

ORDINANCE NO. 2014- 62

AN ORDINANCE AMENDING PART 6 OF CHAPTER 1000 OF THE GENERAL ORDINANCES PROHIBITING PARKING OF VEHICLES ON BOROUGH STREETS DURING A SNOW STORM, DESIGNATING SNOW EMERGENCY ROUTES, SETTING PROCEDURES FOR DECLARING A SNOW EMERGENCY, PROHIBITING DRIVING AND PARKING OF VEHICLES ON BOROUGH STREETS AFTER THE DECLARATION OF A SNOW EMERGENCY, AND PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Langhorne Borough Council has determined that the Borough roads are not wide to accommodate parking during times when snow removal is required;

WHEREAS, the Langhorne Borough Council has determined that the parking of vehicles constitutes a hazard to residents and pedestrians and impedes the removal of the snow;

WHEREAS, the Langhorne Borough Council has determined that in order to facilitate the movement of traffic and to combat the hazards of snow and ice on the streets of the Borough, vehicles must be removed from specified Borough streets; and,

WHEREAS, the Langhorne Borough Council has determined that the health, safety and general welfare of its citizens shall be increased by requiring vehicles, trailers and objects to be removed from specified Borough streets during times of adverse winter weather conditions and prohibiting parking on Borough streets until snow removal has been completed.

NOW THEREFORE, BE ORDAINED AND ENACTED that Part 6 of Chapter 1000 of the General Ordinances is amended as follows:

PART 6 SNOW AND ICE STORMS AND EMERGENCIES

Section 601 Definitions.

(a) "Snow" shall mean any precipitation depositing any accumulation on the streets, including snow, sleet, hail, ice and freezing rain.

(b) "Snow Emergency Coordinator" shall mean the Mayor and any other Borough employee or Council member designated from time to time by the Mayor or Borough Council as the Snow Emergency Coordinator.

(c) "Snow Emergency" shall mean that street conditions are or expected to become hazardous and dangerous to vehicular and pedestrian traffic and so declared by the Snow Emergency Coordinator.

(d) "Snow Emergency Route" is a Borough street that has been so designated by resolution of Borough Council and where appropriate signage has been erected.

(e) "Chains" shall mean full chains, strap chains or other types of chains mounted on all power driving wheels of the vehicle.

(f) "Mud and Snow Tires" shall mean tires having treads designed for use in snow, which tires must be in such condition as to serve the purpose for which they are designed. A "mud and snow passenger tire" means a tire which, when compared with conventional rib type passenger tires, has a relatively aggressive tread pattern and is designed primarily to provide additional starting, stopping and driving traction in mud and snow. Such tires shall have the words "MUD", "SNOW" or "MUD and SNOW" or any contraction using the letter of "M" and "S" on the sidewalls. "All Weather" tire shall also be included in this category of tire. All tires must meet the minimum Pennsylvania inspection standards.

(g) "All-wheel or 4-wheel drive vehicles" shall mean a vehicle with all-wheel or 4-wheel drive in use while it is being operated on a Borough street.

(h) "Vehicles" shall mean all self-propelled motorized vehicles using Borough streets and highways, excluding public transportation conveyances.

Section 602 Provisions during Snow Events

(a) Whenever the snow, sleet or ice reach a depth of four inches (4") or more, it shall be unlawful for the owner, operator or custodian of any motorized vehicle, tow trailer or other object within the cart way to park, leave unattended or abandon such vehicle, trailer or object, or to cause or allow any vehicle, trailer or object to be parked, abandoned, or left unattended, within any public right-of-way within the Borough, for the period commencing two (2) hours after the snow, sleet or ice reach a depth of four inches (4") as determined by the designated agent or employee of the Borough, continuing during any precipitation and, ending upon the termination of any precipitation and the complete clearing of snow, sleet and ice from the public right-of-way; such period of time not to exceed seventy-two (72) hours after the complete cessation of all precipitation.

(b) During the course of any such precipitation, parking shall be prohibited until such time as plowing, salting, and/or cindering is completed on said street; such period of time not to exceed seventy-two (72) hours after the complete cessation of all precipitation.

(c) Any motorized vehicle, tow trailer or other object found upon a right-of-way during the applicable period set forth in this Section may be subject to removal, towing and impoundment.

(d) If in the judgment of the enforcing officer, any vehicle, trailer or object located within the right-of-way constitutes a hazard to the public or is an impediment to snow removal operations, the enforcing officer may direct the immediate removal and towing of said vehicle, trailer or object. If in the judgment of the enforcing officer, any vehicle, trailer or object located within the right-of-way constitutes a nuisance, but does not impede snow removal operations, the enforcing officer may place a notice concerning these regulations on the vehicle, trailer or object. The placement of said notice shall not prevent the subsequent removal or towing of the vehicle, trailer or object if it impedes snow removal at a later time.

(e) At all times during and after any such precipitation, it shall be prohibited for any person, entity or business to shovel, push, throw, or plow snow, sleet or ice from a sidewalk, driveway, lot, or any other area of a property into the public right-of-way.

