

**NORTH FRANKLIN TOWNSHIP  
WASHINGTON COUNTY, PENNSYLVANIA  
ORDINANCE NO. 4 OF 2019**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NORTH FRANKLIN TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, ADOPTING REGULATIONS REGARDING THE PARKING OF MOTOR VEHICLES WITHIN PUBLIC ROADWAYS AND RIGHT OF WAYS DURING SNOW FALL AND FOR A PERIOD OF TIME AFTERWARDS.

**WHEREAS**, the Municipalities Planning Code, 53 P.S. §10101 *et seq.* (the “MPC”), authorizes the Township (the “Township”) to create ordinances for the regulation, administration and enforcement of Township zoning ordinances, rules, codes, etc.; and,

**WHEREAS**, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the “Board”) have adopted a Township Code; and,

**WHEREAS**, the Board believes it to be in the best interest of the Township and its residents to set certain regulations regarding the parking of motor vehicles within Township roadways after the falling or accumulation of snow in order to better facilitate the clearing/removal of snow from the roadways.

**NOW THEREFORE**, pursuant to the Second Class Township Code as amended and other relevant laws of Pennsylvania as amended the Board of Supervisors hereby **ENACTS AND ORDAINS** the following:

**SECTION 1. TITLE AND PURPOSE.**

This Ordinance shall be known as the “North Franklin Township Parking and Snow Removal Ordinance of 2019”. The purpose of this Ordinance 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.

**SECTION 2. 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.

**SECTION 3. ENFORCEMENT.**

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

**SECTION 4. PENALTIES.**

The Township may issue a Notice of Violation as set forth in Township Ordinance \_\_\_\_ of 2019. In addition the procedure set forth in Ordinance \_\_\_\_ of 2019, the Township may also initiate a civil enforcement proceeding before a Magisterial District Judge, with violations subject to a fine of not more than \$600.00, 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 ordinance 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 Code is found, the violator shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding Five-hundred (\$500.00) Dollars or imprisonment not exceeding ninety (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.

**SECTION 5: REPEALER.**

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

**SECTION 6: SEVERABILITY.**

If any sentence, clause, section, or part of this Ordinance 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 Ordinance.

It is hereby declared as the intent of the Supervisors of the Township of North Franklin that this Ordinance would have been adopted has such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 7. EFFECTIVE DATE.**

This Ordinance shall become effective upon enactment.

**- Signature Page to Follow -**

**ORDAINED AND ENACTED INTO LAW** by the Board of Supervisors of North Franklin Township, Washington County, Pennsylvania, this 8 of October, 2019.

ATTEST:

**TOWNSHIP OF NORTH FRANKLIN  
BOARD OF SUPERVISORS**

Jacqueline M Kotchen  
Secretary/Treasurer

(SEAL)

By: Garrett Juck  
Chairman

By: Bob A. Selt

By: Steve P. ...