

CHAPTER 15

MOTOR VEHICLES

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Part 1
General Regulations

§101. Definitions and Interpretation.

1. Words and phrases, when used in this Chapter, except for sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code (the Act of June 17, 1976, P.L. 162 No. 81), as amended, except that, in this Chapter, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

2. The term "legal holidays" as used in this Chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

4. Although the streets in the Borough run generally in a northeast-southwest and a northwest-southeast direction, for the purpose of this Chapter, Ohio River Boulevard and the street running parallel or generally parallel to Ohio River Boulevard shall be deemed to run in a north-south direction, and Lacock Avenue and the streets parallel or generally parallel to Lacock Avenue Street shall be deemed to run in an east-west direction.

(Ord. 263, 4/7/1992)

§102. Manner of Adopting Permanent Traffic and Parking Regulations.

All traffic and parking regulations of a permanent nature shall be enacted as Chapters, as parts of Chapters, as amendments to Chapters, or as amendments to this Chapter, except where the law specifically authorizes less formal action. (Ord. 263, 4/7/1992)

§103. Provisions to be Continuation of Existing Regulations.

The provisions of this Chapter, so far as they are the same as those of Chapters and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier Chapters and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded Chapters or regulations. (Ord. 263, 4/7/1992)

§104. Temporary an Emergency Regulations.

1. The Mayor shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.

B. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

2. Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than twenty-five dollars (\$25.00) together with costs of prosecution.
(Ord. 263, 4/7/1992)

§105. Experimental Regulations. The Borough Council may, from time to time by resolution, designate places upon and along the highways in the Borough where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this Chapter. No person shall operate or park a vehicle or tractor in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature, and in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than twenty-five dollars (\$25.00) together with costs of prosecution; provided, the purpose of this Section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the Chapters of the Borough relative to traffic and parking. (Ord. 263, 4/7/1992)

§106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. The Borough Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

2. The Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§107. Use of Streets by Processions and Assemblages.

1. For the purpose of this Section, the words "assemblage" and "procession" shall have the following meanings:

ASSEMBLAGE - a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street;

PROCESSION - a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Mayor, which shall be issued without fee. Application for the permit shall be made at least one week in advance of the day on which the assemblage is proposed to be held, but in any case where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Mayor, which shall be issued without fee. Application for the permit shall be made at least two (2) weeks in advance of the day when the procession is proposed to be held, but in any case where a state-designated highway is proposed to be used, application shall be made at least three (3) weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have reached the end of the route of the procession and the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.

4. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§108. Authority of Police Officers. The police officers of the Borough are hereby authorized to direct traffic on the highways of the Borough and at intersections thereof and to otherwise enforce the provisions of this Chapter. (Ord. 263, 4/7/1992)

§109. Authorization for Use of Speed Timing Devices.

1. The Borough Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Title 75, Pa. C.S.A. §3368.

2. This Section authorizes the use of said devices upon all highways within the Borough, be they Borough, County or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. §6101 et seq. (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. 263, 4/7/1992)

Part 2
Traffic Regulations

§201. Maximum Speed Limits Established on Certain Streets.

1. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

<u>Street</u>	<u>Between</u>	<u>Maximum Speed Limit</u>
Ohio River Blvd. (Rt. 65)	East Rochester-Freedom Borough line to East Rochester-Rochester Borough line	45 mph
All other streets and alleys		25 mph

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit.

(Ord. 263, 4/7/1992)

§202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures.

1. Maximum speed limits are established, as follows, on certain bridges and elevated structures, and it shall be unlawful for any person to drive a vehicle on any such bridge or elevated structure, at a higher speed than the maximum prescribed for that bridge or elevated structure:

<u>Bridge or Elevated Structure</u>	<u>Location</u>	<u>Maximum Speed Limit</u>
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(Reserved)

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit.

(Ord. 263, 4/7/1992)

§203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades.

