

Bill No: 2 of 2023

Introduced: January 17, 2023

By: Mayor Greg Lincoln

Enacted:

Ordinance No:

On-Street Parking Ordinance

An Ordinance of the City of Connellsville, Fayette County, PA known as the On-Street Large Vehicle Parking Ordinance.

ARTICLE I

1. Purpose.

The City of Connellsville has determined that hazardous and unsafe traffic conditions within the City exist because Large Vehicles and Trailers are often parked or stored on streets. These hazardous and unsafe traffic conditions create a nuisance, reduce visibility and are detrimental to the public health, safety and welfare of the residents and others, impede emergency vehicles and interfere with peaceful and quiet enjoyment of the residents in their homes and neighborhoods.

2. Title.

The Ordinance shall be known as the ON-STREET PARKING ORDINANCE.

3. Definitions.

For the purpose of this Ordinance, the following terms shall have the meaning ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise:

3.1. Large Vehicles. Shall mean the following recreational, commercial or private vehicles, and as amended from time to time: Articulated Bus, School Bus, Combination, Construction Truck, construction trailer, contractor trailer, farm equipment, full trailer, house trailer, limousine (capable of carrying ten or more passengers), maxi cube vehicle, mobile home, motor carrier vehicle, motor home, recreational vehicle or trailer, semitrailer, stinger-steered automobile or boat transporter, tow dolly, tow truck, trailer, truck-camper, truck trailer and truck tractor.

3.2. Motor Vehicle. Shall mean a vehicle which is self-propelled except a self-propelled wheel chair, and electric personal assistive mobility device, or a vehicle which is propelled solely by a human power. Motor vehicles include Large Vehicles as defined herein.

- 3.3. Nuisance. Shall mean any condition, structure or improvement which constitutes a danger or potential danger to the health, safety or welfare of citizens of the City or causes a blighting effect in any City neighborhood.
- 3.4. Park or Parking. Shall mean the halting of a vehicle, weather occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.
- 3.5. Person. Shall mean a natural person, firm, partnership, association, corporation or other legal entity.
- 3.6. Recreational Vehicle. Shall mean a vehicle used customarily for human habitation or recreational activities during tours or vacation periods including, but not limited to, travel homes, travel trailers, motor homes, tiny houses, truck campers, tent campers, trailers, boats and trailers, snowmobiles and trailers, jet ski and trailer, and any other similar vehicle.
- 3.7. Private Vehicle. Shall mean a vehicle used for domestic, non-commercial use.
- 3.8. Street. Shall mean any road, street, avenue, highway, court, cul-de-sac, alley, public way, right of way, walkway, dedicated but un-opened right of way, or public square that is used or could be used as a public thoroughfare within the municipal limits of the City.
- 3.9. Trailer. Shall mean a vehicle designed to be towed by a motor vehicle.
- 3.10. Truck. Shall mean any large commercial motor vehicle which is or may be used for attaching or pulling a trailer. This term shall also refer to but not be limited to a, tractor trailer and/or truck tractor, straight body truck, stake-body truck, flatbed truck, storage truck, refrigerator truck, and large commercial motor vehicle, dump truck, tow truck, tri-axel vehicle, and/or any heavy motor vehicle designed for carrying or pulling heavy loads.
- 3.11. Truck Trailer. Shall mean any motor vehicle which attaches to a trailer and which is primarily used for the transportation of goods, merchandise and materials, and which, when in combination or on its own, totals thirty (30) feet or more in length. This term is not meant to include vehicle which are making local deliveries in permitted areas.

ARTICLE II

4. Street Parking of Large Vehicles Restricted.

No person shall park, cause to be parked, or permit to be parked any Large Vehicle on any street within the municipal limits of the City.

5. Exceptions.

The regulations set for the in this Ordinance shall not apply to provided they do not create a nuisance:

5.1. Emergency Vehicles as defined by the PA Motor Vehicle Code.

5.2. City Owned Motor Vehicles.

- 5.3. Motor Vehicles operated by the US Postal Service
- 5.4. Motor Vehicles actively engaged in construction or repair of streets, curbs, sidewalks, or utilities.
- 5.5. The parking of any large vehicle, truck or truck trailer or tri-axle vehicle for the purposes of the delivery or pick-up of merchandise, material, or goods provided that the parking of the said vehicle shall terminate immediately upon conclusion of the deliver or pick-up of merchandise, material or goods and not to exceed one hour.

ARTICLE III

- 6. Violations.
 - 6.1. Prosecution of violation. Any person failing to comply with any part of this ordinance shall be deemed guilty of a misdemeanor or summary offense as determined by the local municipality, and the violation shall be deemed a strict liability offense.
 - 6.2. Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. That conviction thereof, be subject to a fine of not less than Fifty Dollars (\$50) and no more than One Thousand Dollars (\$1,000), and in default of payment, to imprisonment for not more than five (5) days. Each day that a violation continues shall be deemed a separate offense.

ARTICLE IV

- 6.3. Scofflaw.
 - 6.3.1. The City of Connellsville does hereby authorize the Police Department to remove and impound any large vehicle parked on the streets of the City of Connellsville in violation of this ordinance or any provisions of the Motor Vehicle Code of the Commonwealth of Pennsylvania.
 - 6.3.2. If any large vehicle is parked in the City of Connellsville, and whose owner is delinquent in payment of fines and costs imposed by a magisterial district judge, and for whom a warrant of arrest has been issued by a magisterial district judge or whose owner is delinquent in payment of fines and penalties as a result of his or her violation of the this ordinance of the Motor Vehicle Code of the Commonwealth of Pennsylvania, then that owner's large vehicle shall be seized, removed and impounded.
 - 6.3.3. A large vehicle shall also be seized, removed and impounded upon conviction of, or entry of a plea of guilty or nolo contendere, for one or more violations of this ordinance or the Motor Vehicle Code of the Commonwealth of Pennsylvania.
 - 6.3.4. The owner of any large vehicle impounded under this Part may obtain possession of the large vehicle by paying all fines and costs associate with the impoundment or making arrangements with the appropriate authority to make payments of all fines and costs by installments

This Ordinance is duly **ORDAINED AND ENACTED** by the majority of the members of the City Council of the City of Connellsville at a duly advertised public meeting held on the _____ day of _____ 2023.

Greg Lincoln, Mayor

ATTESTED:

Vernon E Ohler, City Clerk

CITY SEAL