

ORDINANCE NO. \_\_\_\_

An Ordinance regulating traffic and parking in the Borough of Forest City, and repealing certain prior ordinances.

The Borough of Forest City ordains as follows:

Article I  
General Regulations

Section 1. Definitions and Interpretation.

(a) Words and phrases, when used in this ordinance, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1976, P.L. 162, No. 81), as amended, except that, in this ordinance, the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in The Vehicle Code.

(b) The term "legal holiday," as used in this ordinance, shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(c) In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Manner of Adopting Permanent Traffic and Parking Regulations. All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Borough of Forest City, except where the law specifically authorizes less formal action.

Section 3. Temporary and Emergency Regulations.

(a) The Mayor shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

(1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and

(2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

(b) These temporary and emergency regulations shall be enforced by the Mayor and the police department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation shall be guilty of a violation and, upon conviction, shall be liable to the penalty set out in the law or elsewhere in this ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this ordinance, to a fine of \$25 and costs.

Section 4. Experimental Regulations. Council may, from time to time, designate places upon and along the streets in the Borough where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate those locations by proper signs and markings. Those regulations, prohibitions and restrictions shall be effective just as if they had been specified in this ordinance. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this ordinance for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this ordinance, to a fine of \$25 and costs. Provided: the purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

Section 5. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

(a) Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall



be unlawful for any person to drive a vehicle upon any such closed portion.

(b) Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

(c) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Section 6. Authority of Police Officers. The police officers of the Borough are given authority to direct traffic on the streets in the Borough, at intersections, in public parks and in other places where the Vehicle Code or this ordinance applies.

## Article II Traffic Regulations

### Section 1. Maximum Speed Limits Established on Certain Streets.

(a) Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

<u>Street</u>	<u>Between</u>	<u>Maximum Speed Limit</u>
1. Main Street	(a) North Borough line and Dundaff Street	35 miles per hour
	(b) Dundaff Street and South Street	25 miles per hour
	(c) South Street and south Borough line	35 miles per hour

(II, (1), cont'd)

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five (5) miles per hour over that maximum speed limit.

Section 2. One-Way Streets Established.

(a) The following are established as one-way streets, and, on the days and between the hours applicable to a specific street, it shall be unlawful for any person to drive a vehicle upon a one-way street other than in the direction established for traffic upon that street:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>	<u>Days</u>	<u>Hours</u>
1. Delaware Street	Dundaff Street	Depot Street	Southbound	every day	at all times
2. Susque- hanna Street	a) Dundaff Street	South Street	Southbound	every day	at all times
	b) Maxey Street	Forest City Regional School Dis- trict property line	Southbound	school days	8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Section 3. U-Turns Prohibited at All Intersections. It shall be unlawful for the driver of any vehicle to make a U-turn at any street intersection in the Borough. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Section 4. No-Passing Zones Established.

(a) All streets in the Borough are established as no-passing zones, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the



roadway in any of those no-passing zones.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Section 5. Stop Intersections Established.

(a) The following intersections are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by Section 3323(b) of the Vehicle Code, and shall not proceed into or across the second-named or through street until he has followed all applicable requirements of that section of the law.

<u>Stop Street</u>	<u>Through Street</u>	<u>Direction of Travel</u>
1. Caryl Street	Hudson Street	Eastbound
2. Center Street	Hudson Street	Eastbound and westbound
3. Center Street	Lackawanna Street	Eastbound and westbound
4. Center Street	Main Street	Eastbound and westbound
5. Center Street	Susquehanna Street	Eastbound and westbound
6. Delaware Street	Center Street	Southbound
7. Delaware Street	Dundaff Street	Southbound
8. Delaware Street	Maxey Street	Southbound
9. Depot Street	Hudson Street	Eastbound and westbound
10. Depot Street	Main Street	Eastbound and westbound
11. Depot Street	Maple Street	Westbound
12. Depot Street	Susquehanna Street	Eastbound and westbound
13. Dundaff Street	Main Street	Eastbound
14. Fell Street	Main Street	Eastbound
15. Grand Street	Hudson Street	Eastbound
16. Grand Street	Lackawanna Street	Eastbound
17. Grand Street	Main Street	Westbound
18. Higgins Street	Center Street	Northbound and Southbound



