

MOTOR VEHICLES AND TRAFFIC

ORDINANCE NO. 398

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PART I: GENERAL REGULATIONS.

§101. DEFINITIONS AND INTERPRETATION.

Words and phrases, when used in this Chapter, except for Sections or Parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1976, P.L. 162 No. 81), as amended, except that, in this Chapter, the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§102. ADOPTING PERMANENT TRAFFIC AND PARKING REGULATIONS.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this chapter, except where the law specifically authorizes less formal action.

§103. PROVISIONS TO BE CONTINUATION OF EXISTING REGULATIONS.

The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

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§104. TEMPORARY AND EMERGENCY REGULATIONS.

The Chief of Police shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

In the case of flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and,

In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this ordinance for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this ordinance, to a fine of not more than twenty-five dollars (\$25.00) together with costs of prosecution.

§105. TRAFFIC ON STREETS CLOSED OR RESTRICTED FOR CONSTRUCTION, MAINTENANCE OR SPECIAL EVENTS.

The Koppel Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

The Koppel Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

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Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than three-hundred dollars (\$300.00) and costs.

§106. USE OF STREETS BY PROCESSIONS AND ASSEMBLAGES.

For the purpose of this Section, the words "assemblage" and "procession" shall have the following meanings:

ASSEMBLAGE-a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street;

PROCESSION-a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

It shall be unlawful for any person to hold or participate in **any assemblage** unless the person organizing or conducting the assemblage first obtains a permit from the Chief of Police, which shall be issued without fee. Application for the permit shall be made at least one (1) week in advance of the day on which the assemblage is proposed to be held, but in any case, where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

It shall be unlawful for any person to hold or participate in **any procession** unless the person organizing or conducting the procession first obtains a permit from the Chief of Police, which shall be issued without fee. Application for the permit shall be made at least two (2) weeks in advance of the day when the procession is proposed to be held, but in any case, where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time

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by which the end of the procession shall have reached the end of the route of the procession and the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.

Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than three-hundred dollars (\$300.00) and costs.

§107. AUTHORITY OF POLICE OFFICERS.

The Police Officers of Koppel Borough are hereby authorized to direct traffic on the highways of the Borough of Koppel and at intersections thereof and to otherwise enforce the provisions of this Chapter.

§108. AUTHORIZATION FOR USE OF SPEED TIMING DEVICES.

The Koppel Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Title 75, Pa. CS.A. §3368.

This Section authorizes the use of said devices upon all highways within the Borough, be they Koppel, County or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa. CS.A. §6101 et seq. (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

PART 2. TRAFFIC REGULATIONS.

§201. OPERATION OF MOTOR VEHICLES RESTRICTED ON PUBLIC LANDS.

No motor vehicle including a motorcycle, pedal cycle or minibike shall be operated on any property owned by the Borough of Koppel or any other public agency or instrumentality within the Borough of Koppel without the permission of the property owner and a permit from the Chief of Police of the Borough of Koppel.

Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than three-hundred dollars (\$300.00) and costs.

§202. STANDING OR PARKING ON ROADWAY FOR LOADING OR UNLOADING.

It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedal cycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9:00 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4:00 p.m., and for no longer than necessary for the loading or unloading.

PART 3: REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES.

§301. APPLICABILITY AND SCOPE.

This Part is enacted under authority of §6109(a-22) of the Vehicle Code, and gives authority to the Koppel Police to remove and impound those vehicles which are parked in a tow away zone and in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others, may be towed under the provisions of the Pennsylvania Vehicle Code.

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§302. AUTHORITY TO REMOVE AND IMPOUND.

The Koppel Borough Police shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally, provided that the circumstances of its parking were within the conditions stated in §501 of this Part. Provided; no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code.

**§303. DESIGNATION OF APPROVED STORAGE GARAGES;
BONDING; TOWING AND STORAGE.**

Removal and impounding of vehicles under this Part shall be done only by "approved storage garages" that shall be designated from time to time by the Koppel Council. Every such garage shall submit evidence to the Koppel Council that it is bonded or has acquired liability insurance in an amount satisfactory to the Koppel Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Koppel Council its schedule of charges for towing and storage of vehicles under this Part, and, when the schedule is approved by Koppel Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. The Koppel Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Part.

§304. PAYMENT OF TOWING AND STORAGE CHARGES.

The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded.

§305. RECLAMATION COSTS.

In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a twenty-five-dollar (\$25.00) fee of which ten dollars (\$10.00) shall be

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transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

§306. RECORDS OF VEHICLES REMOVED AND IMPOUNDED.

