

AN ORDINANCE OF THE BOROUGH OF EAST CONEMAUGH, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING FOR THE INTERSECTION OF 1ST STREET AND OAK STREET TO AN "ALL WAYS" STOP INTERSECTION BY ERECTING "STOP" SIGNS ON OAK STREET AT ITS INTERSECTION WITH 1ST STREET IN THE BOROUGH OF EAST CONEMAUGH TO CONTROL THE VEHICULAR TRAFFIC TRAVELING ON:

(1) OAK STREET FROM GREEVE STREET TOWARD 2ND STREET; AND

(2) OAK STREET FROM 2ND STREET TOWARD GREEVE STREET; AND

PROVIDING FOR THE ERECTION OF TWO "STOP SIGN AHEAD" SIGNS GIVING NOTICE OR WARNING TO VEHICULAR TRAFFIC:

(1) TRAVELING ON OAK STREET AFTER ITS INTERSECTION WITH GREEVE STREET AND PRIOR TO ITS INTERSECTION WITH 1ST STREET INDICATING "STOP SIGN AHEAD;" AND

(2) TRAVELING ON OAK STREET AFTER ITS INTERSECTION WITH 2ND STREET AND PRIOR TO ITS INTERSECTION WITH 1ST STREET INDICATING "STOP SIGN AHEAD;"

ORDINANCE NO. _____

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 regulate traffic at the intersection of 1st Street and Oak Street by erecting two "STOP" signs at the intersection of Oak Street and 1st Street to: (1) control travel on Oak Street by erecting a STOP sign on Oak Street at its intersection with 1st Street requiring all vehicular traffic traveling on Oak Street from its intersection with Greeve Street to STOP before crossing or entering the intersection of Oak Street and 1st Street ; and (2) control travel on Oak Street by erecting a STOP sign on Oak Street at its intersection with 1st Street requiring all vehicular traffic traveling on Oak Street from its intersection with 2nd Street to STOP before crossing or entering the intersection of Oak Street and 1st Street; and

WHEREAS, the Borough of East Conemaugh wishes to erect two (2) notice signs warning vehicular traffic traveling on: (1) Oak Street from Greeve Street toward 1st Street that there is a STOP sign on Oak Street that requires all vehicular traffic traveling on Oak Street from Greeve Street to 1st Street to stop at before entering or crossing the intersection at Oak Street and 1st Street; (2) Oak Street from 2nd Street toward 1st Street that there is a STOP sign on Oak Street that requires all vehicular traffic traveling on Oak Street from 2nd Street to 1st Street to stop before entering or crossing the intersection at Oak Street and 1st Street;

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. § 6102(b) states that local authorities may exercise the powers granted in Chapter 61 only by duly enacted ordinances of their governing bodies.
- C. 75 Pa. C.S.A. § 6109(a) is titled 'Enumeration of police powers.' and states that the provisions of this title (75) shall not be deemed to prevent ... local authorities on streets or highways within their physical boundaries from the reasonable exercise of their police powers.
- D. 75 Pa. C.S.A. § 6109(a)(2) presumes that regulating traffic by means of official traffic-control devices is a reasonable exercise of police power.
- E. 75 Pa. C.S.A. § 6109(b)(1) requires any action taken by local authorities under this section (61) shall be by ordinance.
- F. 75 Pa.C.S.A. § 6124 is titled "Erection of traffic-control devices at intersections" and states that "... local authorities on intersections of highways under their jurisdiction may erect and maintain stop signs, to designate through highways or to designate intersections at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection."
- G. 75 Pa. C.S.A. § 6109(b)(1) requires any action taken by local authorities under this section (61) shall be by ordinance
- H. 75 Pa. C.S.A. § 6109(c) requires that notice to the traffic regulations shall be erected when traffic-control devices are required designate any intersection or junction of roadways as a stop intersection or junction.