1. The following are declared to be hazardous grades, and, upon any such hazardous grade, no person shall drive a vehicle, having a gross weight in excess of that referred to for that grade, in the direction

stated for that grade, at a speed in excess of that established in this Section for that grade, and, if so stated for a particular grade, the driver of every such vehicle shall stop the vehicle before proceeding downhill:

<u>Street</u>	<u>Between</u>	<u>Direction of Travel</u>	<u>Maximum Gross Weight</u>	<u>Maximum Speed Limit</u>	<u>Required to Stop Before Proceeding Downhill</u>
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(Reserved)

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) for each mile in excess of five (5) miles per hour over the maximum speed limit.

(Ord. 263, 4/7/1992)

§204. Maximum Speed Limits Established in Parks.

1. A speed limit of fifteen (15) miles per hour is established on all streets and roadways in the public parks maintained and operated by the Borough, except in the following locations, where the lower maximums, as specified, shall apply:

<u>Park</u>	<u>Street</u>	<u>Location</u>	<u>Maximum Speed Limit</u>
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(Reserved)

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of thirty-five dollars (\$35.00). Any person exceeding the maximum speed limit by more than five (5) miles per hour shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per hour over the maximum speed limit.

(Ord. 263, 4/7/1992)

§205. Traffic Signals at Certain Locations.

1. At the following locations, traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

<u>Location</u>	<u>Type of Signal</u>
Ohio River Blvd. (Rt. 65) and Rochester Plaza (K-Mart)	-----
Ohio River Blvd. (Rt. 65) and East Rochester-Monaca Bridge	-----

2. Any driver of a vehicle who disobeys the directions of any traffic signal shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§206. Intersections Where Turn Prohibited on Red Signal.

1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

<u>Intersection</u>	<u>Vehicles Traveling On</u>	<u>Facing</u>
	(Reserved)	

2. Any driver of a vehicle who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§207. One-Way Streets Established.

1. The following are established as one-way streets, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>
Canton St.	Atlas Ave.	Henon Ave.	North
Canton St.	Atlas Ave.	Pine Ave.	South
Linton Ave.	Third St.	Spruce Ave.	West
Oak Ave.	Ohio River Blvd. (Rt. 65)	Fifth St.	East
Pine Ave.	Kramer St.	Case St.	South
Pine Ave.	Canton St.	Case St.	West
Spruce Ave.	Walnut St.	Lacock Ave.	South
Spruce Ave.	Walnut Ave.	Linton Ave.	West
Spruce Ave.	Linton Ave.	Lacock Ave.	North

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§208. Turning at Certain Intersections Prohibited or Restricted.

1. It shall be unlawful for the driver of any vehicle, of the type indicated, traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make a left turn and/or a right turn into the second-named street, as indicated, at any time when such a turn is prohibited by this Section:

<u>Vehicles Traveling on</u>	<u>Direction of Travel</u>	<u>Not to Make</u>	<u>Into</u>	<u>When</u>	<u>Type of Vehicle Applicable To:</u>
Rochester Plaza (K-Mart)	North	Right	Ohio River Blvd. (Rt. 65)	All times	All types

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§209. Right Turns Only Permitted at Certain Intersections.

1. It shall be unlawful for the driver of any vehicle, traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make other than a right turn, at any time stated, both left turns and straight-across traffic being prohibited:

<u>Vehicles Traveling On</u>	<u>Direction of Travel</u>	<u>Times</u>	<u>Not to make left turn into or travel straight across</u>
Case St.	South	All	Ohio River Blvd. (Rt. 65)
K-Mart Plaza Exit	-----	All	Case St.
Ohio River Blvd. (Rt. 65)	South	All	Case St.
Rochester Plaza (K-Mart)	North	All	Case St.

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§210. U-Turns Prohibited at Certain Locations.

1. It shall be unlawful for the driver of any vehicle, traveling upon any of the following portions of streets, in the direction or directions indicated for that street, to make a U-turn:

<u>Street</u>	<u>Portion</u>	<u>Direction of Travel</u>
Lacock Ave.	Entire length	-----
Ohio River Blvd. (Rt. 65)	Entire length	-----

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§211. No Passing Zones Established.

