

BOROUGH OF MONROEVILLE
ORDINANCE NO. 277

AN ORDINANCE PRESCRIBING TRAFFIC AND PARKING REGULATIONS AND PROVIDING PENALTIES FOR THEIR VIOLATION.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Monroeville and it is hereby ordained and enacted by the authority of the same.

ARTICLE I
GENERAL REGULATIONS

SECTION 1. Definitions and Interpretation. Words and phrases, when used in this ordinance, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania, as now in force, or as hereafter amended, enacted or reenacted, except in those instances where the context clearly indicates a different meaning. The singular shall include the plural and the masculine shall include the feminine.

SECTION 2. Manner of Adopting Permanent Traffic and Parking Regulations. All traffic and parking regulations shall be prescribed from time to time by the Burgess and Chief of Police, after public notice and by installing signs or their equivalent provided that they shall do nothing inconsistent with this ordinance.

SECTION 3. Special powers of the Burgess. The Burgess shall have the following powers to regulate traffic and parking temporarily in times of emergency:

(a) In the case of fire, flood, storm, or other emergency to establish temporary traffic and parking regulations.

(b) In the case of emergency or to facilitate public works or in the case of the conduct of processions and public events, to restrict or prohibit parking or traffic in limited areas for periods of not more than twenty-four (24) hours.

Such temporary and emergency regulations shall be enforced by the Burgess and the Police of the Borough in the same manner as permanent regulations. Any person who shall operate a vehicle in violation of any such regulation shall be liable to the penalty set forth in the law for such violation, and, in case of any violation for which no specific penalty is set forth in the law, to a fine of not more than Fifty (\$50.00) Dollars, and, in default of payment of such fine and costs of prosecution, to imprisonment in the county jail for not more than ten (10) days.

The Burgess shall further have the power and authority to establish, change and abolish, and to designate by appropriate markings or signs, crosswalks, traffic lanes and parking spaces.

SECTION 4: Authority of Police Officers. The Police Officers of the Borough are hereby given authority to direct traffic on the highways of the Borough, and at intersections thereof.

ORDINANCE NO. 277 - 2

SECTION 5. Motor Vehicles not to be Driven on Sidewalks . No person shall operate any motor vehicle longitudinally upon any sidewalk in the Borough; nor shall any person operate any vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose. Any person who shall violate any of the provisions of this section, shall, upon conviction thereof, be sentenced to pay a fine of not more than Fifty (\$50.00) Dollars, and, in default of payment of such fine and costs of prosecution, to imprisonment in the county jail for not more than ten (10) days.

SECTION 6. Reports of Accidents Required. The operator of any motor vehicle involved in an accident in the Borough of Monroeville, and required by law to report such accident to any Department or agency of the Commonwealth of Pennsylvania, or any other person required to make such report, shall, at the time of making such report to the Commonwealth, make a written report to the Chief of Police of the Borough, containing the same information. Any person failing to make such report as hereby required shall, upon conviction thereof, be sentenced to pay a fine of Ten (\$10.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the county jail for not more than five (5) days. A copy of such report may be had by any person upon payment of Two (\$2.00) Dollars to cover the cost of preparation.

SECTION 7. U-Turns Prohibited on Certain Streets. No operator of any vehicle shall make a U-turn upon any of the streets which the Burgess and Chief of Police shall designate by proper signs following public notice.

SECTION 8. Left Turns Prohibited at Certain Intersections. No vehicle entering any of the intersections from the streets designated by proper signs by the Burgess and Chief of Police, from time to time, after public notice shall there make a left turn.

SECTION 9. Traffic Signals at Certain Intersections. At the intersections designated by the Burgess and Chief of Police, from time to time , after public notice, official traffic signals shall be erected (or if already erected are hereby ratified), and traffic at such intersections may be directed by such signals.

SECTION 10. Solid, White Line Safety Zone. Wherever a solid, white line shall appear on any of the streets in the Borough of Monroeville and such white line is placed on a side of the street, the area between the said white line and the nearest end of the street shall indicate a safety zone which shall be used only by pedestrians. Motor vehicles are hereby prohibited from crossing said white line, and no part of said vehicles may be extended into the safety zone. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be sentenced to pay a fine of Ten (\$10.00) Dollars and costs of prosecution, and in default of payment of such fine and costs, to imprisonment in the county jail for not more than five (5) days.

SECTION 11. Play Highway Established and Authorized. (a) The Burgess is hereby authorized to designate as "play highways," whenever he

ORDINANCE NO. 277 - 3

DEEMS SUCH ACTION ADVISABLE, and for whatever period of time directed by him, any portion of any street or alley in the Borough and any street or alley in the Borough whereon sledding and coasting shall be permitted. Such highways shall be set apart and marked off for the purpose on orders of the Burgess.