<u>Stop Street</u>	<u>Through Street</u>	<u>Direction of Travel</u>
19. Higgins Street	Depot Street	Northbound and southbound
20. Higgins Street	Grand Street	Northbound and southbound
21. Higgins Street	North Street	Northbound and southbound
22. Higgins Street	South Street	Southbound
23. Hudson Street	Dundaff Street	Northbound and southbound
24. Hudson Street	Maxey Street	Northbound and southbound
25. Hudson Street	South Street	Northbound and southbound
26. Lackawanna Street	Dundaff Street	Northbound and southbound
27. Lackawanna Street	North Street	Northbound
28. Lackawanna Street	South Street	Northbound
29. Maxey Street	Delaware Street	Eastbound and westbound
30. Maxey Street	Main Street	Eastbound
31. Maxey Street	Susquehanna Street	Eastbound
32. North Street	Delaware Street	Eastbound and westbound
33. North Street	Hudson Street	Eastbound and westbound
34. North Street	Main Street	Eastbound and westbound
35. Railroad Street	Center Street	Northbound and southbound
36. Railroad Street	Grand Street	Northbound and southbound
37. Railroad Street	North Street	Northbound and southbound
38. South Street	Delaware Street	Eastbound and westbound
39. South Street	Lackawanna Street	Westbound
40. South Street	Main Street	Eastbound and westbound
41. South Street	Railroad Street	Eastbound
42. South Street	Susquehanna Street	Eastbound and westbound
43. Susquehanna Street	Caryl Street	Northbound and southbound
44. Susquehanna Street	Dundaff Street	Northbound and southbound
45. Susquehanna Street	Grand Street	Northbound and southbound
46. Susquehanna Street	Maxey Street	Northbound and southbound
47. Upper Main Street	Main Street	Northbound and southbound

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Section 6. Vehicle Weight Limits Established on Certain Streets and Bridges.

(a) On the following bridges and streets or parts of streets, by authority granted by Section 4902(a) of the Vehicle Code, it

shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

<u>Street or Bridge</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
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(Reserved)

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$75 and costs, and, in addition, any person who drives a vehicle with a gross weight in excess of the posted weight shall be sentenced to pay a fine of \$75 for each 500 pounds, or fraction, in excess of 3000 pounds over the maximum allowable weight.

Section 7. Truck Traffic Restricted on Certain Streets.

(a) It shall be unlawful for any person to drive a vehicle other than a passenger vehicle on any of the following streets or parts of streets:

<u>Street</u>	<u>Between</u>
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(Reserved)

Provided: nothing in this section shall prohibit any person from driving an emergency vehicle of any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.



Section 8. Play Highways Authorized.

(a) The Mayor is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Borough, where sledding and coasting shall be permitted. That play highway shall be set apart for the purpose under the direction of the Mayor.

(b) No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency, with special permission of the Mayor or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this subsection shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Article III  
Parking Regulations

Section 1. Vehicles to be Parked Within Marked Spaces.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this article for any person to park a vehicle or allow it to remain parked otherwise.

Section 2. Parking Prohibited at All Times in Certain Locations. Parking shall be prohibited at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
1. Delaware Street	a) East	Dundaff Street and Maxey Street
	b) West	North Street and Dundaff Street
2. Dundaff Street	North	Maple Street and Main Street
3. Higgins Street	East	South Street and Franceski Lumber Yard



<u>Street</u>	<u>Side</u>	<u>Between</u>
4. Hudson Street	a) East	South Street and Maxey Street
	b) West	Caryl Street and South Street
5. Main Street	East	North Street and Upper Main Street
6. Railroad Street	East	North Street and South Street
7. Susquehanna Street	a) East	Caryl Street and Maxey Street
	b) Both	Maxey Street and Forest City Regional School District property line

Section 3. Parking Prohibited in Specific Locations Certain Days and Hours. Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this section, as follows:

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>
1. Dundaff Street	a) Both	Main Street and Maple Street	Every day from Nov. 1 to March 31	At all times
	b) North	Main Street and Maple Street	Every day from April 1 to October 31	At all times
2. Main Street	Both	North Borough line to south Borough line	Every day	3:00 A.M. to 5:00 A.M.

