

ARTICLE IX
Parking During Snowfall
[Added 10-8-2019 by Ord. No. 4-2019]

§ 425-81. Title and purpose.

This article shall be known as the "North Franklin Township Parking and Snow Removal Ordinance of 2019." The purpose of this article is for the Township to facilitate the safe and efficient removal of snow from public streets and roads by adopting certain regulations regarding the parking of motor vehicles thereon after the falling or accumulation of certain specified amounts of snow.

§ 425-82. Parking restrictions during snowfall.

No person or entity shall park or cause or permit to be parked on any public street or roadway (including within the entire public right-of-way) within the Township any motor vehicle or other object (other than law enforcement, emergency services or snow removal vehicles parked in connection with the conduct of the duties and responsibilities of the drivers thereof) within the twelve-hour period immediately following such snowfall, unless the street or road in question has sooner been cleared of snow.

§ 425-83. Enforcement.

The provisions of this article shall be enforced by the Township Code Enforcement, or any other public officer authorized to enforce ordinances.

§ 425-84. Violations and penalties.

The Township may issue a notice of violation as set forth in Township Ordinance ____ of 2019.¹ In addition the procedure set forth in Ordinance ____ of 2019,² the Township may also initiate a civil enforcement proceeding before a Magisterial District Judge, with violations subject to a fine of not more than \$600, plus all court costs, including reasonable attorney's fees incurred by the Township in the enforcement of this chapter. No judgment shall be imposed until the date of the determination of the violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day a violation exists shall constitute a separate offense. A person who violates this article shall also be responsible for the Township's attorney fees, engineering fees, expert fees and court costs associated with enforcement as well as the forfeiture of any fees as set forth in detail by Township resolution. Furthermore, if a violation of the Pennsylvania Motor Vehicle Code³ is found, the violator shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$500 or imprisonment not exceeding 90 days, or by both fine and imprisonment. Every day in violation can be treated as a separate violation and subject to penalties and fines. The Township shall have the sole authority to determine the enforcement procedure to be followed.

1. Editor's Note: So in original.

2. Editor's Note: So in original.

3. Editor's Note: See 75 Pa.C.S.A. § 101 et seq.

§ 425-85. Repealer.

Any ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

§ 425-86. Severability.

If any sentence, clause, section, or part of this article is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this article. It is hereby declared as the intent of the Supervisors of the Township of North Franklin that this article would have been adopted has such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

§ 425-87. When effective.

This article shall become effective upon enactment.