

ORDINANCE NO. 2023-06

TRAFFIC AND PARKING

AN ORDINANCE OF THE BOROUGH OF GREENSBORO, GREENE COUNTY, PENNSYLVANIA, ESTABLISHING SPEED LIMIT, OPERATION OF VEHICLES ON SIDEWALKS, PARKING RESTRICTIONS AND OVERNIGHT PARKING RESTRICTIONS AND ALLOWING FOR PENALTIES THEREOF

WHEREAS, it is deemed necessary for the safety and welfare of the citizens of Greensboro Borough to enact this Ordinance.

NOW, THEREFORE, pursuant to the specific powers granted by the Borough Code, 8 Pa. C.S.A. § 1202, the Borough Council of Greensboro Borough, Greene County, Pennsylvania, (hereafter "Borough") does hereby enact and ordain the following:

SECTION 1: Definitions

Words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania (75 Pa. C.S. § 101 et. seq.) as now in force, or as hereafter amended, enacted, or re-enacted, except where the context clearly indicated a different meaning.

Public Property shall mean any road, avenue, highway, court, cul-de-sac, alley, way, trail, parking lot or other property owned or maintained by the Borough for the use and benefit of the public.

Overnight Parking shall mean parking between the hours of 11:00 p.m. and 6:00 a.m.

SECTION 2: Speed Limit

It shall be unlawful for any vehicle to be operated on the streets and highways of the Borough at a rate of speed in excess of 25 miles per hour unless otherwise posted.

SECTION 3: Operation of Vehicles on Sidewalks

It shall be unlawful to operate any vehicle, including but not limited to motor vehicles, motorcycles, dirt bikes, all-terrain vehicles, side-by-sides, and golf carts on or upon any sidewalk within the Borough, excluding handicapped assisted vehicles.

SECTION 4: Adoption of Regulations; Signs

- A. Borough Council shall have the power, by ordinance, to designate and establish stop intersections on any or all streets and highways or to designate any and all streets and highways as one-way streets and highways per PennDOT regulations. Such ordinances shall have full force and effect as if incorporated in this chapter and shall be subject to the same fines and penalties as specified herein.

- B. The Road Committee, another committee, or individual designated by Borough Council is hereby authorized to procure and place any signs and notices as may be necessary to enforce the provisions of this section.

SECTION 5: Parking Restrictions

- A. PARKING RESTRICTIONS: No motor vehicle of any kind shall be permitted to stop, stand, or park at any time in the Borough as follows:
1. In a zone designated by the Borough Council, or its designee, as a handicapped parking (blue) zone, unless the vehicle parked in that handicapped parking (blue) zone is the vehicle authorized to be parked in that handicapped parking (blue) zone by displaying a handicapped placard or license plate, issued by the Department of Motor Vehicles in Pennsylvania or any other state. This placard or license plate must be visibly displayed at all times while occupying a handicapped parking (blue) zone.
 2. In front of a fire station door or within twenty (20) feet of the driveway entrance to any fire station or, when properly sign posted, on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
 3. Within fifteen (15) feet of a fire hydrant.
 4. Within twenty (20) feet of a crosswalk at an intersection
 5. Within fifteen (15) feet of any intersection.
 6. On a crosswalk or in any manner that obstructs a crosswalk.
 7. On a sidewalk or yellow curb.
 8. More than six (6) inches from the curb.
 9. In a posted no parking zone.
 10. In front of a public or private driveway or garage or within ten (10) feet of the front of a public or private driveway or garage or in a manner so as to block the ingress or egress to a public or private driveway or garage entrance, except for a property owner blocking his own private driveway or garage entrance.
 11. In a manner that constitutes double parking.
 12. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the site of a roadway.
 13. In a manner that impedes or prevents the free movement of vehicular or pedestrian traffic on any street or roadway.
 14. At any place where official signs prohibit stopping, standing, or parking.

B. FINES

1. The fines for violation of any part of Section 4 of this Ordinance are listed on Schedule A below. Nothing in this Ordinance shall prohibit the magisterial district judge from adding costs of prosecution to any case brought to the magisterial court.
2. The vehicle of any person who should fail to pay the fines and costs assessed by a magisterial district judge may be subject to the installation of a device which would restrict the movement of said vehicle and the device shall not be removed until all outstanding fines and costs are paid.