1. The following are established as no passing zones, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no passing zone:

<u>Street</u>	<u>Direction of Travel</u> (Reserved)	<u>Between</u>
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2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§212. Through Highways Established.

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this Section shall stop the vehicle or yield right-of-way as required by §3323(b) or §3323(c) of the Vehicle Code, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that Section of the law:

<u>Highway</u>	<u>Between</u>
Case St.	Entire length
Case St.	Rochester Borough line and Schoreder Blvd.
Lacock Ave.	Entire length
Ohio River Blvd. (Rt. 65)	Entire length
Stewart Ave.	Entire length

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§213. Stop Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §212) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first named or stop street, in the direction indicated in each case, shall stop the vehicle as required by §3323(b) of the Vehicle Code, and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that section of the law.

<u>Stop Street</u>	<u>Intersection or Through Street</u>	<u>Direction of Travel</u>
Atlas Ave.	Case St.	West
Case St.	Ohio River Blvd. (Rt. 65)	-----
Case St.	Ohio River Blvd. (Rt. 65)	West
Case St.	Lacock Ave.	East
Case St.	Ohio River Blvd. (Rt. 65)	North
Rochester Plaza	Case St.	North
Curtland St.	Stewart Ave.	-----
East Rochester-Monaca Bridge	Ohio River Blvd. (Rt. 65)	East
Elm Ave.	Stewart Ave.	South
Fifth St.	Lacock Ave.	-----
Fifth St.	Spruce Ave.	Southeast
Fifth St.	Spruce Ave.	South
Fifth St.	Stewart Ave.	North and South
Fifth St.	Lacock Ave.	East
Fifth St.	Wutchic Ave.	West
Fifth St.	Stewart Ave.	West
Fifth St.	Lacock Ave.	North
Fifth St.	Lacock Dwellings Entrance	North
Fifth St.	Oak Ave.	North
First St.	Lacock Ave.	North
Foster Alley	Second Street	South
Foster Alley	Fourth Street	North
Fourth St. and Lacock Ave.	Four-Way Stop	-----
Housing Project Rd.	Fifth St.	-----
Lacock Ave.	Ohio River Blvd. (Rt. 65)	North
Lacock Ave.	Ohio River Blvd. (Rt. 65)	-----
Lacock Ave.	Ohio River Blvd. (Rt. 65)	West
Lacock Ave. and Fourth St.	Four-Way Stop	-----
Lacock Dwellings Entrance	Fifth St.	West
Lincoln St.	Atlas Ave.	-----
Lincoln St.	Atlas Ave.	South
Linton Ave.	Spruce St.	-----
Lyon Ave.	Second St.	West
Lyon Ave.	Fourth St.	East
Maple Ave.	Ohio River Blvd. (Rt. 65)	West
Oak Ave.	Fifth St.	East
Oak Ave.	Fifth St.	West
Oak Ave.	Ohio River Blvd. (Rt. 65)	North
Ohio River Blvd. (Rt. 65)	Ohio River Blvd. (Rt. 65) and East Rochester-Monaca Bridge	South
Pine Ave.	Case St.	West
Pennsylvania Highway Depart- ment Drive	Stewart Ave.	East
Second St.	Lacock Ave.	North and South
Seventh St.	Lacock Ave.	North
Sixth St.	Lacock Ave.	North and South
Spruce Ave.	Lacock Ave.	-----
Spruce Ave.	Fifth St.	-----
Spruce Ave.	Walnut Ave.	West
Spruce Ave.	Lacock Ave.	North
Spruce Ave.	Linton Ave.	West

<u>Stop Street</u>	<u>Intersection or Through Street</u>	<u>Direction of Travel</u>
Spruce Ave.	Fifth St.	South
Spruce Ave.	Fifth St.	East
Spruce Ave.	Fift St.	South
Steward Ave.	Ohio River Blvd. (Rt. 65)	West
Stewart Ave.	Ohio River Blvd. (Rt. 65)	North
Stewart Ave.	Fifth St.	East
Third St.	Lacock St.	North
Unnamed St.	Fifth St.	East
Unnamed St.	Spruce Ave.	West
Walnut Ave.	Ohio River Blvd. (Rt. 65)	West
Walnut Ave.	Ohio River Blvd. (Rt. 65)	North
Willow Ave.	Curtland St.	West

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992; as amended by Ord. 272, 4/4/1995, §1)

§214. Yield Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §212) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by §3323(c) of the Vehicle Code, and then yield the right-of-way as required by that subsection of the Vehicle Code.

