ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF JENNERSTOWN, SOMERSET COUNTY, PENNSYLVANIA REGULATING PARKING ON AND/OR ALONG BOROUGH ROADS, STREETS, AND OTHER THOROUGHFARES

WHEREAS, the Borough of Jennerstown, Somerset County, Pennsylvania (the "Borough") has experienced problems in the past with parking on and/or along roads, streets, and other thoroughfares within the Borough so as to inhibit safe passage and routine maintenance such as snow and ice removal and street sweeping;

WHEREAS, the Borough has determined that said problems constitute a threat to human health and public safety; and

WHEREAS, the Borough has further determined that it is in the best interests of the Borough and necessary and proper for the safety and welfare of its residents that the Borough regulate parking on and/or along designated roads, streets, and other thoroughfares and establish procedures for implementation and enforcement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Jennerstown Borough Council, Somerset County, Pennsylvania, pursuant to the authority granted to it under Pennsylvania's Second Class Borough Code, 53 P.S. §§ 65101 *et seq.*, including, without limitation, 53 P.S. § 67328, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: TITLE AND PURPOSE

This Ordinance shall be known as the "Jennerstown Borough Parking Ordinance." The purpose of this Ordinance is to regulate parking on and/or along designated roads, streets, and other thoroughfares within the Borough and establish procedures for implementation and enforcement.

SECTION 2: DEFINITIONS

Unless specifically defined in this Ordinance, all terms used herein shall have their ordinary, customary, and natural meanings.

"Park," "Parked," or "Parking" shall mean the arresting of the movement of any object, structure, vehicle, or other means of conveyance, other than for purposes of complying with applicable traffic laws.

"Person" shall mean any individual, firm, entity, partnership, company, corporation, or the like, including, without, limitation any owner, operator, or other party responsible for any object, structure, vehicle, or other means of conveyance parked in violation of this Ordinance.

"Borough Road, Street, or Other Thoroughfare" shall mean any surface, improved or otherwise, utilized for conveyance, travel, movement, parking, ingress, egress, or regress, located within the Borough.

SECTION 3: PARKING PROHIBITED IN DESIGNATED AREAS

It is hereby declared to be unlawful for any person to park on and/or along any designated Borough road, street, or other thoroughfare.

SECTION 4: PROCEDURES FOR DESIGNATION

The Borough Council shall, from time to time, and in its sole judgment and discretion, administratively designate certain areas or portions of Borough roads, streets, or other thoroughfares where parking is prohibited. Such designation shall be accomplished by the posting of signage indicating "NO PARKING" or such similar indications as the Borough Council from time to time determine in its sole judgment and discretion.

SECTION 5: SNOW EMERGENCY ROUTE; PARKING PROHIBITED

That section of State Route 30 located within the Borough is hereby designated as a snow emergency route. During times of a governor-declared snow emergency, it shall be unlawful for any person to park, stand, or stop on and/or along State Route 30. This prohibition shall not apply to:

1) Emergency vehicles actively engaged in emergency operations; and

2) Vehicles owned or operated by the Borough of Jennerstown while engaged in official business.

SECTION 6: TIME LIMITED PARKING

It is hereby declared to be unlawful for any person to park on and/or along that section of State Road 30 located within the Borough for any period of time between the hours of 10:00 p.m. and 6:00 a.m. The time limits in this Section shall not apply to:

3) Emergency vehicles actively engaged in emergency operations;

4) Vehicles owned or operated by the Borough of Jennerstown while engaged in official business;

5) Vehicles lawfully parked in areas specifically designated for longer-term parking by separate ordinance or official signage or traffic-control devices.

SECTION 7: ENFORCEMENT AND PENALTIES

1. Enforcement by Authorized Persons. Except as otherwise provided herein, any person authorized by the Borough may enforce the provisions of this Ordinance.

2. Removal/Impoundment. In addition to any other remedy or penalty available or imposed by law, the Borough may, without prior notice or warning, and without any liability therefor, tow, remove, cause to be removed, and/or impound any object, structure, vehicle, or other means of conveyance parked in violation of this Ordinance and the violating persons shall be jointly and severally liable for any and all costs, charges, penalties, fees, and damages therefor.

3. Civil Enforcement. When a penalty imposed for a violation of this Ordinance is not voluntarily paid to the Borough, the Borough may initiate a civil enforcement proceeding before a District Justice. The civil enforcement proceeding shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure. When enforcement is through a civil enforcement proceeding as provided hereunder, the Borough may seek civil penalties not to exceed Six Hundred and 00/100 ($600.00) Dollars per violation. In addition to, or in lieu of, civil actions before a District Justice, the Borough may enforce this Ordinance in equity. In any case where a penalty for a violation of this Ordinance has not been timely paid and the person upon whom the penalty was imposed is found to have been liable therefor in civil proceedings, the violator shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorney fees incurred by the Borough in the enforcement proceedings. The Borough shall be exempt from the payment of costs in any civil case brought to enforce an ordinance in accordance with this paragraph.

4. Enforcement as Summary Offense. Notwithstanding any other provision herein, the Borough may enforce this Ordinance by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Borough Solicitor may assume charge of the prosecution without the consent of the District Attorney as typically required under Pa.R.Crim.P. No. 454 (relating to trial in summary cases). The Borough may seek criminal fines not to exceed One Thousand and 00/100 ($1,000.00) Dollars per violation and imprisonment to the extent allowed by law for the punishment of summary offenses.

5. Separate Offenses. A separate offense shall arise for each day or portion thereof in which a violation of this Ordinance is found to exist or for each Section or Subsection of this Ordinance which is found to have been violated.

6. Payment to Borough Treasurer. All fines and penalties collected for the violation of this Ordinance shall be paid to the Borough Treasurer.

SECTION 8: SEVERABILITY

If any section, clause, phrase, portion or provision of this Ordinance is for any reason determined by a Court of Competent jurisdiction to be invalid, such holding shall not affect the validity of the remaining portions of the Ordinance.

SECTION 9: REPEALER

All prior ordinances, parts of ordinances, resolutions, or other official actions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 10: EFFECTIVE DATE

This Ordinance shall become effective upon adoption and shall continue until amended or repealed by the Jennerstown Borough Council.

ORDAINED AND ENACTED into law by the Jennerstown Borough Council in lawful session assembled this _____ day of _____, 2026.

Attest: **BOROUGH OF JENNERSTOWN**

_____ _____

Secretary
(Seal)

President of Council

EXAMINED AND APPROVED by me this _____ day of _____, 2026.

_____

Mayor

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Secretary
(Seal)

President of Council

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Mayor