so that its wheels are within twelve (12) inches from the curb, or in the absence of a curb, as close as practicable to the shoulder of the road.

SECTION 5. Parking of Commercial Equipment.

A. No commercial equipment, including but not limited to trucks, tandems (in excess of ten-ton capacity and/or twenty-five feet in length), tractor trailers (tractors not connected to

trailers shall be permitted), or other commercial construction or cargo moving vehicles or equipment shall be parked upon any highway or street within the Township of Marion after completion of the normal working day.

B. Exceptions - the following are exceptions to the restrictions set forth in subsection A of Section 5:

1. Any commercial equipment described in this section may legally park for the purpose of delivering goods or rendering services during the normal course of business provided that such vehicle does not substantially impede the flow of vehicular traffic.

2. Vehicles being used for the purpose of road construction shall be permitted to park, stand, or stop on any highway or street within the Township of Marion when construction is in progress upon said highway or street.

SECTION 6. SNOW REMOVAL. The provisions hereafter set forth in this Section shall apply to snow and ice clearing in the Township:

A. It shall be unlawful to park a vehicle on any road, street, and public right of way in the Township of Marion between November 15 and the following April 1.

B. It shall be unlawful to throw, shovel, or otherwise move, pile, or dump snow or ice removed from sidewalks, driveways, or other areas into roads, streets, or rights of way.

SECTION 7. Penalties.

A. Violations of Section II, Subsection A-7. (Handicapped & Disabled Veteran Parking). Any person violating the provisions of Section II, Subsection A-7 of this Ordinance shall be guilty of a summary offense, and upon conviction before a magistrate shall be fined \$50.00 plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days.

B. Violations of Section VI, Subsection A-1 and/or Subsection A-2. (Snow Removal). Any person violating the provisions of Section VI, Subsection A-1 and/or Subsection A-2 of this Ordinance shall be guilty of a summary offense and upon conviction before a magistrate shall be fined \$25.00 plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days.

C. Violations of all Sections, except Section Et, Subsection A-7 and Section VI, Subsection A-1 and/or Subsection A-2. An person violating the provisions of any of the sections except Section II, Subsection A-7 and Section VI, Subsection A-1 and/or Subsection A-2, of this Ordinance shall be guilty of a summary offense and upon conviction before a magistrate shall be

fined \$15.00 plus costs of prosecution. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days

D. Reduced Penalty. In any case where a police officer shall first give notice of the offense by handing to the offending operator or affixing securely to the motor vehicle illegally parked hereunder a ticket on which he has noted the time and place of the offense, the nature of the offense, and the license registration number of the vehicle and bearing the statement that no prosecution shall be instituted for seventy-two (72) hours thereafter; and, if during the said seventy-two (72) hour period, the offending operator shall voluntarily appear at the office of the issuing police office, and voluntarily enter a plea of guilty, and pay the appropriate fine payable to Marion Township, then no further prosecution for said offense shall thereafter be brought. In the alternative, said offender may forward to the office of the issuing policy officer by regular mail the appropriate fine and no prosecution for the offense shall be thereafter be brought so long as the envelope is postmarked within 72 hours of the violation.

SECTION 8. Removal of Vehicle by or at Direction of Police.

A. In addition to the penalties herein provided, whenever any police officer finds an attended vehicle in violation of any provisions of this Ordinance, the officer may move the vehicle, or cause the vehicle to be moved, or require the driver or other person in charge of the vehicle to move the vehicle, to a position off the roadway where the vehicle will not interfere unduly with the normal movement of traffic or constitute a safety hazard.

B. In addition to the penalties herein provided, whenever any police officer finds an unattended vehicle in violation of any provisions of this Ordinance, the officer may remove or cause to be removed to the place of business of the operator of a wrecker or to a nearby garage or other place of safety selected by the Township; that said owner of said vehicle, if known, together with the address, shall be notified in writing of the fact of said removal, and the place of deposit of said vehicle; that said vehicle may be reclaimed and surrendered upon payment of towing and storing charges.

SECTION 9. Severability. The provisions of this Ordinance are severable. If any Section, sentence, clause or phrase of this Ordinance shall be held illegal, invalid, unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or phrases of this Ordinance.

It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such invalid or unconstitutional section, sentence, clause, or phrase not been included herein. Furthermore, it is the intent of this Ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies.

SECTION 10. Repealer. All ordinances or parts of ordinances that is inconsistent herewith are hereby repealed.

SECTION 11. Effective Date. This Ordinance shall take effect and be enforced from and after its approval as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of Marion Township, Centre County, Pennsylvania, this 11th *day* of February, 2003.

SUPERVISORS OF MARION TOWNSHIP