<u>Yield Street</u>	<u>Through Street</u>	<u>Direction of Travel</u>
Spruce St.	Fifth St.	Southeast

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

§215. Operation of Motor Vehicles Restricted on public Lands.

1. No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Borough or any other public agency or instrumentality within the Borough without the permission of the property owner and a permit from the Mayor of the Borough.

2. Any person who violates an provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$ 25.00) and costs.

(Ord. 263, 4/7/1992)

§216. Play Highways Established and Authorized.

1. The following areas upon the streets in the Borough are established as play highways:

<u>Street</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>
	(Highways)		

2. The Mayor is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Borough, where sledding and coasting, shall be permitted. That play highway shall be set apart for the purpose under the direction of the Mayor.

3. No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency, with special permission of the Mayor or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this subsection shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

Part 3

Restrictions on Size, Weight and Type of Vehicle and Load

§301. Vehicle Weight Limits Established on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

<u>Street or Bridge</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
(All other streets in the Borough)		25,000 lbs.
Case St.	Entire length	15,000 lbs.
Old Freedom-Rochester Rd.	Entire length	45,000 lbs.
Stewart Ave.	Entire length	45,000 lbs.

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of one hundred fifty dollars (\$150.00) plus one hundred fifty dollars (\$150.00) for each five hundred (500) pounds, or part thereof, in excess of three thousand (3,000) pounds over the maximum allowable weight, and costs.

(Ord. 263, 4/7/1992)

§302. Restrictions on Size of Vehicles on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

<u>Street or Bridge</u>	<u>Between</u>	<u>Restrictions</u>
		(Reserved)

2. Any person who violates any provision of this Section shall be prosecuted under §4902(a) and §4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of seventy-five dollars (\$75.00) and costs.

(Ord. 263, 4/7/1992)

§303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of

the restriction prescribed below for that bridge or street or part of street.

<u>Street or Bridge</u>	<u>Between</u>	<u>Restrictions</u>
	(Reserved)	

2. Any person who violates any provision of this Section shall be prosecuted under §4902(b) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00) and costs.
 (Ord. 263, 4/7/1992)

§304. Truck Traffic Restricted on Certain Streets.

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

<u>Street</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
(All other streets in the Borough)		20,000 lbs.
Case St.	Entire length	15,000 lbs.

Provided: nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs.

(Ord. 263, 4/7/1992)

Part 4

General Parking Regulations

§401. Vehicles to be Parked Within Marked Spaces. Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise. (Ord. 263, 4/7/1992)

§402. Parking Prohibited at All Times in Certain Locations. Parking shall be prohibited at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
(All bridges within the Borough and in front of Firehouse bays.)		
Canton St.	Both	Pine Ave. and Borough line
Canton St.	Both	East Rochester-Rochester Borough lines and Atlas Ave.
Canton St.	East	Pine Ave. and a pt. 50' north
Canton St.	West	Pine Ave. and a pt. 50' north
Case St.	Both	Ohio River Blvd. (Rt. 65) and Pine Ave.
Case St.	North	Pine Ave. and Borough line
Case St.	East	From Borough line south to Atlas Ave., Atlas Ave. south to Pine Ave., and south to Rochester Plaza exit
Case St.	West	From Ohio River Blvd. (Rt. 65) north to a pt. opposite intersection with Atlas Ave.
Case St.	Both	Ohio River Blvd. (Rt. 65) and Pine Ave.
Case St.	North	Pine Ave. and Rochester Borough line
Fifth St.	West	Lacock Ave. and a pt. 100' south
Fifth St.	East	Spruce Ave. and a pt. 150' north
Fifth St.	East	South boundary line of Lacock Dwellings north to Lacock Dwellings exit, and from a pt. beginning 50' north of the Lacock Dwellings north to a pt. where the southern line of Stewart Ave. if projected across Fifth St. would intersect the east line of Fifth St.
Lacock Ave.	Both	Entire length
Lacock Ave.	Both	Ohio River Blvd. (Rt. 65) and Spruce St.
Lacock Ave.	South	Eastern and western intersections with Spruce Ave.
Lacock Ave.	North	Spruce St. and Ohio River Blvd. (Rt. 65)
Lincoln St.	Both	For a distance of 100' southeast from Borough line