Section 4. Parking Time Limited in Certain Locations Certain Days and Hours. No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Days</u>	<u>Hours</u>	<u>Parking Time Limit</u>
1. Main Street	East	In front of Post Office between designated parking lines	Every day	At all times	Five (5) minutes

Section 5. Special Purpose Parking Zones Established; Parking Otherwise Prohibited. The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked, in any such zone, except as specifically permitted for that zone:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Authorized Purpose Or Vehicle</u>
1. Center Street	South	Next to Borough Building	Police vehicle
2. Main Street	West	1) In front of Borough Building 2) In special zone designated by signs and parking lines	Delivery vehicles

Section 6. Penalty for Violation. Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than \$15 and costs. Provided: it shall be the duty of the police officers and parking enforcement officers of the Borough to report to the Mayor 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 to the owner or driver of the vehicle that if he will report to the office of the Chief of Police within five (5) days after the time of the notice, and pay the sum of five dollars (\$5.00), that will be in full satisfaction of that violation, and will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

Article IV  
On-Street Metered Parking

Section 1. Parking Meter Zones Established. Parking meter



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

<u>Street</u>	<u>Side</u>	<u>Between</u>
1. Center Street	a) North	Higgins Street and alley west of Main Street
	b) South	Higgins Street and Main Street
2. Depot Street	Both	Driveways on east and alley on west
3. Main Street	Both	Middle of 300 block and middle of 700 block

Section 2. Days and Hours Parking Meters in Operation and Parking Time Limits Apply. Parking meters shall be operated, by the deposit of a coin in a meter; as prescribed by Section 5 of this article, and the parking rates for specific periods of time, as well as the maximum parking time limits, also as prescribed by Section 5, shall apply at all times between the hours of 9:00 a.m. and 6:00 p.m. Monday through Friday. Provided: the requirements of this article as to parking time limit and as to deposit of coins in meters do not apply on legal holidays.

Section 3. Placement and Characteristics of Parking Meters. Parking meters installed in the parking meter zones established by Section 1 of this article shall be placed upon the curb or sidewalk, and immediately adjacent to the individual parking spaces described in Section 4 of this article. Each parking meter shall be placed or set so as to show that the parking space adjacent to that meter is or is not legally occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Borough, and when the adjacent space is occupied by a vehicle, the parking meter shall indicate on and by its dial and pointer the duration of the period of legal parking, and, in the expiration of that period, shall indicate illegal parking or overparking.

Section 4. 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 meter for the purpose of delineating the parking space for which that meter shall be used.



Every vehicle parked at any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this article 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 5. Coin Deposit in Meter; Overtime Parking Unlawful.

Whenever a vehicle is to be parked in any space adjacent to a parking meter, at any time in the period of limited parking as prescribed by Section 2 of this article, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter, one or more proper coins of the United States, as follows: a five-cent (5¢) coin to allow parking for a period of 30 minutes; or one ten-cent (10¢) or two five-cent (5¢) coins to allow parking for a period of 60 minutes, or any combination of five-cent (5¢) or ten-cent (10¢) coins to allow for parking up to a total of two (2) hours. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle shall remain in any such parking space for such length of time that the meter shall indicate by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime, and the parking of a vehicle overtime shall be a violation of this article.

Section 6. Unlawful to Deposit Substitute for Coin in Meter.

It shall be unlawful and a violation of this article for any person to deposit in any parking meter installed under the provisions of this article any slug or other substitute for a coin of the United States of America.

Section 7. Unlawful to Remain Parked at Meter Showing Violation. It shall be unlawful, and a violation of this article, for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this article, when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for



that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

Section 8. Unlawful to Tamper with Meter. It shall be unlawful, and a violation of this article, for any person to deface, tamper with, open or wilfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article. Provided: nothing in this section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Borough under the direction of the Mayor or Council.

