

BOROUGH OF CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 02-2023

AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 15 *VEHICLES AND TRAFFIC* OF THE CODE OF THE BOROUGH OF CONSHOHOCKEN TO AUTHORIZE THE FIRE MARSHAL TO ENFORCE PARKING RESTRICTIONS IN FIRE LANES; ESTABLISHING ADDITIONAL STOP INTERSECTIONS AND ADDING/AMENDING GENERAL PARKING REGULATIONS; AMENDING THE PROVISIONS RELATED TO EXPIRATION OF RESIDENTIAL PARKING PERMITS; AMENDING REGULATIONS REGARDING OVERNIGHT PARKING OF CERTAIN VEHICLES/TRAILERS/EQUIPMENT; AMENDING THE REGULATIONS REGARDING ON-STREET AND OFF-STREET METERED PARKING ZONES; AND ADDING NEW TOW-AWAY ZONES IN THE BOROUGH; FURTHER AMENDING CHAPTER 13 *LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS* BY AMENDING *PART 12 PORTABLE STORAGE UNITS* CONTAINING REGULATIONS APPLICABLE TO PORTABLE STORAGE UNITS IN THE BOROUGH ON PRIVATE PROPERTY AND IN THE BOROUGH'S STREETS AND RIGHTS-OF-WAY; REPEALING PRIOR INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.

WHEREAS, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the community of the Borough of Conshohocken;

WHEREAS, the Borough Council of the Borough of Conshohocken is duly empowered by the Pennsylvania Vehicle Code and the Borough Code to enact certain regulations concerning the movement of vehicles and traffic in and through the Borough;

WHEREAS, the Borough Council of the Borough of Conshohocken has established, *inter alia*, regulations relating to vehicles and traffic within the Borough of Conshohocken at Chapter 15 *Vehicles and Traffic* of the Code of the Borough of Conshohocken;

WHEREAS, certain amendments to Chapter 15 *Vehicles and Traffic* have been recommended by the Borough's administrative staff, including certain amendments for which Borough Council has previously enacted temporary experimental regulations prior to adopting this Ordinance for purposes of evaluating the amendments;

WHEREAS, along similar lines, the Borough's administrative staff have recommended certain amendments to the Borough's regulations related to the presence of Portable Storage Units in the Borough on private property and in the Borough's

streets/rights-of-way, which regulations are contained in Chapter 13 *Licenses, Permits and General Business Regulations*, Part 12 *PORTABLE STORAGE UNITS*; and

WHEREAS, the Borough Council of the Borough of Conshohocken believes it to be in the best interest of the Boroughs to adopt the amendments to Chapter 15 *Vehicles and Traffic* and Chapter 13 *Licenses, Permits and General Business Regulations*, Part 12 *PORTABLE STORAGE UNITS* set forth herein.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Conshohocken as follows:

SECTION 1.

Chapter 15 *Vehicles and Traffic*, Part 1 *GENERAL REGULATIONS* is hereby amended by adding a new section, section 15-110 *Authority of Fire Marshal* with the following provisions:

§ 15-110. **Authority of Fire Marshal.**

The Fire Marshal of the Borough of Conshohocken is hereby authorized to enforce the provisions of section 15-410.A *Parking Prohibited in Fire Lanes* of this Chapter.

SECTION 2.

Chapter 15 *Vehicles and Traffic*, Part 2 *TRAFFIC REGULATIONS*, § 15-207 *One-Way Streets Established* is hereby amended to include the following new provisions:

Street	From	To	Direction of Travel
Walnut Street	East Elm Street	East Hector Street	North

SECTION 3.