(b) No person shall operate a motor vehicle or horse-drawn vehicle upon any play highway at any time when such highway shall be so designated, except, in cases of emergency, with special permission of the Burgess or of the Police officer in charge, who shall first clear such play highway of all persons using such highway for the purpose for which it was set apart. Any person^{who} shall violate any of the provisions of this section shall, upon conviction thereof, be sentenced to pay a fine of ten (\$10.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the county jail for not more than five (5) days.

SECTION 12. One-Way Streets Established. The Burgess and Chief of Police shall, from time to time, after public notice designate those streets which are one way streets and shall cause proper signs to be erected announcing such designation.

SECTION 13. Speed limits Established on Certain Streets. The Burgess and Chief of Police shall, from time to time, establish speed limits on various streets and roads of the Borough and shall cause public notice of same to be given and proper signs to be established, designating the said speed limit upon the said streets, and roads within the Borough.

(b) Any person or persons who shall be guilty of operating any vehicle in violation of the speed provisions of this ordinance shall upon conviction thereof, by summary proceedings, before the Burgess or any Justice of the Peace of the Borough be sentenced to pay a fine of Ten (\$10.00) Dollars together with costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Allegheny County Jail, for a period of not more than thirty (30) days.

SECTION 14. The maximum weight of vehicles and loads on the streets are limited to the weights established by the Burgess and Chief of Police by proper signs after public notice. Any person or persons who shall be guilty of operating any vehicle in violation of the gross weight provisions of this ordinance shall upon conviction thereof, by summary proceedings, before the Burgess or any Justice of the Peace of the Borough be sentenced to pay a fine of not more than Fifty (\$50.00) Dollars together with costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Allegheny County Jail, for a period of not more than thirty (30) days.

SECTION 15. No Passing Zones. The Burgess and Chief of Police shall, from time to time, after public notice designate those streets which shall be no passing zones and shall cause proper signs to be erected announcing such designation.

(b) Any person or persons who shall be guilty of operating any vehicles in violation of this section shall, upon conviction thereof, by

ORDINANCE NO. 277 - 4

summary proceedings, before the Burgess or any Justice of the Peace of the Borough be sentenced to pay a fine of not more than Ten (\$10.00) Dollars together with costs of prosecution, and in default of the payment of said fine and costs, shall be committed to the Allegheny County Jail for a period of not more than ten (10) days.

SECTION 16. The Burgess and Chief of Police shall, from time to time, after public notice and by appropriate signs set aside certain streets and roads for the use of passenger motor vehicles only (including private passenger vehicleless and taxicabs only, but not including any passenger vehicle drawing any trailer or towing any other vehicle), and no person shall operate any commercial vehicle, truck, bus, or horse-drawn vehicle or any passenger vehicle drawing any trailer or towing any other vehicle upon such streets at any time. Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than Twenty-five (\$25.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the county jail for not more than ten (10) days.

SECTION 17. Certain Through Highways Established. The Burgess and the Chief of Police shall, from time to time, after public notice and by appropriate signs designate certain highways as through highways, and the operator of every vehicle, upon approaching any such highway at any intersection thereof, shall come to a full stop, within a reasonable distance, before entering such intersection.

SECTION 18. Stop Intersections Established. The Burgess and the Chief of Police shall, from time to time, after public notice and by appropriate signs establish certain stop intersections, in the Borough, and the official stop signs shall be erected (or hereby confined if heretofore erected), in such a position as to face traffic approaching the second-named street in the direction or directions hereby indicated. All vehicles approaching the intersection upon the first-named street in the direction or directions hereby indicated in each case shall come to a full stop, within a reasonable distance, before entering said intersections.

SECTION 19. Wherever a violation is described in this Article and no penalty is provided therefore, the penalty shall be that which is prescribed by the Motor Vehicle Code of the Commonwealth of Pennsylvania.

ARTICLE II
PARKING

SECTION 11. Parking without Lights Authorized. The boundary limits of the Borough of Monroeville are hereby established as a zone in which motor vehicles may remain standing without lights, and all streets and alleys within such boundary limits are hereby designated as streets where motor vehicles may remain standing without lights.

SECTION 2. Parking Prohibited between 2 A.M. and 6 A.M. Parking is hereby prohibited on all the streets of the Borough at any and all times between the hours of 2 A.M. and 6 A.M.

ORDINANCE NO. 277 - 5

SECTION 3. Parking on Bridges. Parking shall be prohibited on all bridges located in the Borough.

SECTION 4. Angle Parking Required on Portions of Certain Streets. Angle parking shall only be required on certain streets designated by the Burgess and Chief of Police by proper signs after public notice.

SECTION 5. Vehicles to Park within Marked Spaces. Wherever a space shall be marked off on any street or alley for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

SECTION 6. Parking Prohibited at Certain Locations. Parking shall be prohibited at all times in the following locations:

(a) On all alleys in the Borough.