Section 9. Ticketing of Vehicles Parked Unlawfully; Effect of Payment of \$1.00 Within 72 Hours; or \$2.00 Before Issuance of Summons.

(a) It shall be the duty of the police officers and parking enforcement personnel of the Borough, acting in accordance with the directions of the Chief of Police, to report:

(1) The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this article;

(2) The date and hour of the violation;

(3) The license number of the vehicle;

(4) Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.

(b) The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this article, and instructing the owner or operator that if he will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$1.00 within 72 hours or \$2.00 thereafter but before a summons is issued, that act will save the violator from prosecution and from payment of the fine prescribed in Section 10(a) of this article.

Section 10. Penalty for Violation.

(a) Any person who violates any provision of this article, with the exception of the Section 8, shall, upon conviction, be sentenced



to pay a fine of not more than \$15 and costs.

(b) Any person who violates any provision of Section 8 of this article shall, upon conviction, be sentenced to pay a fine of not more than \$300 and costs, and, in default of payment of fine and costs, to imprisonment for not more than ten (10) days.

Section 11. Exceptions.

(a) By resolution, Council may temporarily suspend the provisions of this article requiring coin deposit in meters and establishing a maximum parking time at meters.

(b) The Borough shall have authority to establish no-parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas if previously installed there, and the provisions of this article shall not apply in those areas where no-parking or special-purpose parking is in effect.

Article V

Removal and Impounding of Certain Vehicles

Section 1. Applicability and Scope. This article is enacted under authority of Section 6109(a-22) of the Vehicle Code, and gives authority to the Borough to remove and impound: (a) vehicles that are parked overtime on any street in the Borough, in violation of any provision of Article III or Article IV of this ordinance; and (b) vehicles parked in any metered or unmetered parking lots, if and when the Borough operates such lots, in violation of any ordinance provision governing those lots.

Section 2. Authority to Remove and Impound. The Borough shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally, provided that the circumstances of its parking were within the conditions stated in Section 1 of this article. Provided: no such vehicle shall be removed or impounded except in strict adherence to the provisions of this article.

Section 3. Designation of Approved Storage Garages; Bonding, Towing and Storage. Removal and impounding of vehicles under this



article shall be done only by "approved storage garages" that shall be designated from time to time by Council. Every such garage shall submit evidence to Council that it is bonded or has acquired liability insurance in an amount satisfactory to Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Council its schedule of charges for towing and storage of vehicles under this article, and, when the schedule is approved by Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be adopted without approval of Council, and no different charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this article by any approved storage garage. Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this article.

Section 4. Notification of Removal and Impounding. Within 12 hours from the time of removal of any vehicle under authority granted by this article, notice of the fact that the vehicle was removed shall be sent by the Borough to the owner of record of the vehicle. The notice shall designate the place from which the vehicle was removed, the reason for its removal and impounding, and the garage in which it was impounded.

Section 5. Effect of Payment of Towing and Storage Charges. The payment of any towing and storage charges authorized by this article shall, unless payment is made "under protest," be final and conclusive, and shall constitute a waiver of any right to recover the money so paid. If payment of any towing or storage charges is made "under protest," the offender shall be entitled to a hearing before a district justice. Payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this ordinance for which the vehicle was removed or impounded.



Section 6. Records of Vehicles Removed and Impounded. The Borough shall cause a record to be kept of all vehicles impounded under this article and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicles.

Section 7. Restrictions upon Removal of Vehicles. No vehicle shall be removed under the authority of this article if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

## Article VI

### Snow and Ice Emergency

Section 1. Declaration of Snow and Ice Emergency. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in Section 2 of this article and elsewhere in the Borough, the Mayor, in his discretion, may declare a snow and ice emergency (designated in this article as a "snow emergency"). Information on the existence of a snow emergency may be given by the Borough through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

Section 2. Snow Emergency Routes Designated. The following are designated as snow emergency routes:

<u>Street</u>	<u>Between</u>
1. Delaware Street	Northern terminus and southern terminus of Delaware Street
2. Higgins Street	Northern terminus and southern terminus of Higgins Street
3. Railroad Street	Northern terminus and southern terminus of Railroad Street
4. Susquehanna Street	Northern terminus and southern terminus of Susquehanna Street

Section 3. Parking Restrictions During Snow Emergencies.