<u>Street</u>	<u>Side</u>	<u>Between</u>
Lincoln St.	West	East Rochester-Rochester Borough lines and Atlas Ave.
Lincoln St.	East	East Rochester-Rochester Borough lines and south for a distance of 50' and from intersection with Atlas Ave. north for a distance of 50'
Oak Ave.	Northwest	Ohio River Blvd.(Rt. 65) and Fifth St.
Oak Ave.	North	825 Oak Ave. and 832 Oak Ave.
Oak Ave.	South	825 Oak Ave. and 832 Oak Ave.
Ohio River Blvd.(Rt. 65)	North	For a distance of 50' southeast from intersection with Ohio River Blvd. (Rt. 65)
Ohio River Blvd.(Rt. 65)	---	Lacock Ave. and a pt. 50' east
Pine Ave.	North	Canton St. and a pt. 50' west
Pine Ave.	South	Canton St. and a pt. 50' west
Seventh St.	West	Linton Ave. Lacock Ave.
Sixth St.	West	Sixth St. and a pt. 200' south.
Spruce Ave.	Both	For a distance of 200' northwest from intersection with Walnut Ave.
Spruce Ave.	North	Lacock Ave. south to a pt. opposite the southern line of Lacock Ave. if said line were to be extended across Spruce Ave.
Spruce Ave.	North	Lacock Ave. and a pt. 10' north of the Municipal Building
Stewart Ave.	South	Curtland St. and Fifth St.

(Ord. 263, 4/7/1992)

§403. Parking Prohibited in Certain Locations Certain Days and Hours. Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

<u>Street</u>	<u>Side</u>	<u>Between</u>
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(Reserved)

(Ord. 263, 4/7/1992)

§404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations. It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets, any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

<u>Street</u>	<u>Between</u>
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(Reserved)

(Ord. 263, 4/7/1992)

§405. Parking Time Limited in Certain Locations Certain Days and Hours. No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>
		(Reserved)		

(Ord. 263, 4/7/1992)

§406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited. The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked, in any such zone, except as specifically provided for that zone:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Authorized Purpose or Vehicle</u>
Ohio River Blvd. (Rt. 65)	North	From northwest intersection of Case St. for a distance of 60'	Bus Stop
	North	From northwest intersection of Lacock Ave. for a distance of 60'	Bus Stop
	North	From southeast intersection of Oak Ave. for a distance of 60'	Bus Stop
	North	From southeast intersection of Stewart Ave. for a distance of 60'	Bus Stop
	South	From a pt. opposite the northwest intersection of Case St. which extends for a distance of 60'	Bus Stop
	South	From a pt. opposite the northwest intersection of Lacock Ave. which extends for a distance of 60'	Bus Stop
	South	From a pt. opposite the southeast intersection of Oak Ave. which extends for a distance of 60'	Bus Stop
	South	From a point opposite the southeast intersection of Stewart Ave. which extends for a distance of 60'	Bus Stop

(Ord. 263, 4/7/1992)

§407. Standing or Parking on Roadway for Loading or Unloading. It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9:00 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4:00 p.m., and for no longer than necessary for the loading or unloading.