(b) On such streets or portions thereof as are designated by the Burgess and Chief of Police by proper signs after public notice.

SECTION 7. One-Hour Parking Zones. Parking shall be limited to one (1) hour on locations designated by the Burgess and Chief of Police, from time to time, by proper signs after public notice.

SECTION 8. Two-Hour Parking Zones. Parking shall be limited to two (2) hours in the locations designated by the Burgess and Chief of Police, from time to time, by proper signs after public notice.

SECTION 9. Bus Stops to be Established; Parking Prohibited There. The Burgess and Chief of Police shall, from time to time, by proper signs following public notice, establish certain areas as "Bus Stops", and no vehicle, other than a bus engaged in loading, unloading or awaiting passengers shall be parked there at any time.

SECTION 10. Taxicab Loading Areas to be Established; Parking Prohibited There. The Burgess and Chief of Police shall, from time to time, by proper signs following public notice, establish certain areas as taxicab loading areas. No vehicle other than a taxicab shall be parked there at any time.

SECTION 11. Loading and Unloading Zones to be Established; Parking Prohibited There between Certain Hours. The Burgess and Chief of Police shall, from time to time, by proper signs following public notice, establish certain areas as loading and unloading zones, and between the hours of 6 A.M. and 6 P.M., Monday through Sunday, inclusive, no vehicle shall be parked therein, the purpose of this section being to reserve such zones for the vehicles being loaded and/or unloaded.

SECTION 12. Any violation of any of the sections of Article II of this ordinance shall be punished by a fine of not more than (\$10.00) Dollars and in default of the payment thereof imprisonment for not more than five (5) days.

ORDINANCE NO. 277 - 6

ARTICLE III

SECTION 1. For the preservation of the public peace, health and safety it shall hereafter be the duty of the Borough Police to impound and have towed away by a Borough designated garage any vehicle found wrecked, abandoned, seized or illegally parked within the limits of the Borough of Monroeville.

SECTION 2. The following words when used in this Article shall have the following meanings unless otherwise clearly apparent from the context:

(a) For the purpose of this Article, all autos, tractors, trucks, truck-tractors, trailers and other vehicles of any kind shall hereinafter be referred to as "vehicles".

(b) "In Tow" - A vehicle shall be deemed to be in tow at such time as any chain, rope or any other means of linking the cars together shall be attached.

(c) "Impounded" - A vehicle shall be deemed to be impounded at such time as the parking violation tag is affixed and the towing service notified by the police officer.

(d) "Borough designated garage" - Shall include any garage or garages with whom the proper officials of the Borough of Monroeville have entered into contract for the purposes of towing illegally parked vehicles.

(e) "Illegally parked" - A vehicle shall be deemed to be illegally parked when said vehicle is placed on any street or highway in violation of any parking laws of the Commonwealth of Pennsylvania or any ordinance of this Borough or is without registration plates, storage battery or is incapable of being operated.

SECTION 3. The person removing or directing the removal of any vehicle shall immediately make a report thereof to the Borough Secretary, giving the registration number and the location of the pound to which said vehicle has been removed and the reason for its removal, and within twenty-four (24) hours from the time of removal, providing the vehicle has not already been released from the pound, the Borough Secretary shall notify the owner of record of such vehicle by registered mail that same has been impounded designating the place from which the vehicle was removed, the reason for its removal and the place in which it has been impounded.

SECTION 4. The Borough Council is hereby authorized and directed to solicit bids and enter into annual contracts with one or more reputable garages as private towers to tow to Borough of Monroeville when such towing services are authorized by the Borough Police. The said contractors shall each give bond in the amount of Ten Thousand (\$10,000.00) Dollars to insure the faithful and careful performance of said contracts and to indemnify the Borough of Monroeville from loss or liability for any injuries to any person or persons or property which might be caused during any towing operation

ORDINANCE NO. 277 - 7

and for which the Borough might be liable.

SECTION 5. The towing charges shall be established in the contract or contracts between the Borough and the private towing contractors. A copy if the rates charged for towing of all types of vehicles shall be posted in a conspicuous place in all designated pounds, and in the offices of the Borough Secretary and Chief of Police.

SECTION 6. The Chief of Police shall keep a record of all vehicles impounded and be able at all times to furnish the owners or agents thereof with information as to the place of impounding.

SECTION 7. Any vehicle impounded by virtue of this Article and before the same is placed in tow, may be released to its owner or his agent upon payment of the proper towing charge to the Borough designated garage.

SECTION 8. Any vehicle taken in tow and for the next twenty-four (24) hours will be released to its owner or his agent upon the payment of the proper towing charge plus a storage charge of one and 50/100 (\$1.50) dollars to the Borough designated garage.

