

ORDINANCE NO. 23-03

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF EAST CONEMAUGH, CAMBRIA COUNTY, PENNSYLVANIA TO PROHIBIT PARKING ON THE NORTHWESTERLY SIDE OF 1ST STREET FROM THE CORNER OF ITS INTERSECTION WITH HAWS COURT THEN IN A SOUTHWESTERLY DIRECTION ALONG 1ST STREET TOWARD MAIN STREET A DISTANCE OF FORTY (40) FEET MORE OR LESS IN FRONT OF THE REAL ESTATE LOCATED ON THE NORTHWESTERLY SIDE OF 1ST STREET NOW OR FORMERLY OF CONEMAUGH INDEPENDENCE FIRE COMPANY

WHEREAS, the Motor Vehicle Code recognizes that it is a proper exercise of police power for a municipality to regulate traffic traveling on any roads within their municipal boundaries; and

WHEREAS, the Borough of East Conemaugh wishes to prohibit parking at all times on the northwesterly side of 1st Street between the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company; and

WHEREAS, the Borough of East Conemaugh wishes to erect at least two (2) notice signs on the northwesterly side of 1st Street warning that parking is prohibited at all times on that northwesterly portion of 1st Street between the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company; and

WHEREAS, the Borough of East Conemaugh wishes to erect two (2) "NO STANDING OR PARKING AT ANY TIME" or "NO PARKING BETWEEN SIGNS" or similar wording signs on the northwesterly side of 1st Street at least that prohibits parking or standing at all times on 1st Street between the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company; and

NOW THEREFORE, the Borough of East Conemaugh hereby ordains the following:

I. AUTHORITY

- A. 75 PA. C.S.A. §102 defines "Local authorities" as a county, municipal and other local boards or bodies having authority to enact laws relating to traffic.
- B. 75 Pa. C.S.A. § 3353(a)(1)(x) prohibits a person from standing or parking a vehicle at any place where official signs prohibit stopping.
- C. 75 Pa. C.S.A. § 3353(a)(2)(v) prohibits a person from standing or parking a vehicle on the side of a street opposite the entrance to any fire station within 75 feet of the entrance.

- D. 67 Pa. Code §212.114(1) provides that parking may be restricted along the curb or edge of a roadway if the distance between the center of the roadway if center line pavement markings are not present and the curb or edge of roadway is less than 18 feet; and
- E. 67 Pa. Code §212.114(7) provides that parking may be restricted in the area adjacent to or opposite of any type of driveway or intersection where turning maneuvers would be restricted if parking were present.

II. SCOPE

- A. To prohibit parking or standing at all times on the northwesterly side 1st Street between the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company.
- B. The above-described prohibited parking area on the northwesterly side 1st Street is directly across the street (1st Street) from the Conemaugh Independence Fire Company Station House.

III. ERECTION OF "NO STANDING OR PARKING AT ANY TIME" OR "NO PARKING BETWEEN SIGNS" SIGNS

- A. At least two (2) "NO STANDING OR PARKING AT ANY TIME" or "NO PARKING BETWEEN SIGNS" or similar wording shall be erected on the northwesterly side of 1st Street that prohibits parking or standing at all times on the northwesterly side of 1st Street between the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company.

IV. AMENDING THE CODE OF ORDINANCES FOR THE BOROUGH OF EAST CONEMAUGH BY ADDING THE PROHIBITION OF PARKING ON THE NORTHWESTERLY SIDE OF 1ST STREET BETWEEN THE CORNER OF ITS INTERSECTION WITH HAWS COURT THEN IN A SOUTHWESTERLY DIRECTION ALONG 1ST STREET TOWARD MAIN STREET A DISTANCE OF FORTY (40) FEET MORE OR LESS IN FRONT OF THE REAL ESTATE LOCATED ON THE NORTHWESTERLY SIDE OF 1ST STREET NOW OR FORMERLY OF CONEMAUGH INDEPENDENCE FIRE COMPANY.

- A. SECTION 1: Section 402 titled "Parking Prohibited at All Times in Certain Locations" of Part 4 titled "General Parking Regulations" in Chapter 15 titled "Motor Vehicles" of the Code of the Borough of East Conemaugh is hereby amended by adding the following prohibition from parking at all times on the northwesterly side of 1st Street beginning at the corner of its intersection with Haws Court then in a southwesterly direction along 1st Street toward Main

Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1st Street now or formerly of Conemaugh Independence Fire Company:

STREET	SIDE	BETWEEN
1 st Street	Northwesterly Side	the corner of 1 st Street's intersection with Haws Court then in a southwesterly direction along 1 st Street toward Main Street a distance of forty (40) feet more or less in front of the real estate located on the northwesterly side of 1 st Street now or formerly of Conemaugh Independence Fire Company. (Said prohibited parking area is located on northwesterly side of 1 st Street directly across the street from the Conemaugh Independence Fire Company Station House.)

- B. Other than the addition to Section 1 above, all of the other prohibitions established by Section 402 titled "Parking Prohibited at All Times in Certain Locations" of Part 4 titled "General Parking Regulations" in Chapter 15 titled "Motor Vehicles" of the Code of the Borough of East Conemaugh shall remain as enacted, ordained and amended, which said Chapter, as amended, is hereby re-enacted in its entirety herein. VALIDITY

V. VALIDITY

- A. If any clause, sentence or other provisions of this Ordinance should be declared unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the remaining provisions of this Ordinance, and the Borough Council declares that it would have adopted this Ordinance had such unconstitutional, illegal or invalid provisions not been contained herein.
- B. The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance.
- C. It is hereby declared to be the intent of the Borough Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

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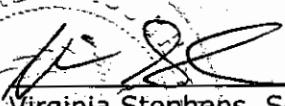
- D. All other Ordinances inconsistent with this Ordinance, are hereby repealed insofar, but only insofar, as they are inconsistent herewith.

VI. EFFECTIVE

- A. This Ordinance shall become effective immediately.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of East Conemaugh, County of Cambria, Commonwealth of Pennsylvania, this 21st day of June 2023, as follows:

ATTEST:



Virginia Stephens, Secretary

EAST CONEMAUGH BOROUGH

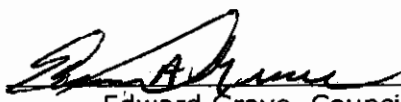
by:

 (SEAL)
John A. Andrews, President

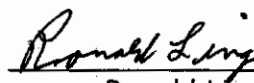
 (SEAL)
Charles Andrews, Council Member

 (SEAL)
London Graham, Council Member


____ (SEAL)
Roland Toth, Council Member

 (SEAL)
Edward Grove, Council Member

____ (SEAL)
Christopher DeFazio, Council Member

 (SEAL)
Ronald Ling, Council Member

Approved by Aaron Ling, Mayor, this 25th day of June, 2023.

by:  (SEAL)
Aaron Ling, Mayor

(Borough Seal)

