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ORDINANCE NO. 2023-09

RECREATIONAL VEHICLES, BOATS, CAMPERS, TRAILERS AND LARGE VEHICLES

AN ORDINANCE OF THE BOROUGH OF GREENSBORO, GREENE COUNTY, PENNSYLVANIA, PROHIBITING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES, BOATS, CAMPERS, TRAILERS AND LARGE VEHICLES UPON THE STREETS AND ROADWAYS WITHIN SAID BOROUGH AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the Pennsylvania Vehicle Code, 75 Pa. C.S.A. § 6109 authorizes the Borough of Greensboro to regulate or prohibit stopping, standing, or parking on the streets or highways within the physical boundaries of said Borough; and

WHEREAS, it is the desire of the Council of the Borough of Greensboro, Greene County, Pennsylvania, to prohibit the parking of Boat Trailers, Boats, Trailers, Camper Trailers, Camping and Recreational Equipment, and other Large Vehicles at all times on the streets of the Borough of Greensboro; and,

WHEREAS, it is deemed necessary for the safety and welfare of the citizens of the Borough of Greensboro, Greene County, Pennsylvania, 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

For the purpose of this Ordinance, the following terms shall have the meanings ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise:

Large Vehicle shall mean and includes the following recreational, commercial or private vehicles, as defined in 75 Pa. C.S.A. § 102, and as amended from time to time: Articulated Bus, Combination, Construction Truck, Driveaway-towaway Operation, Farm Equipment, Full Trailer, House Trailer, Limousine (capable of carrying ten or more passengers), Maxi-cube Vehicle, Mobile Home, Motor Carrier Vehicle, Motor Home, Recreational Vehicle, Recreational Trailer, Recreational Cargo Trailer, Semitrailer, Stinger-steered Automobile or Boat Transporter, Tow Dolly, Tow Truck, Trailer, Truck-camper, Truck Trailer, and Truck Tractor. Large Vehicle shall also include and vehicle which exceeds seven feet in height or seven feet in width.

Camping and Recreational Equipment shall mean and include recreational vehicles, which are defined as vehicle-type structures, primarily designed as temporary living quarters for

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recreation, camping or travel use, which either have their own motor power or are mounted on or drawn by another vehicle which is self-powered.

Camper Trailer shall mean the following:

- A. A vehicle or structure designed for mounting upon a vehicle, primarily designed as a family camping or travel facility, and commonly known as a “travel trailer,” a “truck-mount camper,” or a “collapsible camping trailer.”
 - 1) *Travel Trailer*: A vehicular portable structure, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a stock passenger automobile, and primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use.
 - 2) *Truck-Mount Trailer*: A self-contained portable structure, designed to be loaded onto or affixed to the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping, or travel use.
 - 3) *Collapsible Camping Trailer*: A vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic, or other pliable material for folding compactly while being drawn by another vehicle, and, when unfolded at the site or location, providing temporary living quarters, and whose primary design is for recreational, camping, or travel use.
- B. Any motor vehicle which is so designed, constructed, reconstructed, or added to by means of portable accessories or otherwise as to permit the occupancy thereof as temporary or permanent dwelling or sleeping place for one or more persons.

Trailer shall mean any vehicle or structure which is or may be mounted on wheels, with motor power or having no motor power of its own, and capable of being used as a conveyance upon streets or highways, so designed constructed, reconstructed, or added to by means of portable accessories or otherwise as to permit the occupancy thereof as a temporary or permanent dwelling or sleeping place for one or more persons. “Trailers” shall include construction trailers, work, trailers, mobile homes, and camp cars.

Boat shall mean any type of watercraft or vessel used primarily for transportation on the water including personal watercraft that uses a motor-powered jet pump as its primary source of motor power designed to be operated by a person sitting, standing, or kneeling on the watercraft. Boat shall also include non-motorized watercraft including row boats, rafts, floats and peddle powered watercraft which require a boat trailer for transport.

Boat Trailers shall mean all trailers and equipment necessary to transport a boat behind a motor vehicle.

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Park or Parking shall mean the halting of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

Person shall mean a natural person, firm, partnership, association, corporation, or other legal entity.

Public Property shall mean any property owned by the Borough of Greensboro, Greene County, Pennsylvania which is held for the benefit and use of borough residents, borough taxpayers and the general public. Real estate identified by the following mailing addresses which are owned or maintained by the borough and subject to residential leasing shall not be considered public property with respect to the tenants thereof:

- a) 117 Minor Street, Greensboro, Pennsylvania 15338
- b) 415 Walnut Street, Greensboro, Pennsylvania 15338
- c) 102 Minor Street, Greensboro, Pennsylvania 15338
- d) 111 Water Street, Greensboro, Pennsylvania 15338
- e) 224 Front Street, Greensboro, Pennsylvania 15338

Street shall mean any road, avenue, highway, court, cul-de-sac, alley, public way, or public square used as a public thoroughfare within the municipal limits of the Borough of Waynesburg.

Nuisance shall mean any condition, structure or improvement which constitutes a danger or potential danger to the health, safety, or welfare of citizens of the Borough or causes a blighting effect in neighborhoods.

