

AN ORDINANCE

**AMENDING ARTICLE 1331 – SUPPLEMENTARY REGULATIONS,
OF PART 13, PLANNING AND ZONING CODE, OF THE CODIFIED
ORDINANCES OF THE CITY OF NEW CASTLE, BY ADDING
SECTION 1331.21 – RESTRICTIONS ON USE AND PLACEMENT OF
JERSEY BARRIERS AND SIMILAR TRAFFIC CONTROL DEVICES
ON PROPERTIES WITHIN CERTAIN ZONING DISTRICTS.**

WHEREAS, jersey barriers and similar traffic control devices are designed for specific use in construction and traffic control and in certain industrial and manufacturing properties; and

WHEREAS, the use of jersey barriers on residential and commercial property can potentially create unsightly and hazardous conditions; and

WHEREAS, the regulation of use of jersey barriers in residential and commercial districts is necessary to ensure the safe passage and flow of vehicular traffic, to prevent unsightly conditions, and to prevent the use of these devices as ad hoc fencing.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF NEW CASTLE, PENNSYLVANIA that ARTICLE 1331 is hereby amended, by adding Section 1331.21 - RESTRICTIONS ON USE AND PLACEMENT OF JERSEY BARRIERS AN SIMILAR TRAFFIC CONTROL DEVICES ON PROPERTIES IN RESIDENTIAL AND COMMERCIAL DISTRICTS, as follows:

1331.21 RESTRICTIONS ON USE AND PLACEMENT OF JERSEY BARRIERS AND
SIMILAR TRAFFIC CONTROL DEVICES ON PROPERTIES IN
RESIDENTIAL AND COMMERCIAL DISTRICTS.

(a) Definitions.

- (1) Jersey Barrier and similar Traffic Control Devices: A modular concrete or plastic barrier ranging in dimension from 24 to 48 inches in height or higher, 6 to 24 inches in width, and 2 to 12 feet in length or longer, with or without tapered edges from top to bottom, and commonly used in directing or restricting the flow of traffic on highways and in road construction.

(b) Prohibition in Residential Districts.

- (1) Jersey Barriers and other similar Traffic Control Devices shall not be placed on the premises or curtilage of any residential or other properties within the R-1, R-2 and R-3 residential zoning districts without a permit.

(c) Prohibition in Commercial Districts.

- (1) Jersey Barriers and other similar Traffic Control Devices shall not be placed on the premises or curtilage of any commercial or other properties within the C-1 General Business District and C-2 Central Business District without a permit.

(d) Permit Requirements.

- (1) Any individual or entity desiring to place a Jersey Barrier or similar Traffic Control Device on any property within the districts set forth in Sections 1331.21(b) and (c) shall first apply to the Zoning Officer for a permit on a form provided by the Zoning Department and payment of a \$10.00 application fee.

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- (e) Restrictions applicable to Permits.
- (1) No permit shall be issued for Jersey Barriers and other similar Traffic Control Devices used or intended to be used to delineate parking areas or parking spaces in parking lots of any commercial or other property located within the specified zoning districts.
 - (2) No permit shall be issued for Jersey Barriers and other similar Traffic Control Devices used or intended to be use as a form of fencing or barrier between adjoining or adjacent properties.
 - (3) Jersey Barriers and other similar Traffic Control Devices shall not be placed within fifteen feet of any property line.
 - (4) Permits for the placement of Jersey Barriers shall be temporary and not exceed a time period of three (3) months.
- (f) Penalty.
- (1) Any person found in violation of this Article shall, upon conviction, be guilty of a summary offense and shall be subject to a fine of not less than \$300.00 nor more than \$500.00.


This amendment shall be effective ten (10) days after adoption by City Council.

That this Ordinance, when adopted, shall be incorporated therein and made a part thereof the Codified Ordinances of the City of New Castle, PA.

INTRODUCED this 16th day of February, 2023.

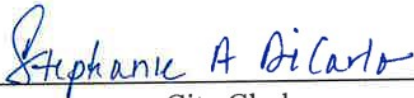
ADOPTED this 6th day of April, 2023.

APPROVED this 10th day of April, 2023.



 Mayor

CERTIFIED this 10th day of April, 2023.



 City Clerk