

ORDINANCE NO. 1180

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING PART I, ARTICLE III OF CHAPTER 280 OF THE CODE OF THE BOROUGH OF WAYNESBORO, RELATING TO RESERVATION OF CERTAIN ACCESSIBLE PARKING SPACES

WHEREAS, the Pennsylvania Borough Code, 8 Pa. C.S. §§ 101-3501 (the “Borough Code”), at Section 1202(13) authorizes boroughs to regulate the parking of vehicles along sidewalks; and

WHEREAS, the Borough Code at Section 1202(5) empowers boroughs to provide for the health, safety, morals, general welfare, comfort, and safety of the borough; and

WHEREAS, Section 6109 of the Pennsylvania Vehicle Code, 75 Pa.C.S. § 6109, authorizes boroughs to regulate the parking of vehicles by a duly enacted ordinance; and

WHEREAS, Section 3354(d) (2.1) of the Pennsylvania Vehicle Code, 75 Pa.C.S. § 3354(d)(2.1), authorizes municipalities to limit access to a parking space for persons with a disability or severely disabled veterans to a specific vehicle, license plate, or other method of designation

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 the Borough of Waynesboro (the “Code”) relating to general traffic and parking regulations, in order to limit access to Reserved Accessible Parking Spaces to designated users as set forth herein.

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 I: Chapter 280, Article I, Section 280-1 entitled “Definitions”, of the Code of the Borough of Waynesboro is hereby amended by replacing subsection A with the following:

- A. Words and phrases, when used in this Part 1, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania, as now in force, or as hereafter amended, enacted, or reenacted, except where the context clearly indicates a different meaning. Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings indicated:

GENERAL ACCESSIBLE PARKING SPACE – A parking space designated for the general use of individuals who either have mobility impairments or have other health complications that prevent them from walking significant distances.

RESERVED ACCESSIBLE PARKING SPACE – A reserved parking space for a designated user with a specific placard identification number, who either has mobility impairments or have other health complications that prevent that person from walking significant distances.

SECTION II: Chapter 280, Article III, entitled “Parking Regulations”, of the Code of the Borough of Waynesboro, is hereby amended to modify §280-25, entitled “Special Use Zones established; parking otherwise prohibited there” by changing the title to “Special Use Zones and General Accessible Parking Spaces established; parking otherwise prohibited there” and replacing all references to the term “Handicapped parking space” in the Authorized Use Column with “General Accessible Parking Space”.

SECTION III: Chapter 280, Article III, entitled “Parking Regulations”, of the Code of the Borough of Waynesboro, is hereby amended to add a Section 280-25.1, entitled “Reserved Accessible Parking Spaces”, to read as follows:

- A. The following locations are hereby designated as Reserved Accessible Parking Spaces, and parking in such spaces shall be unlawful, except for the designated user with the appropriate placard identification number as follows:

Street/Location	Authorized Use	Reserved Accessible Placard Number	Hours
(e.g. 123 Main Street	1 Reserved Accessible Parking Space.	Placard #	24 hours every day

SECTION IV: Chapter 280, Article III, entitled “Parking Regulations”, of the Code of the Borough of Waynesboro, is hereby amended to add Section 280-25.2 entitled “General or Reserved Accessible Parking Space”, to read as follows:

- A. Individuals desiring to obtain a General or Reserved Accessible Parking Space as set forth in this Chapter shall:
1. Complete and submit the Borough Accessible Parking Space Application, in a form to be created by the Borough and adopted by Borough Council; and
 2. Remit to the Borough the appropriate payment of the Application Fee, in an amount to be set by Borough Council.
- B. Users of General or Reserved Accessible Parking Spaces shall at all times comply with the Borough’s Rules and Conditions for the Issuance and Use of Accessible Parking. Failure to comply shall warrant the revocation of the General or Reserved Accessible Parking Space issued under this section.

SECTION V: Chapter 280, Article III, Section 280-28, entitled “Violations and Penalties”, subsection A, is amended to read as follows with respect to “Parked in handicap zone”:

Violation	Fine	Ticket
*** Parked in General or Reserved Parking Space ***	\$300	\$100

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

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

SECTION VIII: Severability. If 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 word, 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 IX: Effective Date. This Ordinance shall take effect immediately.

ENACTED, ORDAINED, and APPROVED this 18th day of November, 2020.

Waynesboro Borough Council

By: C. Harold Mumma
C. Harold Mumma, President

ATTEST:

By: Melinda S. Knott
Melinda S. Knott, Secretary

Richard A. Starliper
Richard A. Starliper, Mayor