

ORDINANCE NO. 1169

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING ARTICLE I OF CHAPTER 280 OF THE CODE OF ORDINANCES OF THE BOROUGH OF WAYNESBORO, RELATING TO GENERAL TRAFFIC AND PARKING REGULATIONS.

WHEREAS, the Borough of Waynesboro (hereinafter the “Borough”) is authorized to regulate the parking of vehicles along sidewalks pursuant to Section 1202(13) of the Borough Code, and to provide for the health, safety, morals, general welfare, comfort, and safety of the Borough pursuant to Section 1202(5) of the Borough Code; and

WHEREAS, the Borough is authorized to regulate the parking of vehicles by a duly enacted ordinance pursuant to Section 6109 of the Pennsylvania Vehicle Code; and

WHEREAS, the Borough desires to grant the authority to the Borough Council to establish a temporary parking schedule for street sweeping; and

WHEREAS, the Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to amend the Code of Ordinances of the Borough of Waynesboro (the “Code”) relating to general traffic and parking regulations, in order to set forth the Borough Council’s authority to establish a street sweeping schedule.

NOW THEREFORE BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1: Chapter 280, Article I, Section 280-3, entitled “Temporary and emergency regulations” is hereby amended by removing the entire contents thereof and replacing it with the following:

§280-3. Temporary and emergency regulations.

- A. The Mayor shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
- (i) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.
 - (ii) In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

- (iii) For the purpose of loading and unloading, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than eight hours in order to facilitate traffic flow.
- (iv) In the case of repairs or maintenance to structures having no suitable off-street parking, to facilitate said repair or maintenance by people engaged in business of repairs such as electricians, plumbers, telephone persons, TV cable persons, and other construction and maintenance personnel to restrict or prohibit traffic and/or parking in limited areas for such period of time as is reasonable.
- (v) On primary, general, or special election dates, the Mayor shall provide a minimum of six parking places at any officially designated voting poll in the Borough of Waynesboro for use of persons voting only while such voter is engaged in the process of voting and shall for that purpose restrict or prohibit traffic and/or parking in said area for the period of time while said poll is open for voting.

B. The Borough Council shall have the following powers to regulate traffic and parking temporarily:

- (i) Street Sweeping. Borough Council may regulate parking to accommodate street sweeping.
 - a. The Borough Council shall establish by resolution, a street sweeping schedule that will establish "No Parking" restrictions on designated streets during certain dates and times which impact on-street parking locations during certain times of the week. This schedule will be for the purposes of restricting or prohibiting traffic and/or parking in said area for the period of time while street sweeping occurs. The areas designated for street sweeping shall be designated by proper signs and markings.
 - b. The street sweeping schedule will be advertised at least two weeks in advance of any street sweeping activity. Additionally, the street sweeping schedule is to be posted on the Borough's website.
 - c. The Borough Manager or his designee may cause vehicles to be towed away which are parked on the street to be cleaned. Any car thus towed away may be reclaimed after paying the towing and storage fees.

(ii) Temporary or Experimental Regulations. Borough Council shall have the authority to adopt and enforce such temporary or experimental regulations as may be in the best interest of the Borough or as necessary to address emergencies, special conditions, or special events.

C. Enforcement and Penalties. Such temporary and emergency regulations shall be enforced by the the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle of any type or tractor in violation of any such regulation or who shall move, remove, destroy, injure, or deface any sign erected or posted to give notice of any such regulation shall upon conviction thereof be liable to the penalty set forth in the law or elsewhere in this Part 1 for violation of such nature and in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Part 1 to a fine of not more than \$50 and costs of prosecution.

SECTION 2: Repealer. All provisions of previous ordinances of the Code of the Borough of Waynesboro, which are contrary to this Ordinance, are expressly repealed.

SECTION 3: Savings Clause. In all other respects, the Code of the Borough of Waynesboro shall remain as previously enacted and ordained.

SECTION 4: Severability. In any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such work, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect

SECTION 6: Effective Date. This Ordinance shall take effect immediately.

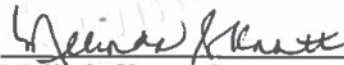
ENACTED, ORDAINED and APPROVED this 5th day of September, 2018.

Waynesboro Borough Council

By: 

C. Harold Mumma, President

ATTEST:


Melinda Knott, Secretary


Richard Starliper, Mayor