II. SCOPE

- A. To regulate the flow of vehicular traffic at the intersection of Oak Street and 1st Street by making that intersection an "ALL WAYS STOP" intersection by erecting a "STOP" sign on Oak Street at its intersection with 1st Street for traffic traveling on Oak Street from its intersection with Greeve Street and by erecting a "STOP" sign on Oak Street at its intersection with 1st Street for traffic traveling on Oak Street from its intersection with 2nd Street; and erecting warning signs to indicate stop signs ahead. (See Exhibit "A")

III. ERECTION OF "STOP" SIGNS

- A. A "STOP" sign or "STOP" signs shall be erected on Oak Street at its intersection with 1st Street to control vehicular traffic traveling on Oak Street from Greeve

Street toward 1st Street.

1. A minimum of one "STOP" sign, but no more than two "STOP" signs shall be erected on Oak Street to stop vehicular traffic on Oak Street traveling from Greeve Street to 1st Street.
 - a. All vehicular traffic traveling on Oak Street from Greeve Street to 1st Street shall be required to STOP on Oak Street before entering or crossing the intersection of Oak Street and 1st Street.
- B. A "STOP" sign or "STOP" signs shall be erected on Oak Street at its intersection with 1st Street to control vehicular traffic traveling on Oak Street from 2nd Street toward 1st Street.
 1. A minimum of one "STOP" sign, but no more than two "STOP" signs shall be erected on Oak Street to stop vehicular traffic on Oak Street traveling from 2nd Street to 1st Street.
 - a. All vehicular traffic traveling on Oak Street from 2nd Street to 1st Street shall be required to STOP on Oak Street before entering or crossing the intersection of Oak Street and 1st Street.

IV. ERECTION OF NOTICE SIGNS

- A. "STOP AHEAD" or "STOP SIGN AHEAD" signs shall be erected on Oak Street between its intersection with Greeve Street and 1st Street to provide notice to vehicular traffic traveling on Oak Street from Greeve Street toward 1st Street of the presence of a "STOP" sign ahead on Oak Street.
- B. "STOP AHEAD" or "STOP SIGN AHEAD" signs shall be erected on Oak Street between its intersection with 2nd Street and 1st Street to provide notice to vehicular traffic traveling on Oak Street from 2nd Street toward 1st Street the presence of a "STOP" sign ahead on Oak Street.

V. DUTY AT "STOP" SIGNS

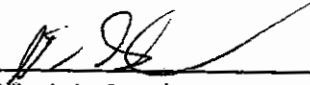
- A. 75 Pa.C.S.A. § 3323(b) sets forth a motorists duties at a stop sign as:

"Except when directed to proceed by a police officer or appropriately attired persons authorized to direct, control or regulate traffic, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line or, if no stop line is present, before entering a crosswalk on the near side of the intersection or, if no crosswalk is present, then at the

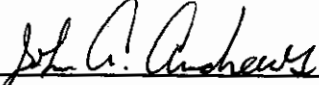
point nearest the intersecting roadway where the driver has a clear view of approaching traffic on the intersecting roadway before entering. If, after stopping at a crosswalk or clearly marked stop line, a driver does not have a clear view of approaching traffic, the driver shall, after yielding the right-of-way to any pedestrian in the crosswalk, slowly pull forward from the stopped position to a point where the driver has a clear view of approaching traffic. The driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute a hazard during the time when the driver is moving across or within the intersection or junction of roadways and enter the intersection when it is safe to do so."

ENACTED AND ORDAINED this _____ day of March, 2023, effective in five (5) days.

ATTEST:

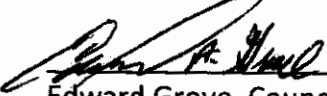

Virginia Stephens, Secretary

EAST CONEMAUGH BOROUGH

by:  (SEAL)
John A. Andrews, President

 (SEAL)
London Graham, Council Member

 (SEAL)
Charles Andrews, Council Member

 (SEAL)
Edward Grove, Council Member

____ (SEAL)
Christopher DeFazio, Council Member

____ (SEAL)
Roland Toth, Council Member

____ (SEAL)
Ronald Ling, Council Member

Approved by Aaron Ling, Mayor, this _____ day of _____, 2023.

by: _____ (SEAL)
Aaron Ling, Mayor