

EAST GREENVILLE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE BOROUGH OF EAST GREENVILLE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE PARKING REGULATIONS OF CHAPTER 91 *VEHICLES AND TRAFFIC* BY AMENDING ARTICLE III *PARKING REGULATIONS*, SECTION 91-19 *PARKING PROHIBITED AT ALL TIMES* TO ADJUST A CERTAIN NO PARKING AREA ON STATE STREET IN THE BOROUGH; BY AMENDING THE PENALTIES FOUND AT ARTICLE V *PENALTIES*, SECTION 91-27 *VIOLATIONS AND PENALTIES*; AND BY MAKING CERTAIN AMENDMENTS TO CLARIFY PRIOR AMENDMENTS TO CHAPTER 91 *VEHICLES AND TRAFFIC*; REPEALING ALL PRIOR INCONSISTENT ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Borough Code, 8 Pa.C.S. § 101, *et seq.* including section 1202 *Specific powers*, authorizes the Borough Council of the Borough of East Greenville to make regulations as may be necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience, comfort and safety of the Borough and its residents, including specifically regulations for parking;

WHEREAS, the Borough of East Greenville's general regulations for vehicles and traffic are located at Chapter 91 *Vehicles and Traffic* of the East Greenville Borough Code of Ordinances; and

WHEREAS, the Borough Council of the Borough of East Greenville has, from time to time, amended Chapter 91 *Vehicles and Traffic* as it has determined to be in the best interest of the Borough, its residents, and its visitors, including by Ordinance No. 2023-01 and Ordinance No. 2023-02;

WHEREAS, Ordinance No. 2023-01 and No. 2023-02 inadvertently utilized the same subsection (91-22.E) and clarification of the appropriate placement of the regulations affected thereby will ease codification in the future;

WHEREAS, Borough administration has recommended, and Borough Council believes it to be in the best interest of the Borough, to adjust the no parking area on State Street as set forth hereinbelow; and

WHEREAS, additionally, Borough administration has recommended, and Borough Council believes it to be in the best interest of the Borough to adopt, revised penalties for certain subsections of Chapter 91 *Vehicles and Traffic*, by amending Article V *Penalties*, section 91-27 *Violations and penalties*; and

WHEREAS, the Borough Council of the Borough of East Greenville adopts this ordinance making certain amendments to Chapter 91 *Vehicles and Traffic* and believes it to be in the best interest of the Borough to do so.

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of East Greenville as follows:

SECTION 1.

Chapter 91 *Vehicles and Traffic*, Article III *Parking Regulations*, section 91-19 *Parking prohibited at all times*, is hereby amended by repealing subsection 91-19.A(33) in its entirety and replacing it with the following:

- (33) All of the east side of State Street from the Upper Hanover Township line to the Pennsburg Borough line, excepting the following two portions:
 - (a) such east side of State Street between the southeast curblane of the intersection of State Street with Fourth Street and a point 100 feet north of the northeast curblane of the intersection of State Street with Third Street; and
 - (b) such east side of State Street measured approximately 40 feet from the intersection of State Street with Third Street north to a point 6 feet from the driveway of 439 Third Street, as marked by signage.

SECTION 2.

Chapter 91 *Vehicles and Traffic*, Article III *Parking Regulations*, section 91-22 *Miscellaneous parking regulations*, is hereby amended by repealing subsection 91-22.E in its entirety and further amending section 91-22 *Miscellaneous parking regulations* by adding the following subsections .E and .F (which will serve to clarify the placement of the provisions inserted into section 91-22 by Ordinance No. 2023-01 and Ordinance No. 2023-02):

- E. Street cleaning parking regulations.
 - 1. No person shall cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked where signs are erected lawfully giving notice that

parking is prohibited for the purpose of cleaning or sweeping the subject street during the time and date posted on the sign.

2. The parking restriction provided for in subsection 1 hereof may be established through permanent or temporary signage.

a. With respect to temporary signage for parking restrictions pursuant to this section:

i. The Chief of Police shall have the authority to create temporary no-parking zones on any right-of-way for purposes of street cleaning or sweeping.

ii. Temporary signage for no-parking zones created pursuant to this section shall be conspicuously posted along the subject right-of-way at least 72-hours prior to the beginning of the prohibition.

3. Any person violating this section shall be subject to the penalties and fines as specified in § 91-27 *Violations and penalties*, and the vehicle shall further be subject to towing from the restricted parking area at the owner's expense.

F. Obstruction of sidewalks prohibited. No vehicle or trailer shall be parked or left on public or private property in such a manner that any part of the vehicle or trailer overhangs a sidewalk or any other pedestrian right-of-way customarily used by pedestrians for passage.

SECTION 3.

Chapter 91 *Vehicles and Traffic*, Article III *Parking Regulations*, Section 91-27 *Violation and penalties* is hereby amended by repealing subsection B in its entirety and replacing it with the following:

B. Any person who shall violate any provision of a section listed below shall, upon conviction, be sentenced to pay a fine of not more than that specified for violation of said section, and in the event of nonpayment of such fine and costs of prosecution, such person shall be subject to imprisonment for a period not exceeding that indicated below for said section:

Article/Section	Maximum Fine	Maximum Imprisonment (days)
Article I (§§ <u>91-3</u> and <u>91-4</u>)	\$25	10
Article II (§§ <u>91-7</u> and <u>91-8</u>)	Set by state statute	10
Article II (§§ <u>91-9</u> and <u>91-10</u>)	\$25	10
Article II (§§ <u>91-11</u> and <u>91-12</u>)	Set by state statute	10
Article II (§ <u>91-13</u>)	\$25	10
Article II (§ <u>91-15</u>)	Min. of \$100/Max. of \$500	10
Article III (§§ <u>91-17</u> through <u>91-21</u>)	\$25	10
Article III (§§ <u>91-22.A</u> through <u>91-22.C</u>)	Min. of \$100/Max of \$1000	10
Article III (§ <u>91-22.E</u>)	\$40	10

SECTION 4. SEVERABILITY CLAUSE.

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, Borough 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 5. REPEALER


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 6. EFFECTIVE DATE.

This Ordinance shall become effective at the earliest time permitted under Pennsylvania law.

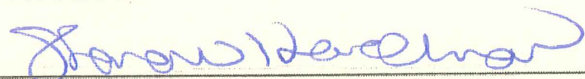
5th **ORDAINED** and **ENACTED** an ordinance of the Borough of East Greenville this day of August, 2024.

BOROUGH OF EAST GREENVILLE:



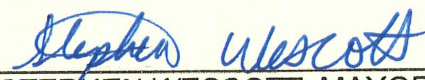
DOUG CRIDDLE, COUNCIL PRESIDENT

ATTEST:



SHARON KACHMAR,
BOROUGH SECRETARY

Approved this 5th day of August,
2024



STEPHEN WESCOTT, MAYOR