(a) After a snow emergency is declared, it shall be unlawful



for any person, at any time during the continuance of the snow emergency:

(1) to park a motor vehicle or to allow the same to remain parked on any snow emergency route designated in Section 2 of this article;

(2) to park a motor vehicle on any street not being a snow emergency route except as follows: on odd-numbered days, parking shall be permitted on one side of the street only, as directed by the Mayor in his announcement of the snow emergency, and on even-numbered days, parking shall be permitted on the other side of the street only, until the street has been cleared of snow.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of not more than \$15 and costs.

Section 4. Restrictions on Driving on Snow Emergency Routes During Snow Emergency.

(a) After a snow emergency is declared, it shall be unlawful for any person, at any time during the continuance of the snow emergency, to drive a motor vehicle on any snow emergency route designated in Section 2 of this article, unless that vehicle is equipped with snow tires or chains.

(b) Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

Article VII

Pedalcycles

Section 1. Riding of Pedalcycles Prohibited on Sidewalks Along Certain Streets. It shall be unlawful for any person to ride on a pedalcycle on the sidewalk along any of the following portions of the streets in the Borough:

<u>Street</u>	<u>Side</u>	<u>Between</u>
1. Main Street	Both	North Borough line and south Borough line

Section 2. Parking of Pedalcycles on Sidewalks Restricted. It shall be unlawful for any person to park a pedalcycle on any

(VII, (2), cont'd)

sidewalk in the Borough so as to block or hinder pedestrian travel.

Section 3. Penalty for Violation. Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of \$10 and costs.

## Article VIII

### Interpretation and Repeal

Section 1. Severability. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the validity of any of the remaining provisions of this ordinance. It is declared as a legislative intent that this ordinance would have been enacted had that unconstitutional, illegal or otherwise invalid provision not been included in the ordinance.

Section 2. Provisions to be Continuation of Existing Regulations. The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this ordinance, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this ordinance shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

Section 3. Repeal of Certain Prior Ordinances.

(a) The following ordinances of the Borough of Forest City are repealed in their entirety:

<u>Ordinance Number</u>	<u>Date of Approval</u>	<u>Subject</u>
7-1956	June 11, 1956	On-street metered parking
5-1967	May 8, 1967	Amendment to Ordinance 7-1056
7-1967	December 21, 1967	Amendment to Ordinance 7-1956
5-1969	December 8, 1969	Snow Vehicles
307	December 6, 1971	Amendment to Ordinance 7-1956
314	December 6, 1971	Bicycles



(VIII, (3-a), cont'd)

<u>Ordinance Number</u>	<u>Date of Approval</u>	<u>Subject</u>
324	December 6, 1971	Comprehensive traffic and parking regulations
346	October 2, 1978	Amendment to Ordinance 324

(b) Section 1 only of Ordinance 347, enacted October 2, 1978, relating to parking during snow emergencies, is repealed.

**FIELDS AND BIANCO**

*Attorneys at Law*

ROBERT J. FIELDS  
DAVID F. BIANCO

PLEASE REPLY TO: Waymart

BOX 329  
251 BELMONT STREET  
WAYMART, PA. 18472

717-488-5393  
488-5280

BOX 84  
707 MAIN STREET  
FOREST CITY, PA. 18421  
717-785-5788  
785-5988

March 9, 1990

Susquehanna County Courthouse  
Law Library  
Montrose, PA ]880]

Dear Sir:

Please find the enclosed proposed ordinance to be put  
on record.

Thank you.

Sincerely,

*Robert J. Fields (s)*  
ROBERT J. FIELDS, ESQ.

RJF/dmt  
Enc.