Motor Vehicle shall mean a vehicle which is self-propelled except a self-propelled wheelchair, an electric personal assistive mobility device, or a vehicle which is propelled solely by human power. Motor Vehicles include Large Vehicles as defined herein.

Construction or Contractor Trailer shall mean a Large Vehicle implemented by a Person for the purpose of construction, improvement, maintenance or repair to real property or improvements thereon situated in the Borough of Greensboro.

Borough shall mean the Borough of Greensboro, Greene County, Pennsylvania.

Duly Authorized Law Enforcement Officer shall mean any police officer who is a member of a municipal police force which has entered into an intergovernmental cooperation agreement with the Borough for the enforcement of Borough Ordinances.

SECTION 2: PROHIBITED PARKING

No person shall park or store any Construction or Contractor Trailer, Boat Trailer, Boat, Trailer, Camper Trailer, Camping and Recreational Equipment or Large Vehicle on any Street or Public Property within the physical boundaries of the Borough.

SECTION 3: EXCEPTIONS TO PROHIBITED PARKING

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The regulations set forth in Section 2 of this Ordinance shall not apply to the following:

- A. Emergency Vehicles as defined by 75 P.S. § 102.
- B. Borough owned Motor Vehicles.
- C. Motor Vehicles operated by the United States Postal Service.
- D. Motor Vehicles actively engaged in the construction or repair of streets, curbs, sidewalks, or utilities.

SECTION 4: TEMPORARY CONSTRUCTION OR CONTRACTOR TRAILER PARKING TERMS AND CONDITIONS

Construction or Contractor Trailers may be placed on a street directly in front of the residence for which construction is implemented, provided that the following conditions are satisfied:

- A. Application is made to the Borough of Greensboro directed unto the Code Enforcement Officer stating the location of the placement of the construction trailer and the period of time it shall be located upon the Street. The Borough authorizes the Code Enforcement Officer exclusive discretion to deny a permit application should the Code Enforcement Officer find that the location is deemed hazardous or unsafe.
- B. A fee in the amount of Fifty (\$50.00) Dollars tendered with said application made payable to Greensboro Borough. Said fee may be subsequently revised from time to time by resolution of borough council.
- C. No Construction or Contractor Trailer placed upon a Street shall exceed eight feet in width.
- D. Any Construction or Contractor Trailer placed on any Street shall have reflective material on the end which faces the direction of oncoming traffic.
- E. No Construction or Contractor Trailer shall be used for more than thirty (30) days without permit renewal. The Borough reserves the right to revoke the permit when, in the exclusive opinion of the Borough Code Enforcement Officer, the permit is being misused or improperly applied by the applicant.

SECTION 5: HABITATION PROHIBITED

No Construction or Contractor Trailer, Boat Trailer, Boat, Trailer, Camper Trailer, Camping and Recreational Equipment or Large Vehicle located within the physical boundaries of the Borough shall be used for occupation, living, dwelling, human habitation or sleeping for a period of not more than seven days nor shall the same have a fixed connection to any water main, sanitary sewer, gas, electric, or other utility.

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SECTION 6: CERTAIN STORAGE PROHIBITED

No Boat Trailer, Boat, Trailer, Camper Trailer, Camping and Recreational Equipment or Large Vehicle located within the physical boundaries of the Borough shall be used for the purpose of storing material, personal property or refuse. Construction or Contractor Trailers may be used for storage exclusively during the period of construction upon written permission from the Borough Code Enforcement Officer. No trailer, camper trailer, boat or boat trailer shall be parked or stored within three feet of any property line.

SECTION 7: MANNER OF STORAGE

- A. All Construction or Contractor Trailers, Boat Trailers, Boats, Trailers, Camper Trailers, Camping and Recreational Equipment or Large Vehicles shall be stored in such a manner as to prevent the leakage of fuels and/or lubricants into the ground or surface water.
- B. All Construction or Contractor Trailers, Boat Trailers, Boats, Trailers, Camper Trailers, Camping and Recreational Equipment or Large Vehicles parked and/or stored in accordance with the terms of this Ordinance must:
 - 1. Be currently licensed and/or registered for use upon the highways and/or waterways of this state in accordance with the law.
 - 2. Comply with any and all provisions of 75 P.S. § 101 et.seq.
 - 3. Be kept and maintained in current repair and kept painted and free from rust.

SECTION 8: VIOLATIONS AND PENALTIES

Any person, firm, or corporation who or which shall violate or fail, neglect, or refuse to comply with any provision of this Ordinance 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, an 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.

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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 9: ENFORCEMENT

The Mayor, Borough Code Enforcement Officer or any Duly Authorized Law Enforcement Officer shall be empowered to enforce and issue citations for any violation of this ordinance.

SECTION 10: REPEALER

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

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SECTION 11: SAVINGS CLAUSE

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance, It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, sections or part thereof not have been included herein.

SECTION 12: Effective Date

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

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

Attest:

Borough of Greensboro:

Lisa A. Miller, Borough Secretary

Donna J. Neino, President of Council

Examined and Approved this _____ day of _____, 2023.

Edward Abbott, Mayor

Christopher Michael Simms, Esquire