Chapter 15 *Vehicles and Traffic*, Part 2 *TRAFFIC REGULATIONS*, § 15-213 *Stop Intersections Established* is hereby amended by adding the following new provisions:

Stop Street	Intersection or Through Street	Direction of Travel
Hallowell Street	12th Avenue	Both
West First Avenue	Forrest Street	Both

SECTION 4.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS*, § 15-402 *Parking Prohibited at All Times in Certain Locations* is hereby amended by adding the following new provisions:

Street	Side	Between
East Elm Street (500 block where "Municipal Vehicles Only" signs are posted)	South	Apple Street and Jones Street
Oak Street	West	From the intersection with Stoddard Avenue north to "no parking" signage
East 6th Avenue	South	From the intersection with Harry Street east to "no parking" signage

SECTION 5.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS*, § 15-406 *Special Purpose Parking Zones Established; Parking Otherwise Prohibited* is hereby amended by repealing the following provisions in their entirety:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Authorized Purpose or Vehicle</u>
Fayette Street	North	Between 4th Avenue and 5th Avenue	20-minute parking only

SECTION 6.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS*, § 15-406 *Special Purpose Parking Zones Established; Parking Otherwise Prohibited* is hereby amended to include the following new provisions:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Authorized Purpose or Vehicle</u>
Fayette Street	East	Between 4th Avenue and 5th Avenue	20-minute parking only
West Fourth Avenue	South	Between Fayette Street and Forrest Street	15-minute "To-Go Orders Only" parking (2 parking spaces identified by posted signage)
West 4th Avenue	North	Intersection of West 4th Avenue and Fayette Street (3 spaces marked "Police Department Only" parking)	"Police Department Only" parking

SECTION 7.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS*, § 15-409 *Residential Permit Parking* is hereby amended by repealing subsection 6 in its entirety, and replacing it with the following new provisions:

6. Expiration of Residential Parking Permits. Residential parking permits shall not require renewal. Residential parking permits shall automatically expire when the residential permit holder no longer resides at the address for which the permit was issued. Residential

parking permits may not be transferred to a new resident moving into an address for which a residential parking permit has been issued. New residents shall apply for a new permit. There shall be no cost to replace or renew the residential parking permit to a new vehicle registered to the same person at the same address.

SECTION 8.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS* is hereby amended by repealing the provisions of § 15-410 *Overnight Parking of Certain Trucks, Trailers and Equipment and Vehicles with a Registered Gross Weight in Excess of 9,000 Pounds Prohibited* in their entirety and replacing them with the following provisions:

§ 15-410. Overnight Parking of Certain Trucks, Trailers and Equipment and Vehicles Prohibited.

- A. It shall be unlawful to park any tow truck, dump truck, tractor, recreational vehicle, step-up or box van, mobile construction equipment (except mobile construction equipment that is in the process of performing street, road or construction work), or any vehicle with a registered gross vehicle weight rating in excess of 11,000 pounds on any street or portion thereof in the Borough of Conshohocken for a continuous period of more than two hours between the hours of 9:00 p.m. and 7:00 a.m., prevailing time.
 1. The restrictions of this § 15-410.A shall not apply to any trucks, trailers, equipment or vehicles with a registered gross weight in excess of 11,000 pounds that are parked on boundary streets with neighboring municipalities, provided that the truck, trailer, equipment or vehicle with a registered gross weight in excess of 11,000 pounds is not parked on the Borough of Conshohocken side of the street (*i.e.* is not located in the Borough).

2. The restrictions of § 15-410.A shall not prohibit the parking of pickup trucks which may exceed 11,000 pounds on Borough streets where such vehicles are not modified or adapted to fit the class of vehicles prohibited under § 15-410.A and that does not violate the restrictions of § 15-410.B.
- B. In addition to the restrictions of § 15-410.A it shall be unlawful to park any vehicle with the following characteristics or trailer with the following characteristics on any street or portion thereof in the Borough of Conshohocken for a continuous period of more than two hours between the hours of 9:00 p.m. and 7:00 a.m., prevailing time:
1. Any vehicle larger than 22 feet in length or 9 feet in width, or, if the street on which the vehicle is parked has demarcated parking spaces, larger than the demarcated parking space, *i.e.* the vehicle shall be parked wholly within the lines or markings, and it shall be a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that that vehicle is not wholly within the area designated by those lines or markings.
 2. Any trailer, semitrailer, house trailer, boat trailer, any type of trailer camper whether attached to a vehicle or alone, regardless of size or weight.

SECTION 9.