SCHEDULE A: PARKING VIOLATION FINES				
Violation	Fine	After 5 days	Invoiced	Citation
Section 4(a)(4) Crosswalk Section 4(a)(5) Intersection Section 4(a)(6) Crosswalk Obstruction	\$20.00	\$40.00	\$45.48	\$55.00
Section 4(a)(8) Curb Distance	\$20.00	\$40.00	\$45.48	\$55.00
Section 4(a)(11) Double Parking	\$20.00	\$40.00	\$45.48	\$55.00
Section 4(a)(12) Traffic Control Signal	\$20.00	\$40.00	\$45.48	\$55.00
Section 4(a)(7) Parking on Sidewalk	\$20.00	\$40.00	\$45.48	\$55.00
Section 4(a)(13) Travel Impediment	\$40.00	\$80.00	\$85.48	\$95.00
Section 4(a)(9) No Parking Zone and Section 4(a)(14)	\$40.00	\$80.00	\$85.48	\$95.00
Section 4(a)(3) Fire Hydrant	\$50.00	\$100.00	\$105.48	\$115.00
Section 4(a)(1) Handicap Zone	\$50.00	\$100.00	\$105.48	\$115.00
Section 4(a)(2) Fire Department and Section 4(a)(10) Driveway	\$50.00	\$100.00	\$105.48	\$115.00

SECTION 6: Enforcement and Notification of Violation

- A. It shall be the duty of the Borough Code Enforcement Officer or duly authorized law enforcement personnel to enforce the provisions of this section. Vehicles parked in violation of this Ordinance shall be ticketed. Each ticket issued shall be placed on the windshield of the offending vehicle and shall contain the date and hour of violation, the state and license number of such vehicle, the nature of the alleged violation and, if needed to clarify the reason for the ticket, the facts or circumstances relied upon by the enforcement agent in issuing the ticket. Each ticket shall state the penalty for such violation. The Code Enforcement Officer or duly authorized law enforcement personnel shall take a photograph of the vehicle evidencing the placement of the ticket upon the windshield of the offending vehicle. The Code Enforcement Officer or duly authorized law enforcement personnel may personally deliver the ticket to the owner of the vehicle violating this Ordinance if known.

- B. Tickets issued by the Borough Code Enforcement Officer pursuant to this section must be paid within five (5) days of the date of issuance and shall be made to Greensboro Borough. All funds received as a result shall be for the use of the Borough.
- C. Tickets issued by the Cumberland Township Police Department as duly authorized law enforcement personnel of the Borough pursuant to this section must be paid within five (5) days of the date of issuance and shall be made to Cumberland Township. All funds received as a result shall be for the use of the said Township as consideration for services rendered.
- D. Failure to pay the fines required by this section or any schedule adopted hereunder, within five (5) days from the date the ticket was issued, shall result in a doubling of the underlying fine.
- E. If the violator fails to pay the doubled fine within ten (10) days of the date of issuance of the ticket, the duly authorized law enforcement personnel or the Borough Code Enforcement Officer shall be authorized to mail an invoice to the offender's residence, with \$5.48 being added to the amount to cover invoicing costs.
- F. Failure to pay the invoiced amount within the specified time shall result in prosecution at the appropriate district magisterial court which is authorized to add costs of prosecution to the fine prescribed herein or by any schedule adopted hereunder, should an alleged offender be found guilty.
- G. Regardless of whether prosecution is pending in the district magisterial court, an accumulation of three (3) unpaid tickets, regardless of whether said tickets are issued for violation of one or more sections of this section may result in the installation of a device on the offending vehicle which would restrict the movement of said vehicle. Such a device shall only be removed after payment of the total fine for all unpaid tickets attributed to the offending vehicle.

SECTION 7: Overnight Parking of Certain Vehicles Prohibited

- A. No motor vehicle having an unloaded weight of more than five (5) tons, or ten thousand (10,000) pounds shall park overnight upon any Public Property of the Borough.
- B. Overnight Parking of any motor vehicles, watercraft, or trailers of any type is prohibited in public parking lots identified as Public Property. This section includes, but is not limited to, Greene County Tax Parcel 12-01-302 located on the northeast corner of the intersection at Front Street and Stone Street. This section further applies to any public parking lot of the Borough acquired after the entry of this Ordinance.
- C. It shall be unlawful for any person to occupy any parked motor vehicle on any Public Property within the Borough for the purpose of permanent or temporary living accommodations between the hours of 11:00 p.m. and 6:00 a.m.