The Koppel shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

§307. RESTRICTIONS UPON REMOVAL OF VEHICLES.

No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

§308. PENALTY FOR VIOLATION.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of fifty dollars (\$50.00) together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §7301 et seq., (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

§309. REPORTS AND DISPOSITION OF UNCLAIMED VEHICLES.

If after a period of fifteen (15) days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with §7311 of The Vehicle Code, by the person having legal custody of the vehicle. If the vehicle has not been claimed after thirty (30) days, the vehicle may be transferred to a licensed Salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Pennsylvania Motor Vehicle Code (75 Pa C.S.A. §101 et seq., as amended).

PART 4. PARKING REGULATIONS, SNOW AND ICE EMERGENCY.

§401. VEHICLES TO BE PARKED WITHIN MARKED SPACES.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

§402. PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS.

Parking shall be prohibited at all times in the following locations:

*Mount Street on the South Side of Street
All Hours - Sunday through Saturday*

*5th Avenue in Front of Fire Department on the West Side
All Hours - Sunday through Saturday*

§403. PARKING PROHIBITED IN CERTAIN LOCATIONS, CERTAIN DAYS AND HOURS.

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

§404. PARKING OF TRUCKS, BUSES AND CERTAIN OTHER VEHICLES PROHIBITED IN CERTAIN LOCATIONS.

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets, any vehicle other than a passenger car (which shall not include any bus, boat, motor home or passenger car attached to a trailer of any kind without permit from the Chief of Police):

*All Streets
All Directions
Limitation of Permitted Allowable Time
Days of the Week*

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**§405. PARKING TIME LIMITED IN CERTAIN LOCATIONS,
CERTAIN DAYS AND HOURS.**

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

*5th Avenue on the West Side in Front of Post Office
All Hours and a 15 Minute Limit – Sunday through Saturday*

§406 DECLARATION OF SNOW AND ICE EMERGENCY.

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in §803 of this Part, the Chief of Police, in his discretion, may declare a snow and ice emergency (designated in this Part as a "snow emergency"). Information on the existence of a snow emergency shall be given by the Koppel through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

**§407. PARKING PROHIBITED, DRIVING MOTOR VEHICLES
RESTRICTED, ON SNOW EMERGENCY ROUTES DURING
EMERGENCY.**

After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated by the Borough of Koppel; or,
To drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

§408. PENALTY FOR VIOLATION.

If, at any time during a period of snow emergency declared under §801 of this Part, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a

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violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not more than fifteen dollars (\$15.00) and costs.

If, at any time during a period of snow emergency declared under §801 of this Part, a person shall drive a motor vehicle upon a snow emergency route, without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) nor more than three-hundred dollars (\$300.00) and costs.

PART 5. SKATES, SKATEBOARDS, COASTERS, SLEDS AND OTHER TOY VEHICLES.

§501.

It shall be unlawful for any person to ride on a sled upon any sidewalk in the Koppel, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of the Town Council of Koppel Borough.

Provided: nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.

It shall be unlawful for any person to engage in roller-skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:

- a. Any street except in order to cross the roadway; or,
- b. Any sidewalk located in a business district, except that nothing in this paragraph shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.

Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

PART 6. PEDESTRIAN REGULATIONS.

§601. PEDESTRIANS TO OBEY TRAFFIC-CONTROL SIGNS.

At all locations in the Borough of Koppel where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals installed, shall obey the directions of those traffic-control signals, as follows:

When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk;

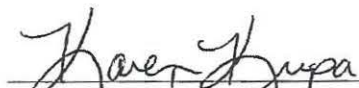
When facing a steady yellow signal, a pedestrian shall not start to cross the roadway;


When facing a steady red signal, a pedestrian shall not enter the roadway.

§602. PENALTY FOR VIOLATION.

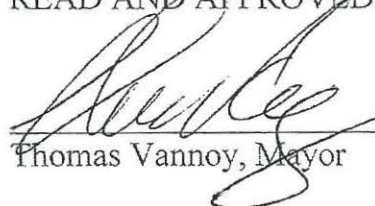
Any pedestrian who violates any provision of this Part shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of twenty-five- dollars (\$25.00) and costs.

APPROVED THIS 20th day of August, 2019, by a majority vote of the members of the Town Council of the Borough of Koppel.


Attest: Karen Krupa, Borough Secretary


Barbara Gioffie, President of Council

READ AND APPROVED by me this 20th day of August, 2019.


Thomas Vannoy, Mayor

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