Chapter 15 *Vehicles and Traffic*, Part 4 *GENERAL PARKING REGULATIONS* is hereby amended by adding a new section, § 15-410.A *Parking Prohibited in Fire Lanes* with the following provisions:

1. **Fire Lane Defined.** A fire lane is defined as that part of a road (public or private), parking lot, other passageway, or other area designed to allow the passage of, or access by, a fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus.
2. **Parking Prohibited in Fire lanes.** No parking, standing or stopping shall be permitted at any time on any fire lane, and no parking shall be permitted in any location which would prevent access to any fire lane by

any emergency vehicle. A lane marking shall be placed on the pavement identifying the fire lane to warn people against blocking the lane. No person shall park, stand or stop a vehicle or let a vehicle park, stand or stop on any fire lane at any time, and no owner, manager, supplier, deliveryman or tenant of any premises shall permit any customer or visitor to park any vehicle or permit any vehicle to park, stand or stop on any part of any fire lane at any time.

SECTION 10.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-501 *Parking Meter Zone Established* in their entirety and replacing them with the following:

§ 15-501. Metered Parking Zones Established.

Metered parking zones are established upon and along certain streets in the Borough as follows:

Street	Block	Block	Side of Street	Hourly Rate	Maximum Parking Time
Fayette St.	Between Elm St. and First Ave.	000	East	\$0.50	2 hours
Fayette St.	Between Elm St. and First Ave.	000	West	\$0.50	2 hours
Fayette St.	Between First Ave. and Second Ave.	100	East	\$0.50	1 hour
Fayette St.	Between First Ave. and Second Ave.	100	West	\$0.50	1 hour
Fayette St.	Between Second Ave. and Third Ave.	200	West	\$0.50	1 hour
East 1st Ave.	Between Fayette St. and Harry St.	000	North	\$0.50	30 minutes
East 1st Ave.	Between Fayette St. and Harry St.	000	South	\$0.50	2 hours
West 1st Ave.	Between Fayette St. and Forrest St.	000	North	\$0.50	1 hour
West 1st Ave.	Between Fayette St. and Forrest St.	000	South	\$0.50	30 minutes
East 2nd Ave.	Between Fayette St. and Harry St.	000	North	\$0.50	N/A

East 2nd Ave.	Between Fayette St. and Harry St.	000	South	\$0.50	1 hour
West 3rd Ave.	Between Fayette St. and Forrest St.	000	North	\$0.05	N/A
West 3rd Ave.	Between Fayette St. and Forrest St.	000	South	\$0.05	N/A
West 4th Ave.	Between Fayette St. and Forrest St.	000	South	\$0.05	N/A

SECTION 11.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of § 15-502 *Days and Hours Parking Meters in Operation and Parking Time Limits Apply* in their entirety and replacing them with the following:

§ 15-502. Days and Hours of Metered Parking in Operation and Parking Time Limits Apply.

Metered parking shall be initiated by payment through the ParkMobile application or website as prescribed by § 15-505, and the parking rates for specified lengths of time, as well as the maximum parking times prescribed in § 15-501, shall apply at all times between the hours of 9:00 a.m. and 6:00 p.m., Monday through Saturday, in the metered parking zones listed in § 15-501; provided, however, that the requirements of this Part as to parking time limit and payment for metered zones shall not apply on Borough holidays.

SECTION 12.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of § 15-503 *Placement and Characteristics of Parking Meters* in their entirety and marking the section “Reserved”.

SECTION 13.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-504 *Parked Vehicles to be Wholly Within Marked Spaces* in their entirety and replacing them with the following provisions:

§ 15-504. Parked Vehicles to be Wholly Within Marked Spaces.

Lines and/or markings shall be painted or placed upon the curb, sidewalk or roadway adjacent to each parking space for the purpose of delineating the parking space for which that metered parking area zone shall be used. Every vehicle parked in a parking zone shall be parked wholly within the lines or markings so placed and applicable to that zone. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that that vehicle is not wholly within the area designated by those lines or markings.

SECTION 14.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-505 *Coin Deposit in Meter; Overtime Parking Unlawful* in their entirety and replacing them with the following provisions:

§ 15-505. Overtime Parking Unlawful.

