

BOROUGH OF BOYERTOWN, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2- 2024

AN ORDINANCE OF THE BOROUGH OF BOYERTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF BOYERTOWN BY AMENDING CHAPTER 131 ENTITLED “PARKING” TO INCREASE THE PENALTIES FOR PARKING VIOLATIONS AND AMENDING CHAPTER 184 ENTITLED “VEHICLES AND TRAFFIC” TO CHANGE TO REFERENCES TO “METER MAIDS” TO “PARKING ENFORCEMENT OFFICERS” AND TO INCREASE THE PENALTIES FOR PARKING VIOLATIONS.

WHEREAS, pursuant to 75 Pa.C.S.A. §6101 et seq., traffic and parking regulations by local authorities shall be established by duly enacted ordinances of the governing body of the local authority; and

WHEREAS, Section 3353 of the Vehicle Code, 75 Pa.C.S.A. §3353, allows local authorities to regulate the stopping, standing or parking of vehicles on streets and highways within its boundaries; and

WHEREAS, Section 3353 of the Vehicle Code, 75 Pa.C.S.A. §3353, permits the imposition of a fine of not more than Fifty and 00/100 Dollars (\$50.00) per violation of this section; and

WHEREAS, the Code of the Borough of Boyertown, Chapter 131 entitled “Parking”, Article I entitled “Residential Parking Permits” regulates curbside parking on public highways in a designated residential parking area; and

WHEREAS, Council for the Borough of Boyertown desires to amend Chapter 131 entitled “Parking”, Article I entitled “Residential Parking Permits”, Section 131-11 entitled “Violations and penalties” to increase the penalty for violations of Section 131-5 and other provisions of Article I to \$50.00 per violation; and

WHEREAS, the Code of the Borough of Boyertown, Chapter 184 entitled “Vehicles and Traffic”, Article III entitled “Parking Regulations” provides regulations for the stopping, standing or parking of vehicles on Borough streets; and

WHEREAS, Council for the Borough of Boyertown desires to amend Chapter 184 entitled “Vehicles and Traffic”, Article III entitled “Parking Regulations”, Section 184-24 entitled “Parking meter zones” in order to change the references to “meter maids” to “Parking Enforcement Officers”; and

WHEREAS, Council for the Borough of Boyertown further desires to amend Chapter 184 entitled “Vehicles and Traffic”, Article III entitled “Parking Regulations”, Section 184-25 entitled “Penalties for parking violations” to increase the penalty for violations of this Article to \$50.00 per violation.

NOW THEREFORE BE IT ENACTED and ORDAINED by the Council of the Borough of Boyertown, Berks County, Pennsylvania by the authority of the same as follows:

SECTION 1. The Code of the Borough of Boyertown, Chapter 131 entitled “Parking”, Article I entitled “Residential Parking Permits”, Section 131-11 entitled “Violations and penalties” is amended to increase the penalty for violations of Section 131-5 from Fifteen and 00/100 Dollars (\$15.00) to Fifty and 00/100 Dollars (\$50.00), which shall read in its entirety as follows:

Any person who violates § 131-5 of this article shall pay a fine of \$50; provided, however, that it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the District Justice all violations of § 131-5, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of § 131-5. Any person violating any other provision of this article or the regulations promulgated hereunder shall, upon conviction thereof in a summary proceeding, be fined \$50 for each violation and, in default of payment of any fine so imposed, shall be imprisoned for a period not to exceed 10 days for each violation

SECTION 2. The Code of the Borough of Boyertown, Chapter 184 entitled “Vehicles and Traffic”, Article III entitled “Parking Regulations”, Section 184-24 entitled “Parking meter zones” is amended to amend letter F. and letter G. in their entirety, which shall read in their entirety as follows:

F. It shall be the duty of the regular police officers, special police officers and Parking Enforcement Officers of the Borough, acting under instructions of the Mayor, Chief of Police, and/or Borough Manager to report all violations of this section, said report to include the date and hour of violation, the location thereof, including the parking meter number where applicable, and the motor vehicle license number thereof. In addition, such regular police officers, special police officers and Parking Enforcement Officers shall place a written notice on such vehicle to the owner or operator thereof that a violation has occurred and instructing such owner or operator to report to Town Hall, 100 South Washington Street, Boyertown, Pennsylvania. Such owner or operator shall pay at the Town Hall, as penalty for and in full satisfaction of said violation, the sum of \$25 within five days of the date of the violation. Failure to make such payment of \$25 within five days of the date of the violation shall render such owner or operator subject to the penalty under § 184-25 of this chapter.

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G. The provisions of this section may be temporarily suspended by the Mayor, in the Mayor’s discretion, as to holidays or otherwise as conditions may require.

SECTION 3. The Code of the Borough of Boyertown, Chapter 184 entitled “Vehicles and Traffic”, Article III entitled “Parking Regulations”, Section 184-25 entitled “Penalties for parking violation” is amended to increase the penalty for parking violations from Twenty-Five and 00/100 Dollars (\$25.00) to Fifty and 00/100 Dollars (\$50.00), which shall read in its entirety as follows:

Except as otherwise specified in this Article III, any person who violates any provision of this article shall pay a fine of \$50; provided, however, that it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the District Justice all violations of any provision of this article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating the vehicle was parked in violation of this article.

SECTION 4. The provisions of this Ordinance are severable, and if any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Council of the Borough of Boyertown that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 5. All existing ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.


SECTION 6. The effective date of the within amendments shall be immediately upon its enactment and approval by the Mayor.

SECTION 7. The Code of the Borough of Boyertown shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of such Code upon adoption.

DULY ORDAINED and ENACTED as an Ordinance this 3rd day of June, 2024.

BOROUGH OF BOYERTOWN

By: 
President of Borough Council

Attest: 
Manager/Secretary

Approved as an Ordinance this 3rd day of June, 2024.


Mayor



CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2- 2024 adopted by the Borough Council of the Borough of Boyertown, Berks County, Pennsylvania at a regular meeting held on June 3, 2024, pursuant to notice as required by law.

Patricia G. Loder
Secretary of the Borough

