

THE BOROUGH OF WEST EASTON

ORDINANCE NO. 2021 - 19

AN ORDINANCE OF THE BOROUGH OF WEST EASTON, COUNTY OF NORTHAMPTON, TO REGULATE THE PARKING OF TRAILERS AND THE TARPING OF VEHICLES ON PUBLIC STREETS; INCORPORATING CHAPTER 10 “HEALTH AND SAFETY”, PART 3, “PARKING AND STORAGE OF MOTOR VEHICLES,” SECTIONS 301 - 304 INTO CHAPTER 15 “MOTOR VEHICLES AND TRAFFIC”; REPEALING CHAPTER 10 “HEALTH AND SAFETY”, PART 3, “PARKING AND STORAGE OF MOTOR VEHICLES,” SECTIONS 305 - 307; AND AMENDING SECTION 305 OF “MOTOR VEHICLES AND TRAFFIC,” RELATING TO PENALTIES.

WHEREAS, Section 1202(5) of the Borough Code empowers the Borough to make regulations as may be necessary for the health, safety, morals, general welfare and cleanliness and beauty, convenience, comfort and safety of the Borough; and

WHEREAS, Section 1202(31)(iii) of the Borough Code empowers the Borough to regulate parking and provide parking accommodations to promote the convenience and protection of the public;

WHEREAS, Chapter Fifteen (15), Part Three of the Borough Ordinances is dedicated to General Parking Regulations; and

WHEREAS, the Borough deems it necessary to the general welfare and safety to regulate the manner in which parked vehicles may be tarped; and

WHEREAS, the Borough deems it necessary to the general welfare and safety to regulate the parking of trailers in the Borough; and

WHEREAS, Section 1202(3) of the Borough Code empowers the Borough to impose fines for the violation of Borough Ordinances, and Section 6109 of the Motor Vehicle Code empowers the Borough to regulate traffic and parking on public roadways and to enforce the provisions of the Motor Vehicle Code;

**NOW THEREFORE, THE BOROUGH COUNCIL OF THE
BOROUGH OF WEST EASTON DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Chapter Fifteen (15) “Motor Vehicles and Traffic”, Part Three “General Parking Regulations,” is hereby amended to incorporate and renumber Sections 301 to 304 of Chapter Ten (10), “Health and Safety”, Part Three “Parking and Storage of Motor Vehicles,” as follows:

§15-301. Definitions.

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

MOTOR VEHICLE – any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

OWNER – the actual owner, agent, or custodian of the property whether individual, partnership, association, corporation, or other legal entity.

PERSON – any individual, firm, partnership, association, corporation or other legal entity.

(Ord. 633, 9/11/2000, §1)

§15-302. Parking of Certain Motor Vehicles on Streets Prohibited.

A. It shall be unlawful for any person to park a motor vehicle having a gross weight in excess of 17,500 pounds and/or an overall length of twenty-two (22) feet upon any street or alley of the Borough of West Easton.

B. Notwithstanding the foregoing provision, such motor vehicles may be parked for purposes of picking up or delivering goods, wares, merchandise, people, or services to any premises located upon such street or alley, except that in no such case shall such vehicle be parked upon said street or alley for a period of more than two (2) consecutive hours.

(Ord. 633, 9/11/2000, §2, as amended by Ord. 811, 5/14/2007)

§15-303. Storage of Motor Vehicles on Streets Prohibited.

It shall be unlawful for any person to store a motor vehicle upon any street or alley of the Borough of West Easton. As used herein, “stored” shall mean the parking of a motor vehicle in one place upon any street or alley continuously for more than seventy-two (72) hours.

(Ord. 633, 9/11/2000, §3)

§15-304. Parking of Unregistered or Inoperable Motor Vehicles Prohibited.

1. It shall be unlawful for any person to park a motor vehicle upon any street or alley of the Borough of West Easton, or in public view upon private property in the Borough, which:

A. Does not display a current license plate.

B. Does not display a current inspection and emissions sticker.

2. The provisions of this Section shall not apply to new and used car dealers who park or display new or used motor vehicles on private property zoned for this purpose.

(Ord. 633, 9/11/2000, §4)

Section 2. Repealing Sections 304 to 307 of Chapter Ten (10), “Health and Safety”, Part Three (3), and Part 4 of “Health and Safety.” Sections 304 to 307 of Chapter 10, Part 3, and Chapter 10, Part 4 in its entirety are hereby repealed as duplicative of or contradictory to corresponding provisions of Chapter 15 “Motor Vehicles and Traffic.”

Section 3. Renumbering Section 301 of Chapter 15, “Motor Vehicles and Traffic.”

Section 301 of “Motor Vehicles and Traffic” is hereby renumbered Section 305.

Section 4. Renumbering Section 302 of Chapter 15, “Motor Vehicles and Traffic” Section 302 of “Motor Vehicles and Traffic” is hereby renumbered Section 306.

Section 5. Amending Section 303 of Chapter 15, “Motor Vehicles and Traffic.”

