

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 398

(Duly Adopted May 29, 2002)

AN ORDINANCE CHANGING THE PARKING RESTRICTIONS ON THE WESTERLY SIDE OF SOUTH MAIN STREET IN THE VICINITY OF THE POST OFFICE BUILDING BETWEEN THE HOURS OF 9:00 A.M. AND 11:00 A.M. ON THURSDAYS FROM NO PARKING TO FIFTEEN (15) MINUTE MAXIMUM PARKING; AND CHANGING THE PARKING RESTRICTIONS ON THE EASTERLY SIDE OF SOUTH MAIN STREET IN THE VICINITY OPPOSITE THE POST OFFICE BUILDING BETWEEN THE HOURS OF 9:00 A.M. AND 11:00 A.M. ON TUESDAYS FROM NO PARKING TO FIFTEEN (15) MINUTE MAXIMUM PARKING.

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 eliminate parking in excess of a specified time limit (67 PA. CODE § 201.21(e)); and

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

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

SECTION 1. Section 129-25 of the Code of the Borough of Alburtis (relating to Stopping, Standing, and Parking Restrictions), as added by Ordinance 290 (adopted April 8, 1992) and amended by Ordinances 298 (adopted April 28, 1993), 301 (adopted July 14, 1993), 317 (adopted July 12, 1995), 347 (adopted December 30, 1996), 350 (adopted February 26, 1997), 375 (adopted October 27, 1999), and 376 (adopted November 24, 1999), shall be amended by adding the following new subsection (C.1) after existing subsection (C) and before existing subsection (D), to read as follows:

C.1. Fifteen Minute Parking Zones (Limited Times)

No part of a vehicle shall be parked at any point within the following locations for a continuous period of longer than fifteen minutes at the following times. To the extent 75 PA. CONS. STAT. ANN. § 3353 prohibits parking at any location within a Fifteen-Minute Parking Zone set forth below, the state parking prohibition shall take precedence over the following parking restrictions:

1. Between 9:00 A.M. and 11:00 A.M. on any Tuesday:
 - a. South Main Street, easterly side,
from the south-western curblineline of Sand Alley
south for a distance of one hundred nineteen (119) feet.
2. Between 9:00 A.M. and 11:00 A.M. on any Thursday:
 - a. South Main Street, westerly side
from the southern curblineline of Third Street
south for a distance of one hundred thirty-five (135) feet.

SECTION 2. Section 129-25(D) of the Code of the Borough of Alburtis (relating to Stopping, Standing, and Parking Restrictions—No Parking for Short Periods), as added by Ordinance 375 (adopted October 27, 1999) and amended by Ordinance 376 (adopted

November 24, 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.~~ from the boundary between North Main Street and South Main Street south to the north-eastern curblines of Franklin Street (SR 3001).
 - c. South Main Street, easterly side, from the point which is one hundred nineteen (119) feet south of the south-western curblines of Sand Alley south to the northern curblines of East School 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.~~ from the southern curblines of Front Street (SR 3002) south to the northern curblines of Third Street.
 - c. South Main Street, westerly side, from the point which is one hundred thirty-five (135) feet south of the southern curblines of Third Street south to the northern curblines of West School 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 curblines of West Penn Avenue north for a distance of seventy-seven (77) feet.

- b. West Penn Avenue, northerly side,
from the western curblineline 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 3. 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 Sections 1 and 2 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 29th day of May, 2002, in lawful session duly assembled.

**BOROUGH COUNCIL
BOROUGH OF ALBURDIS**

Steven R. Hill, President

Attest:

Melanie Hansen, Secretary

AND NOW, this 29th day of May, 2002, the above Ordinance is hereby **APPROVED**.

Russell J. Afflerbach, Mayor