

ORDINANCE N^o 072618-2 Of 2018

AN ORDINANCE OF THE BOROUGH OF FREELAND PRESCRIBING PARKING REGULATIONS FOR CERTAIN
BOROUGH HIGHWAYS AND STREETS OR STREET SWEEPING AND FOR THE PROVIDING
PENALTIES FOR
THE VIOLATIONS THEREOF

WHEREAS, it is necessary for the general protection of the public and the interests Of the general welfare Of the of the Borough Of the Freeland that parking be regulated on certain Borough streets, highways or other public property during certain times to facilitate street sweeping; and

WHEREAS, it is the desire of the Council of the Borough of Freeland, to establish an orderly system whereby the safety and welfare Of the public and of the Borough and its citizens can be protected;

NOW, THEREFORE, be it enacted and ordained by the council of the Borough Of Freeland, under and by virtue of the authority contained in the Borough Code, and it is hereby enacted and ordained by the authority of same, as follows:

SECTION I
SHORT TITLE

The short title of this ordinance shall be "The Street Sweeping Ordinance of the Borough of Freeland."

SECTION II
DEFINITIONS AND INTERPRETATION

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates or requires a different meaning. The singular shall include the plural and the masculine shall include the feminine.

- (a) "Authorized Borough Official." The following elected or appointed officers or employees of the Borough of Freeland: Borough Streets Foreman; Councilman then in charge of the Street Department.

- (b) "Highway." Every way or place, of whatever nature, open to the use of the public as a matter of right, for the purposes of vehicular traffic, excluding roadways, driveways or other access upon grounds owned by private persons. The term shall also have the meaning ascribed to it in 'The Vehicle Code' of the Commonwealth of Pennsylvania, Act of April 29, 1959, P .L. 58 as amended, and its supplements and further amendments, except in those instances where the context clearly indicates a different meaning.
- (c) "Parking." The standing of a vehicle, except a police or fire department vehicle or ambulance, whether occupied or not, upon a street or highway other than temporarily for the purpose of and while actually engaged in loading or unloading persons or property, or in obedience to traffic signs or signals. The term shall also have the meaning ascribed to it in "The Vehicle Code" of the Commonwealth of Pennsylvania, Act of April 29, 1959, P .L. 58 as amended, and its supplements and further amendments, except in those instances where the context clearly indicates a different meaning.
- (d) "Street." All streets, lanes, alleys, lots or other way or places of ingress, egress, cartage, storage or parking open to the use of the public as a matter of right, excluding roadways, driveways or other access upon grounds owned by a private person.
- (e) "Sign." A notice conveying information, order or direction to the public.
- (f) "Borough." The Borough of Freeland of Luzerne County.
- (g) "Vehicle." Any device in, upon or by which any person or property in or may be transported or drawn upon a public highway or street, including, without limitation, automobiles, trucks, station wagons, vans, utility trailers, tractors, truck tractors, motorhomes, mobile-home, motorcycles, motor omnibuses, machinery, trailers, semitrailers, farm tractors agricultural and husbandry machinery and implements and other Wheeled equipment. The term and the examples shall include whatever meaning or further meaning is or may be ascribed to them in 'Vehicle Code' of the Commonwealth of Pennsylvania, Act of June 17 1976, P .L. 162 as amended, and its supplements and further amendments, except in those instances where the context indicates a different meaning.
- (h) "Street Sweeping." The cleaning or partial cleaning of the designated streets or highways of the Borough by mechanical or manual methods which includes sweeping vacuuming or other methods.

SECTION III

IDENTIFICATION OF PROHIBITED PARKING

Parking shall be prohibited on Borough roads and highways at all times when the roads and byways have been posted for street sweeping and or sufficient notice by news, sign, radio and or newspaper or any such type of communication or notification. It shall be illegal for any

persons to park or fail to remove a vehicle of any kind parked along any street or highway when notification of intent to clean such street or highway is made or given.

SECTION IV
POSTING OF SIGNS

- (a) Whenever, in the reasonable discretion Of an authorized Borough Official it becomes necessary or appropriate to clean a Borough street or highway, said Official shall restrict parking on the street or highway by posting signs restricting parking on said street or highway.
- (b) Such signs shall be posted at hereinafter designated locations along the streets and highways shall restrict all parking along any or all sections of that street or highway for a period 16 hours after the posting and lasting until the signs are removed.

SECTION V
LOCATIONS OF SIGNS

All signs posted on any street or highway pursuant to this Ordinance shall be posted, to the extent practicable, at a convenient and conspicuous location near both ends Of each street and highway and at one or more interim points.

SECTION VI
ERECTION AND REMOVAL OF SIGNS

All signs shall be erected under the direction of the Streets Foreman who shall also be responsible for the prompt removal of the same, at appropriate times.

SECTION VII
PENTALTY FOR THE VIOLATION

Any owner, operator or custodian of any vehicle parked in violation of the Ordinance shall be subject to a fine of \$75.00 dollars for every vilation, plus pay the cost of said proceeding, and penalties set forth in this Ordinance July 26 of 2018.

SECTION VIII

REPEALER

All of the Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION IX

EFFECTIVE DATE

This Ordinance shall become effective upon the publication thereof and adoption as required by law.

ENACTED AND ORDAINED into law this 26th day of July 2018

FREELAND BOROUGH COUNCIL

Presented by Barbara Pulawski

Seconded by [Signature]

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Yes

No ~~0~~