

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 499

(Duly Adopted December 14, 2011)

AN ORDINANCE AMENDING SECTION 41-802 OF THE ALBURTIS CODIFIED ORDINANCES TO DESIGNATE A HANDICAPPED PARKING SPACE ON THE NORTH SIDE OF WEST THIRD STREET IN THE VICINITY OF 31 WEST THIRD STREET UNTIL DECEMBER 31, 2013, UNLESS TERMINATED SOONER BY COUNCIL; AND AMENDING SECTION 41-501 OF THE ALBURTIS CODIFIED ORDINANCES TO PROHIBIT PARKING ON A THIRTEEN (13) FOOT PORTION OF THE WESTERN (INSIDE) CURBLINE OF RIDGEVIEW DRIVE BEGINNING ONE HUNDRED (100) FEET SOUTH OF THE EASTERN INTERSECTION OF RIDGEVIEW DRIVE WITH AVI DRIVE.

WHEREAS, Borough Council has received an application for a handicapped parking space to accommodate the parking needs of a person with a disability; and

WHEREAS, Council desires to establish such a handicapped parking space for a limited period of time; and

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 chapter 212 of the Transportation Department regulations, title 67 of the Pennsylvania Code (especially § 212.114), 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, an engineering and traffic investigation discloses that the street width of Ridgeview Drive, in the area to the south of the eastern intersection of Ridgeview Drive with Avi Drive, is such that the distance between the center of the roadway and the curb is less than eighteen (18) feet (there being no center line pavement markings and the street in question not being a major arterial highway); and

WHEREAS, there is a thirteen (13) foot curb cut along the western (inside) curbline of Ridgeview Drive beginning one hundred (100) feet south of the eastern intersection of Ridgeview Drive with Avi Drive, which permits vehicles from Ridgeview Drive to enter an easement which provides back yard access to certain properties along the western (inside) side of Ridgeview Drive; and

WHEREAS, the narrow width of Ridgeview Drive in the area in question warrants the Borough to restrict stopping, standing, and parking in the affected area under the state regulations (67 P.A. CODE § 212.114(a)(1)), and Borough Council has determined that it is in the interest of the public health, safety, and welfare that access to the aforementioned easement from the curb cut should not be blocked by parked vehicles; and

WHEREAS, on December 7, 2011, the Borough published a public notice in the *East Penn Press*, a newspaper of general circulation in the Borough of Alburdis, of its intention to consider and adopt on this Ordinance on December 14, 2011;

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

SECTION 1. Codified Ordinances § 41-802 (relating to Traffic Control—Handicapped Parking Spaces—Designated Spaces) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 41-802 Designated Spaces.

The following spaces are designated handicapped parking spaces. A particular disabled person is identified for each space, and the designation shall remain in effect until the expiration date for that space, unless terminated sooner by motion or resolution of Council. Unless otherwise indicated below, the length of the space shall be twenty-two (22) feet, and the center of the space shall be the point where the street curbline intersects the center-line of the sidewalk or other access-way used by the disabled person to access the dwelling on the designated property:

<u>Person</u>	<u>Expiration</u>	<u>Street/Side</u>	<u>Location</u>
* * *			
3. <u>Dawn Gerhart</u>	<u>December 31, 2013</u>	<u>West Third Street, Northerly Side</u>	<u>In front of 31 West Third Street, immediately to the east of the fire hydrant no parking zone.</u>

SECTION 2. Codified Ordinances § 41-501 (relating to Traffic Control—No Parking Zones—No Parking at Any Time) is amended by adding new line 36A as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 41-501 No Parking at Any Time.

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

<u>Street</u>	<u>Side</u>	<u>From:</u>	<u>To:</u>
* * *			
36A. <u>Ridgeview Drive</u>	<u>Westerly (the inside of the semi-circle)</u>	<u>The point one hundred (100) feet south of the southern curblin<u>e</u> of Avi Drive (at the eastern intersection of Ridgeview Drive with Avi Drive)</u>	<u>The point thirteen (13) feet south of the starting point</u>
* * *			

SECTION 3. As provided in Codified Ordinances § 41-104 (relating to Traffic Control—General Provisions—Official Signs), the Borough shall erect and maintain official traffic control devices for all locations ordained under Codified Ordinances §§ 41-501 and § 41-802, as amended by this Ordinance, in accordance with regulations of the Pennsylvania Department of Transportation; and as provided in Codified Ordinances § 41-803 (relating to Traffic Control—Handicapped Parking Spaces—Signs), all official traffic control devices erected and maintained in connection with the new handicapped parking space designated under this Ordinance shall state the penalty provided by law for violations and state that vehicles in violation may be towed.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburtis, this 14th day of December, 2011, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Sharon Trexler, Executive Secretary

AND NOW, this 14th day of December, 2011, the above Ordinance is hereby APPROVED.

Robert W. Mader, Mayor