

ORDINANCE NO. 452

**BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF PARKESBURG BOROUGH, CHESTER COUNTY, PENNSYLVANIA, PROHIBITING THE PARKING OF CERTAIN LARGE VEHICLES AND LEAVING UNATTENDED SPORTS EQUIPMENT ON ANY STREET IN PARKESBURG BOROUGH, CONTAINING DEFINITIONS, PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, REPEALING INCONSISTENT ORDINANCES OR PORTIONS THEREOF, PROVIDING FOR PARTIAL INVALIDITY AND ESTABLISHING AN EFFECTIVE DATE.

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

§101. LEGISLATIVE INTENT

A. The Parkesburg Borough Council has determined that hazardous and unsafe traffic conditions within the Municipal Limits of the Borough exist because large vehicles are often parked on streets in the Borough and because sports equipment is frequently left unattended in and on streets in the Borough. These hazardous and unsafe traffic conditions are detrimental to the public health, safety and welfare of the residents of the Borough of Parkesburg and others, impede emergency vehicles (including fire trucks, ambulances, etc.) and interfere with snow removal and the peaceful and quiet enjoyment of the residents of Parkesburg Borough in their homes and neighborhoods. The Borough Council has determined that the adoption of this Ordinance is necessary to remediate the foregoing.

§102. DEFINITIONS

The following words and phrases used in this Ordinance shall have the meanings

given to them in this Section, unless the context of the Ordinance clearly indicates otherwise, and the singular shall include the plural and the plural shall include the singular.

A. Large Vehicles:

1. The following, as defined by 75 Pa.C.S.A. § 102, 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 Home, Recreational Trailer, Semitrailer, Stinger-steered Automobile or Boat Transporter, Tow Dolly, Trailer, Truck- camper, and Truck Tractor.
2. Boats, Snowmobiles, All-terrain Vehicles and similar off-road vehicles, Pickup Campers, Boat Trailers, Tent Trailers and cases or boxes used for transporting recreational equipment (whether containing that equipment or not).

B. Park or Parking:

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.

C. Street:

Any street, road, lane, court, cul-de-sac, alley, path, public way and public square within the Municipal Limits of Parkesburg Borough.

D. Unattended Sports Equipment:

Portable basketball poles, portable soccer nets, portable street hockey nets,

skateboard ramps, roller blade ramps, and similar sports equipment not actually then being used for the particular purpose for which it was designed and manufactured.

§ 103. PARKING OF LARGE VEHICLES PROHIBITED

A. No person shall park, cause to be parked or permit to be parked any large vehicle on any street within the Municipal Limits of Parkesburg Borough.

§ 104. EXCEPTIONS

A. This Ordinance shall not apply to Emergency Vehicles as defined by 75 Pa.C.S.A. § 102.

§ 105. LEAVING OR CAUSING TO LEAVE UNATTENDED SPORTS EQUIPMENT PROHIBITED

A. No person shall leave or cause to be left unattended any sports equipment in or on any street within the Municipal Limits of Parkesburg Borough.

§ 106. PENALTIES FOR VIOLATION

A. Any person or the registered owner of any large vehicle who violates § 103. of this Ordinance shall, upon conviction, be sentenced to pay a fine of not less than Three Hundred Dollars (\$300.00), plus costs of prosecution, unless another penalty is expressly provided for in the Pennsylvania Vehicle Code.

B. Any person who violates § 105. of this Ordinance shall, upon conviction, be sentenced to pay a fine of not less than Three Hundred Dollars (\$300.00), plus costs of prosecution.

§ 107. SEVERABILITY

A. If any Section or provision of this Ordinance is declared by any Court of competent jurisdiction to be invalid or unconstitutional for any reason, such

decision shall not affect the validity or constitutionality of this Ordinance as a whole, nor the validity or constitutionality of any other Section or provision of this Ordinance other than the ones so declared to be invalid.

§ 108. REPEAL OF CONFLICTING ORDINANCES

A. All existing Ordinances of Parkesburg Borough, or parts thereof, inconsistent with this Ordinance, or any part hereof, are hereby repealed.

§109. EFFECTIVE DATE

A. This Ordinance shall become effective the first day permitted by law.

ORDAINED AND ENACTED by the Council of Parkesburg Borough at a Public Meeting held this 8th day of September, 2003.

ATTEST:

PARKESBURG BOROUGH COUNCIL

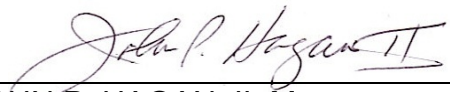


WENDY A. KEEGAN, Secretary



JAMES B. NORTON, III, President
Parkesburg Borough Council

Approved this 8th day of September, 2003.



JOHN P. HAGAN, II, Mayor
Parkesburg Borough