SECTION 9. Any vehicle taken in tow and unclaimed by its owner for a period of time exceeding twenty-four (24) hours will be released to its owner or his agent upon payment of the proper towing charge, the storage charge referred to in Section 8 and an additional storage charge of One and 50/100 (\$1.50) Dollars for each twenty-four (24) hour period or fraction thereof beyond the first twenty-four (24) hours.

SECTION 10. The payment of towing and storage charges shall not operate to relieve the owner from liability for any fine or penalty for violation of any law or article an account of which the vehicle was impounded and further the payment of such charges shall constitute a waiver of any right to recover back the money so paid.

SECTION 11. The person removing or directing the removal of any vehicle under the provisions of this Article shall affix securely a towing notice form to bear the license number of the vehicle, the date, time, place and nature of the violation and the name or identifying badge number of the person removing or directing the removal of the vehicle.

SECTION 12. The successful bidder for a towing contract with the Borough shall agree as follows:

(a) To remove any or all illegally parked vehicles within the Borough at the call of any police officer of the said Borough.

(b) The rates that are to be charged for the removal of the said illegally parked, wrecked, abandoned or seized motor vehicle shall not be changed except upon thirty (30) days' notice to the Borough Council and only upon their approval of the said change.

(c) The Contractor must maintain such towing equipment as will enable him to tow modern cars without damage to any part thereof.

ORDINANCE NO. 277 - 8

(d) The contract entered into by and between the Borough and successful bidder or bidders shall not be of a duration greater than a period of one (1) year and shall be for a period of one (1) year and shall be renewable at the option of the Borough or the successful bidder or bidders on a year to year basis.

ARTICLE IV
REMOVAL AND IMPOUNDING OF ILLEGALLY PARKED
VEHICLES

SECTION 1. Authority to Remove and Impound Illegally Parked Vehicles. The Chief of Police is hereby authorized to remove and impound, or to order the removal and impounding, of any vehicle parked on any of the streets, highways or public property of the Borough in violation of any of the provisions of the law or of any ordinance of the Borough. Provided: No vehicle shall be removed or impounded except in strict adherence to the provisions of this Article.

SECTION 2. Approved Storage Garage. The Council of the Borough of Monroeville shall designate an approved storage garage or garages as a pound for the storage of such impounded vehicles.

SECTION 3. Garage to Post Bond. Every such approved storage garage shall post a bond, in the amount of Two Thousand (\$2,000.00) Dollars, to be filed with the Borough Secretary, for the indemnifying of the owner of any such impounded vehicle against the loss thereof, or injury or damage thereto, while in the custody of said poundkeeper.

SECTION 4. Towing and Storage Charges Fixed. Towing charges shall be established in accordance with proper procedures.

SECTION 5. Chief of Police to Notify Owners of Impounded Vehicles. Within twelve (12) hours from the time of removal of any vehicle under authority granted by this Article, notice of the fact that such vehicle has been impounded shall be sent by the Chief of Police of the Borough to the owner of record of such vehicle. Such notice shall designate the place from which said vehicle was removed, the reason for its removal and impounding, and the pound in which it shall have been impounded.

SECTION 6. Effect of Payment of Towing and Impounding Charges without Protest. The payment of any towing and impounding charges, authorized by this Article, shall, unless such payment shall have been made "under protest" be final and conclusive, and shall constitute a waiver of any right to recover the money so paid.

SECTION 7. Effect of Payment of Charges under Protest. In the event that any towing and impounding charges, so imposed, shall be paid "under protest," the offender shall be entitled to a hearing before a magistrate or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided by the Vehicle Code in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

ORDINANCE NO. 277 - 9

SECTION 8. Records of Vehicles Removed and Impounded. The Chief of Police shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or agents of the owners thereof with information as to the place of storage of such vehicles.

SECTION 9. Owner or Operator of Vehicle Remains Liable for Fine or Penalty. The payment of towing and storage charges shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for the violation of any law or ordinance on account of which the said vehicle was removed and impounded.

SECTION 10. Restrictions upon Removal of Vehicles. No vehicle shall be removed under the authority of this Article if, at the time of the intended removal thereof, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

ARTICLE V
INTERPRETATION

SECTION 1. Severability. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional or illegal, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional or illegal provision not been included herein.

SECTION 2. The following ordinances are hereby repealed ordinances; No. 12, No. 38, No. 72, No. 94, No. 102 and No. 137. Any other ordinance or section thereof which is in conflict with this ordinance is also hereby repealed insofar as the same affects this ordinance.

SECTION 3. Provisions to be Continuation of Existing Regulations. The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or presecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any of these repealed ordinances and regulations.

ORDAINED AND ENACTED into law in Council this 11th day of April, 1961.

President

ATTEST:

Secretary

EXAMINED AND APPROVED THIS 11th day of April, 1961.

(Burgess)