Provided: Nothing in this Section shall prohibit any person from driving or parking an emergency vehicle on an emergency or medical call on any Borough streets, or from driving or stopping a truck or other commercial vehicle while making immediate local deliveries or pickups from premises located along that street or part of that street.

Section 603 General Provisions during Snow Emergencies

(a) Borough Council shall, by resolution, designate streets, which are heavily traveled, are necessary thoroughfares for the movement of vehicular traffic through the Borough, or are of insufficient width, when vehicles, trailers or objects are present in the public right-of-way, to permit the complete removal of precipitation, as snow emergency routes.

(b) All streets designated as snow emergency routes shall be posted with suitable signs or markers located once within a municipal block or at intervals not exceeding six hundred (600') feet where said block permits such signage. Borough Council shall, by resolution, determine the language on said sign, which shall at a minimum inform the public that parking is prohibited during a snow emergency.

(c) When, in the opinion of the Snow Emergency Coordinator, the actual or expected precipitation may exceed four (4") inches or may create hazardous or dangerous highway conditions for vehicular or pedestrian traffic, a snow emergency may be declared, under the following terms:

(1) The Snow Emergency Coordinator shall immediately inform the public of the snow emergency by including an announcement on the Borough website and telephone answering system, or by issuing a press release to the local radio, television, news services or other available media, or by distributing notices to Borough residents and businesses, or by other similar methods designed to inform Borough residents or businesses.

(2) Such declaration of a snow emergency shall not go into effect until at least two (2) hours after being announced, and shall remain in effect until terminated by the Snow Emergency Coordinator.

(d) Two hours after a snow emergency has been declared, and during its existence, it shall be unlawful for the owner, operator or custodian of any motorized vehicle, tow trailer or other object located within the public right-of-way to park, leave unattended or abandon such vehicle, trailer or object, or to cause or allow any vehicle, trailer or object to be parked, abandoned, or left unattended, within the public right-of-way.

(e) Any person who drives a vehicle or tow trailer upon any street designated as a snow emergency route without chains or mud and snow tires plus adequate equipment such as all-wheel or 4-wheel drive to provide sufficient traction to keep such vehicle in motion so that other traffic on such roadways will not be blocked or impeded, who permits any vehicle to become stalled or incapable of moving under its own power, or who leaves such vehicle or tow trailer unattended shall be in violation of this Ordinance.

(f) Any vehicle, tow trailer or object parked, stalled, incapable of moving under its own power, located within, or left unattended upon any street designated as a snow emergency route may be removed, disposed of or towed away at the expense of the owner of said vehicle, tow trailer or object to any other location by the Police Department, any person authorized by the Snow Emergency Coordinator or by a towing company authorized by resolution of Borough Council to tow vehicles in violation of Borough Ordinances.

(g) The Snow Emergency Coordinator may declare any snow emergency route or any part of a snow emergency route to be free from the restrictions herein imposed when the weather or street conditions warrant such exclusion. The Snow Emergency Coordinator shall give notice of this determination in a manner provided for in subsection (c) (1) above.

(h) At all times during and after any such declaration, it shall be prohibited for any person to shovel, push, throw, or plow snow, sleet or ice from a sidewalk, driveway, lot, or any other area of a property into the public right-of-way.

(i) Nothing in this section shall be construed to permit parking at any time or place where it is forbidden by other provisions of law or Borough Ordinances.

Provided: Nothing in this Section shall prohibit any person from driving or parking an emergency vehicle on an emergency or medical call on any Borough streets, or from driving or stopping a truck or other commercial vehicle utilizing the equipment set forth sub-section (e) above to make immediate local deliveries or pickups from premises located along that street.

Section 604 Penalty

(a) Any person who violates any provision of Part 6 of Chapter 1000 shall be subject to the following penalties:

- (a) First violation - A fine of \$ 50.00;
- (b) Second violation - A fine of \$ 150.00;
- (c) Third and each subsequent violation - A fine of \$ 300.00.
- (d) Continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as provided above for each separate offense.

(b) In addition, the owner of any vehicle, trailer or object in violation of the provisions of Part 6 of Chapter 1000 shall be responsible for all fees, charges and costs related to the removal, towing and storage or disposal of said vehicle, trailer or object.


(c) The owner and the occupant of the property shall be responsible for and deemed knowledgeable about the movement of any precipitation moved off their property and into the public right-of-way. Said owner and occupant shall be responsible for all fees, charges and costs related to the removal of said precipitation.

EFFECTIVE DATE. This Ordinance shall become effective in accordance with the provisions of the Borough Code.

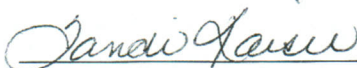
ORDAINED AND ENACTED this 12th day of March, 2014.

LANGHORNE BOROUGH COUNCIL

ATTEST:

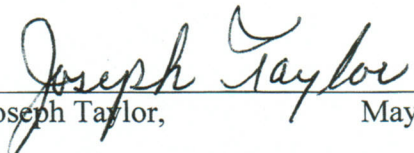


David Kaiser, President



Sandi Kaiser, Secretary

Examined and approved this 12th day of March, 2014.



Joseph Taylor, Mayor