Whenever a vehicle is to be parked in any space in a metered parking zone, at any time in the period of limited parking as prescribed by § 15-502 of this Part, the driver of the vehicle, upon entering the parking space, shall immediately make payment for that zone. If any vehicle shall remain in any parking space for any length of time that is beyond the length of time of the payment session, that vehicle shall be considered as having been parked overtime, and the parking of a vehicle overtime shall be a violation of this Part.

SECTION 15.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-506 *Unlawful to Deposit Substitute for Coin in Meter* in their entirety and marking the section "Reserved".

SECTION 16.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-507 *Unlawful to Deposit Coin in Meter to Extend Parking Time Beyond Legal Limit* in their entirety and replacing them with the following provisions:

§ 15-507. Unlawful to Extend Parking Time Beyond Legal Limit.

It shall be unlawful and a violation of this Part for any person to extend the parking session for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time of 15 minutes in any fifteen-minute metered parking zone, one hour in any one-hour metered parking zone, or two hours in any two-hour metered parking zone.

SECTION 17.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-508 *Unlawful to remain Parked at Meter Showing Violation* in their entirety and replacing them with the following provisions:

§ 15-507. Unlawful to Remain Parked in a Metered Parking Zone In Violation of this Part.

It shall be unlawful, and a violation of this Part, for any person to permit a vehicle to remain in a metered parking zone space when the vehicle has already been parked there beyond the prescribed time period for that zone or beyond the time for which payment was made for the parking of that vehicle.

SECTION 18.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-509 *Unlawful to tamper with meter* in their entirety and marking the section "Reserved".

SECTION 19.

Chapter 15 *Vehicles and Traffic*, Part 5 *ON-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-512 *Exceptions* in its entirety and replacing it with the following provisions:

§ 15-512. Exceptions.

1. By resolution, the Borough Council may temporarily suspend the provisions of this Part by requiring payment in the metered zones and establishing a maximum parking time at metered zones.
2. The Borough shall have authority to establish no-parking or special-purpose parking zones within any metered parking zone, and the provisions of this Part shall not apply in those areas where no parking or special-purpose parking is in effect.

SECTION 20.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-601 *Metered Parking Lots Established* in their entirety and replacing them with the following:

§ 15-601. Metered Parking Lots Established.

Lot	Location	Hourly Rate	Maximum Parking Time	Days Enforced	Hours Enforced
East 1st Ave. Parking Deck	East 1st Ave. and Fayette St.	\$0.25	1 hour	Mon-Fri	9 am – 6 pm
SORA West Parking Garage	West 1st Ave. and Robinson Alley	\$0.50	N/A	Mon-Fri	9 am – 6 pm

SECTION 21.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-602 *Placement and Characteristics of Parking Meters* in their entirety and marking the section “Reserved”.

SECTION 22.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-604 *Parking Vehicles to be Wholly Within Marked Spaces* in their entirety and replacing them with the following provisions:

§ 15-604. Parked Vehicles to be Wholly Within Marked Spaces.

Lines and/or markings shall be painted or placed upon the surface of the metered parking lots. It shall be unlawful and a violation of this Part for any person:

- A. To park a vehicle across any such line or marking; or
- B. To park a vehicle in such a position that the vehicle shall not be within the area so delineated by the lines or markings.

SECTION 23.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-605 *Manner of Parking at Meters* in their entirety and marking the section "Reserved".

SECTION 24.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-606 *Coin Deposit in Meter; Overtime Parking Unlawful* in their entirety and replacing them with the following provisions:

§ 15-606. Overtime Parking Unlawful.

Whenever a vehicle is to be parked in any metered parking lot, at any time when the lot is open for use and the metered zones are to be in operation, the driver of the vehicle, upon entering the parking space, shall immediately make payment for that metered zone. Upon proper electronic payment, the parking space may be lawfully occupied by the vehicle for the time indicated. If any vehicle remains in any such parking space for such length of time beyond the allotted payment, or the lawful parking time has expired, that vehicle shall be

considered as being parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Provided, every hour that a vehicle remains parked in a metered zone at a meter showing a violation shall constitute a separate violation of this Part.

SECTION 25.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-607 *Unlawful to Deposit Substitute for Coin in Meter* in their entirety and marking the section “Reserved”.