Section 303 of Chapter 15, entitled “Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations” is hereby renumbered as Section 307, and amended to read as follows:

A. Daytime parking prohibited. Except as otherwise provided in this section, it shall be unlawful for any person to park or leave standing any trailer attached to a vehicle capable of moving said trailer in a lawful manner, on any public street or alley between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, holidays excepted.

B. Unhitched trailers prohibited. It shall be unlawful for a person to park or leave an unhitched trailer standing on any Borough street or alley.

C. Large vehicles prohibited. Pursuant to Ordinance 833, it shall be unlawful for a person to park large vehicle, defined as a vehicle exceeding 17500 lbs. and/or 22 feet in length, on any public street or alley in the Borough.

D. Exceptions. The preclusions at subsections (A) and (B) shall not apply to:

1. Trailers owned by a public utility or a licensed contractor while in use during the construction, installation, or repair of any public utility or borough property;
2. Trailers in use for the pick-up or delivery of goods, wares, or merchandise;
3. The loading or unloading a trailer or the making of emergency repairs to a trailer to enable its removal;
4. A trailer in use by a licensed contractor performing work at a Borough residence or business, displaying a Borough-issued permit to park the vehicle unattended, with an attached trailer during restricted hours.

Section 6. Tarped Vehicles. The following shall be added to Chapter Fifteen (15), Part Three, and numbered as 15-§308:

15-§308. Tarped Vehicles.

A. No vehicle of any kind (whether a passenger vehicle, motorcycle, motor home, attached trailer or other vehicle) parked on any public roadway or alley within the Borough shall be covered with a tarp in such a manner as to obscure the reflective turn signal lenses of the vehicle.

B. Exceptions. The requirements of subsection (A) shall not apply to:

1. Vehicles covered by a tarp equipped with reflective markings or lenses visible on all perimeter corners of the covered vehicle so as to be observable by passing traffic in any direction; or
2. A tarped vehicle parked within the boundaries of not less than two (2) reflective traffic cones, placed not further than thirty inches (30”) in front and thirty inches (30”) behind the vehicle, at a distance of not more than one hundred-two inches (102”) from the curb.

Section 7. Renumbering Section 304 of Chapter 15, “Motor Vehicles and Traffic.” Section 304 of “Motor Vehicles and Traffic” is hereby renumbered Section 309.

Section 8. Amending § 305, Entitled “Penalties.” Chapter Fifteen (15), Part Three, Section 305 of the Borough Ordinances dedicated to General Parking Regulations, entitled “Penalties” shall be renumbered as § 310, and is hereby amended to read as follows:

Any person who violates any parking ordinance enumerated herein, or any parking statute under the Vehicle Code at 75 Pa. C.S.A. § 101 et seq. which is not enumerated herein, shall be issued a citation, and upon conviction, shall be guilty of a summary offense and pay the costs of such conviction, together with a fine in the amount designated herein:

PARKING VIOLATION	FEE
	Up to 15 days/Over 15 days
Exceeding parking meter limits	\$15/\$25
Not parked within metered space	\$25/\$35
Parked against traffic	\$15

Parked in excess of 72 hours (Ord. 633, §3)	\$25/\$35
Double parking 75 Pa.C.S.A. § 3353(a)(1)(i)	\$25/\$35
Parked in "No Parking" zone (temporary or permanent) 75 Pa. C.S.A. § 3353(a)(3)(ii)	\$25/\$35
Parked blocking alley, garage or driveway 75 Pa. C.S.A. § 3353(a)(2)(i)	\$50
Parking within 20 feet of crosswalk at intersection 75 Pa. C.S.A. § 3353(a)(2)(ii)	\$25/\$35
Leaving vehicle unattended 75 Pa. C.S.A. § 3701	\$5
Exceeding posted non-metered parking time limits	\$25/\$35
Parking without current inspection, emissions	\$25/\$35
Parking with missing or obscured registration plate	\$25/35
Parking on private property 75 Pa. C.S.A. § 3353(b)	\$50
Parking within 15 ft. of a fire hydrant 75 Pa. C.S.A. § 3353(a)(2)(ii))	\$50
Parking unhitched trailer in violation of § 303	\$25/\$35
Parking more than 1 foot from curb 75 Pa. C.S.A. § 3354	\$15
Parking tarped vehicle in violation of § 308	\$25/\$35
Parking in a permit zone without a permit	\$25/\$35
Parking in a handicapped parking space without a permit 75 Pa. C.S.A. § 3354(d)(3)(i)	\$50-200 per statute, plus \$50 fine, 95% to Dept of Revenue
Parking vehicle exceeding 17500 lbs. and/or 22 ft.	\$50/\$75

Section 9. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The West Easton Borough Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases by declared unconstitutional.

Section 10. Effective Date. This ordinance shall take effect and be in full force and effect within five (5) business days and after the date of its final passage and adoption.

DULY ORDAINED AND ENACTED this 10th day of May, 2021,
by the Council in lawful session duly assembled.

ATTEST:

THE BOROUGH OF WEST EASTON



Joan Heebner, Borough Manager

By 

Matthew Dees, Council President

Approved this 10th day of May, 2021.



Daniel DePaul, Mayor