

**BOROUGH OF ALBURTIS  
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 376

(Duly Adopted November 24, 1999)

AN ORDINANCE PROHIBITING PARKING ON THE WEST SIDE OF NORTH MAIN STREET FROM WEST PENN AVENUE NORTH FOR A DISTANCE OF SEVENTY-SEVEN FEET, AND ON THE NORTH SIDE OF WEST PENN AVENUE FROM NORTH MAIN STREET WEST FOR A DISTANCE OF ONE HUNDRED FORTY-THREE FEET, FROM 9 P.M. TO 7 A.M. EVERY DAY OF THE WEEK; AND PROVIDING PENALTIES FOR VIOLATIONS RANGING FROM FIFTY DOLLARS TO THREE HUNDRED DOLLARS.

**WHEREAS**, Sections 3353(d), and 6109(a)(1), (b), (d), and (e) of the Vehicle Code, 75 PA. CONS. STAT. §§ 3353(d), 6109(a)(1),(b),(d),(e), and chapters 201 (in particular § 201.21) and 211 (in particular § 211.6) of the Transportation Department regulations, title 67 of the Pennsylvania Code, permit municipalities to prohibit, regulate, limit, or restrict stopping, standing, or parking of vehicles on any highway within their physical boundaries, if the designation is made by ordinance, and, with regard to certain regulations, in accordance with an engineering and traffic investigation which complies with state regulations; and

**WHEREAS**, parking may be restricted by the Borough without an engineering and traffic investigation to facilitate maintenance operations or to eliminate long-term parking (67 PA. CODE § 201.21(e)); and

**WHEREAS**, the Borough may establish new stopping, standing, or parking restrictions on State-designated highways within their physical boundaries without approval from the Pennsylvania Department of Transportation (67 PA. CODE § 201.21(g)); and

**WHEREAS**, Sections 3352(c)(4) and 3353(a)(3)(ii) of the Vehicle Code, 75 PA. CONS. STAT. §§ 3352(c)(4), 3353(a)(3)(ii), permit police officers to remove a vehicle parked on a street where official signs prohibit parking; and

**WHEREAS**, Borough Council has determined that the parking restrictions set forth in this Ordinance for Main Street should be established;

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania, as follows:

**SECTION 1.** Section 129-25(D) of the Code of the Borough of Alburdis (relating to Stopping, Standing, and Parking Restrictions—No Parking for Short Periods), as added by Ordinance 375 (adopted October 27, 1999), shall be amended as follows (with insertions indicated by double underlining, and deletions by ~~strike-outs~~):

D. No Parking (For Short Periods for Street Cleaning and the Elimination of Long-Term Parking)

No part of a vehicle shall be parked at any point within the following locations at the following times:

1. Between 9:00 A.M. and 11:00 A.M. on any Tuesday:
  - a. North Main Street (SR 3001), easterly side, entire length of street.
  - b. South Main Street (SR 3001 in part, Borough street in part), easterly side, entire length of street.
  
2. Between 9:00 A.M. and 11:00 A.M. on any Thursday:
  - a. North Main Street (SR 3001), westerly side, entire length of street.
  - b. South Main Street (SR 3001 in part, Borough street in part), westerly side, entire length of street.

3. Between 9:00 P.M. and 7:00 A.M. on any day:
  - a. North Main Street (SR 3001), westerly side,  
from the northern curbline of West Penn Avenue  
north for a distance of seventy-seven (77) feet.
  - b. West Penn Avenue, northerly side,  
from the western curbline of North Main Street  
(SR 3001)  
west for a distance of one hundred forty-three (143) feet.

Notwithstanding §§ 129-3 and 129-16, any person who shall violate this § 129-25(D) shall be guilty of a summary offense and, upon conviction thereof, shall be subject to a fine of not less than fifty dollars (\$50.00) and not more than three hundred dollars (\$300.00), plus costs. In lieu of an immediate citation, a police officer *may* place on a vehicle found to be in violation of this § 129-25(D) a notice to the owner or operator of such vehicle of the date, time, and place of such violation, and a statement that the owner or operator may, within ten (10) calendar days after the violation, pay the sum of fifty dollars (\$50.00) in full satisfaction. In that event, no citation shall issue unless the owner or operator shall fail to make full payment of the penalty within ten (10) calendar days after the violation.

It is the policy of the Borough that vehicles violating this § 129-25(D) shall be removed from the street immediately in accordance with 75 PA. CONS. STAT. § 3352(c)(4). The Maintenance Department shall supplement each traffic control device erected in conjunction with this § 129-25(D) with the optional R7-20 "Tow-Away Zone Sign" provided under 67 PA. CODE § 211.243. However, vehicles may still be removed from the street even in the absence of the "Tow-Away Zone Sign."

**SECTION 2.** The Borough shall erect and/or maintain official traffic control devices at all locations ordained under § 129-25 of the Code of the Borough of Alburdis, as amended by Section 1 of this Ordinance, in accordance with regulations of the Pennsylvania Department of Transportation.

**DULY ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburdis, this 24<sup>th</sup> day of November, 1999, in lawful session duly assembled.

**BOROUGH COUNCIL  
BOROUGH OF ALBURDIS**

\_\_\_\_\_  
Steven R. Hill, President

Attest:

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Louise Stahley, Secretary

**AND NOW**, this 24<sup>th</sup> day of November, 1999, the above Ordinance is hereby APPROVED.

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Ronald J. DeIaco, Mayor