

**BOROUGH OF EAST PROSPECT
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2015- #1

AN ORDINANCE OF THE BOROUGH OF EAST PROSPECT, YORK COUNTY, PENNSYLVANIA, ESTABLISHING REGULATIONS FOR PARKING OF MOTOR VEHICLES DURING SNOW EMERGENCIES AS DEFINED HEREIN AND DESIGNATED BY THE MAYOR ALONG STREETS DESIGNATED AS SNOW EMERGENCY ROUTES HEREIN AND SETTING FORTH PENALTIES FOR VIOLATION OF THE SAME.

BE IT ENACTED AND ORDAINED by the Borough Council of East Prospect, York County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. Snow Emergencies. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the streets and roads of this Borough, the Mayor, in his or her discretion, may declare a snow or ice emergency (hereinafter referred to as a "snow emergency"). Information on the existence of a snow emergency shall be given by the Borough through radio, newspaper, or other available media, and information regarding the termination of the emergency shall be given by the use of the same media.

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

1. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in subsection 2, below; or

2. The following are designated as a snow emergency route:

Christine Drive (from Vickilee Drive to end)
Corinne Drive (from W. Maple Street to Christine Drive)
East Maple Street (entire length through the Borough)
Hedgewick Lane (from N. Main Street to Borough line at 165 Hedgewick Lane)
Riverview Drive (from S. Main Street to end)
Ruby Lane (from Meisenhelder Road to Vickilee Drive)
Stoneheath Lane (from Hedgewick Lane to cul-de-sac)

B. If at any time during a period of snow emergency declared under this Section a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere along a snow emergency route, the person shall be guilty of a violation of this section, and upon conviction, shall be fined as set forth in Section E below.

C. The Police Department serving the Borough, the designated Borough Code Enforcement Officers of the Borough or Zoning Officer are hereby authorized to have any vehicle parked in violation of this Ordinance towed away at the expense of the owner of said vehicle. Further any of the foregoing are authorized to file a summary criminal citation with regard to a violation of this Ordinance.

D. In order to assist operators of motor vehicles in determining the streets affected by this Section, there shall be placed, on signs on the streets designated in Subsection A, above, signs reading as follows:

SNOW EMERGENCY ROUTE
NO PARKING DURING EMERGENCY
VEHICLES TOWED AWAY

E. Unless another penalty is expressly provided by the Pennsylvania Vehicle Code, any person who shall violate the provisions of this Ordinance shall be subject to a summary criminal proceeding before the Magisterial District Justice as provided by the Pennsylvania Rules of Criminal Procedure, as may be amended from time to time. Upon conviction, a fine of not less than One Hundred Dollars (\$100.00) and not more than Three Hundred Dollars (\$300.00), plus the costs of towing and storage the vehicle and costs of prosecution, including reasonable attorney fees incurred in prosecution of said violation, shall be imposed, and such person may be subject to imprisonment of up to fifteen (15) days in the event such fines and costs are unpaid. Each day that such violation continues shall constitute a separate offense. Continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of a violation may be punished as provided above for each separate offense.

Section 2. Any ordinance or part of any ordinance that is in conflict with this Ordinance is hereby repealed. All ordinances not inconsistent with this Ordinance shall be and remain in full force and effect.

Section 3. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect the provisions of the Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect on the earliest day and date after enactment permitted by law.

ENACTED AND ORDAINED by the Borough Council of East Prospect Borough this 7th day of April, 2015, at a meeting duly assembled.

ATTEST:

By: Mindy K. Barshinger
Mindy K. Barshinger, Secretary

BOROUGH COUNCIL OF EAST PROSPECT

By: Blaine C. Garner
Blaine C. Garner, President

Approved this 7th day of April, 2015.

By: Daniel H. Garner
Daniel H. Garner, Mayor