SECTION 26.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-608 *Unlawful to Remain Parked at a Meter Showing Violation* in their entirety and marking the section “Reserved”.

SECTION 27.

Chapter 15 *Vehicles and Traffic*, Part 6 *OFF-STREET METERED PARKING* is hereby amended by repealing the provisions of section 15-609 *Unlawful to Tamper with Meter* in its entirety and marking the section “Reserved”.

SECTION 28.

Chapter 15 *Vehicles and Traffic*, Part 8 *REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES*, section 15-803 *Tow-Away Zones Designated* is hereby amended by designating the following new locations as Tow-Away Zones:

Name of Street	Side	Location
East Elm Street	Both	500 and 600 Blocks, where “Municipal Vehicles Only” and “Tow-Away” signs are posted
East 6th Avenue	South	From the intersection with Harry Street east to “no parking” signage
West 4th Avenue	North	Intersection of West 4th Avenue and Fayette Street (3 spaces marked “Police Department Only” parking)

SECTION 29.

Chapter 13 *Licenses, Permits, and General Business Regulations*, Part 12 *PORTABLE STORAGE UNITS*, Article A *Placement on Residential Property* is hereby

amended by repealing the provisions of section 13-1203 *Duration*, in their entirety and replacing them with the following:

§ 13-1203 Duration.

1. Initial permits may be granted for a period of 5 business days by the Code Enforcement Office, upon proper submission of the required application and supporting documentation as provided under § 13-1202.
2. After the expiration of the 5 business day period for the initial permit, an applicant may submit, upon valid cause shown, a renewal application for an additional 5 business days, which same application shall not be unreasonably refused by the Code Enforcement Office. All such applications for extension of a permit must be accompanied by an extension fee in an amount to be fixed by resolution of the Council, which same fee may be adjusted, from time to time, by further resolution of the Council.
3. No more than two extensions may be granted for any permit issued under this Article A (for a total of 15 business days) unless the property owner can produce a valid building permit for residential construction, issued by the Borough of Conshohocken Code Enforcement Office, in which case permits issued hereunder may be renewed every 30 days for a period not to exceed expiration of the building permit.

SECTION 30.

Chapter 13 *Licenses, Permits, and General Business Regulations*, Part 12 *PORTABLE STORAGE UNITS*, Article B *Use and Regulation* is hereby amended by repealing the provisions of section 13-1212 *Parking in Streets or Rights-of-Way; Securing of Permits*, in their entirety and replacing them with the following:

§ 13-1212. Parking in Streets or Rights-of-Way; Securing of Permits

1. No PSU may be parked, placed or stored on a public street or Borough right-of-way without a valid permit.
2. All persons desiring to place a PSU on a public street or right-of-way with the Borough of Conshohocken are responsible for securing the appropriate right-of-way

and public use permit required by the Borough. This permit is to be secured prior to the commencement of any work on a specific project and prior to the placement of any PSU on any street or right-of-way.

3. Permits shall remain valid for a period not to exceed 5 business days. Permits may be extended for valid cause by the Code Official for an additional period of 5 business days.
4. Nor more than two extensions pursuant to § 13-1212.3 may be granted, and therefore the maximum period for any permit issued pursuant to this section is 15 business days.
5. No permit or extension permit shall be issued without payment to the Borough in an amount determined by Council. This fee shall be fixed, from time to time, by resolution of the Borough Council.

SECTION 31.

Any and all other ordinances or parts of ordinances in violation or in conflict with the terms, conditions and provisions of this ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 32.

The terms, conditions and provisions of this ordinance are hereby declared to be severable, and, should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, non-enforceable or unconstitutional, the Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, non-enforceable, or unconstitutional portion, part or provision of this ordinance.

SECTION 33.

This ordinance shall become effective at the earliest time permitted by Pennsylvania law.

ORDAINED and **ENACTED** an ordinance of the Borough of Conshohocken this

4th day of October, 2023.

BOROUGH OF CONSHOHOCKEN:

Colleen Leonard

COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

Stephanie Cecco

STEPHANIE CECCO,
BOROUGH SECRETARY

Approved this 4th day of October,
2023

Yaniv Aronson

YANIV ARONSON, MAYOR