SECTION 8: Vehicle Weight Limits

No motor vehicle having an unloaded weight of more than five (5) tons, or ten thousand (10,000) pounds may enter upon or travel upon any street or highway within the Borough except for the purpose of delivery.

SECTION 9: Parking Prohibited at All Times

No person shall park a vehicle at any time upon the streets and highways of the Borough except as follows:

1. Parking shall be permitted on the East side of Front Street between Clear Street and County Street.
2. Parking shall be permitted on the South side of County Street between Front Street and the Monongahela River.
3. Parking shall be permitted on the South side of Diamond Street between Second Street and the entrance to the Veterans of Foreign Wars parking lot.

SECTION 10: Liability of Registered Owner

For the purpose of this Ordinance, the registered owner of the motor vehicle shall be responsible for the violation.

SECTION 11: Liability of Employer

For the purpose of this Ordinance, when a commercial motor vehicle is being operated in violation of any of the provisions of this Ordinance, the employer of the person operating the motor vehicle shall be in violation of this Ordinance in addition to his, her, or its employee.

SECTION 12: Penalties

Any person violating any provision of this Ordinance for which no specific penalty is provided shall be subject to the following regarding Penalties.

- (a) In this section, the term “violation of this Ordinance” means:
1. Doing an act that is prohibited, made, or declared to be an unlawful act, offense, or a violation of this Ordinance by rule or regulation; or
 2. Failure to perform an act that is required to be performed by rule or regulation authorized by this Ordinance; or
 3. Failure to perform an act if the failure is prohibited or declared a violation of this Ordinance, an offense, or an unlawful omission by rule or regulation authorized by this Ordinance.

- (b) The term “violation of this Ordinance” does not include the failure of a borough officer or borough employee to perform an official duty, unless it is provided that failure to perform the duty is to be punished as provided in this section or it is clear from the context of this Ordinance that it is the intent of the borough to impose the penalty provided for in this section upon the borough officer or borough employee.
- (c) Except as otherwise provided, a person convicted of a violation of this Ordinance shall be punished as follows:

1. If the violation is not a criminal violation, by a civil penalty of \$600.00 per violation.
2. If the violation is criminal, by a fine of \$1,000.00 per violation.

Unless stated otherwise, violations of this Ordinance (including provisions regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water or air or noise pollution) are criminal violations.

- (d) Except as otherwise provided:

1. With respect to violations that are continuous with respect to time, each day that the violation continues is a separate offense.
2. As to other violations, each act is a separate offense.

- (e) Violations of this Ordinance that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief and by such means as are provided by law.

- (f) The imposition of a penalty does not prohibit equitable relief.

- (g) The imposition of a penalty does not prohibit revocation of a license, permit, or franchise or the imposition of other administrative sanctions.

- (h) Any violation of this Ordinance that also violates any state law or federal law shall be prosecuted under the state law or federal law and not under this Ordinance.

SECTION 13: Savings Clause

Should any section, provision or other part of this Ordinance be found to be illegal, unenforceable, or void, such shall not affect the remainder hereof, which shall remain fully binding, valid, and enforceable, and such section, provision or other part shall be modified to the extent necessary to conform to law. The Borough Council of Greensboro Borough hereby declares its intention that should any section, provision, or other part of this Ordinance be found to be illegal, unenforceable, or void, it would have made the foregoing Ordinance without such part or with such part so modified so as to conform to law.

SECTION 14: Repealer


All prior Ordinances, or parts thereof, enacted by the Borough Council of Greensboro Borough which conflict with this Ordinance are hereby repealed.

SECTION 15: Effective Date

This Ordinance shall become effective immediately after its adoption and enactment.

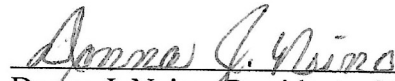
Adopted and enacted this 3rd day of October, 2023, at a meeting of the Council of the Borough of Greensboro.

Attest:



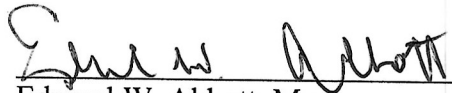
Lisa A. Miller, Borough Secretary

Borough of Greensboro:



Donna J. Neino, President of Council

Examined and Approved this 3rd day of October, 2023.



Edward W. Abbott, Mayor



Christopher Michael Simms, Esquire