Street Side Between

(Reserved)

(Ord. 263, 4/7/1992)

§408. Penalties. Any person who violates any provision of this Part shall, upon conviction, be sentenced to pay a fine of not more than fifteen dollars (\$15.00) and costs. (Ord. 263, 4/7/1992)

Part 5

Removal and Impoundment of Illegally Parked Vehicles

§501. Applicability and Scope. This Part is enacted under authority of §6109(a-22) of the Vehicle Code, and gives authority to the Borough to remove and impound those vehicles which are parked in a tow away zone and in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others, may be towed under the provisions of the Pennsylvania Vehicle Code. (Ord. 263, 4/7/1992)

§502. Authority to Remove and Impound. The Borough shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally, provided that the circumstances of its parking were within the conditions stated in §501 of this Part. Provided: no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code. (Ord. 263, 4/7/1992)

§503. Tow Away Zones Designated. The following designated streets and/or parking lots are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of the Borough parking regulations:

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Parking Lot</u>

(Reserved)

(Ord. 263, 4/7/1992)

§504. Designation of Approved Storage Garages; Bonding; Towing and Storage. Removal and impounding of vehicles under this Part shall be done only by "approved storage garages" that shall be designated from time to time by Borough Council. Every such garage shall submit evidence to Borough Council that it is bonded or has acquired liability insurance in an amount satisfactory to Borough Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Borough Council its schedule of charges for towing and storage of vehicles under this Part, and, when the schedule is approved by Borough Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. Borough Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Part. (Ord. 263, 4/7/1992)

§505. Payment of Towing and Storage Charges. The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded. (Ord. 263, 4/7/1992)

§506. Reclamation Costs. In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a twenty-five dollar (\$25.00) fee of which ten dollars (\$10.00) shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken. (Ord. 263, 4/7/1992)

§507. Records of Vehicles Removed and Impounded. The Borough shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle. (Ord. 263, 4/7/1992)

§508. Restrictions upon Removal of Vehicles. No vehicle shall be removed under the authority of this Part or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately. (Ord. 263, 4/7/1992)

§509. Penalty for Violation. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of fifty dollars (\$50.00) together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §7301 et seq. (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. (Ord. 263, 4/7/1992)

§510. Reports and Disposition of Unclaimed Vehicles. If after a period of fifteen (15) days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with §7311 of The Vehicle Code, by the person having legal custody of the vehicle. If the vehicle has not been claimed after thirty (30) days, the vehicle may be transferred to a licensed Salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Pennsylvania Motor Vehicle Code (75 Pa C.S.A. §110 et seq., as amended). (Ord. 263, 4/7/1992)

Part 6

Snow and Ice Emergency

§601. Declaration of Snow and Ice Emergency. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in §903 of this Part, the Chairman of Street Committee, in his discretion, may declare a snow and ice emergency (designated in this Part 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 on the termination of the emergency may be given by use of the same media. (Ord. 263, 4/7/1992)

§602. Parking Prohibited, Driving Motor Vehicles Restricted, on Snow Emergency Routes During Emergency. After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

A. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in §603 of this Part.

B. To drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

(Ord. 263, 4/7/1992)

§603. Snow Emergency Routes Designated. The following are designated as snow emergency routes:

<u>Street</u>	<u>Between</u>
	(Reserved)

(Ord. 263, 4/7/1992)

§604. Penalty for Violation.

1. If, at any time during a period of snow emergency declared under §501 of this Part, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not more than fifteen (\$15.00) dollars and costs.

2. If, at any time during a period of snow emergency declared under §501 of this Part, a person shall drive a motor vehicle upon a snow emergency route, without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs.

(Ord. 263, 4/7/1992)

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Section 10

1001. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

1002. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

1003. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

1004. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

(continued)

(11)

Section 11

1101. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

1102. Definition of New and Old Machinery. In order to facilitate the operation of this act, the Board of Trade and the Board of Supervisors, in their respective reports, shall define the terms "new machinery" and "old machinery" as used in this act. The Board of Trade shall also define the term "new machinery" as used in this act. The Board of Supervisors shall also define the term "new machinery" as used in this act. The Board of Trade and the Board of Supervisors shall also define the term "old machinery" as used in this act.

(12)

Part 7

Regulation of Pedalcycles and Non-motorized Vehicles

§701. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited.

1. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along the following portions of the streets in the Borough:

<u>Street</u>	<u>Side</u>	<u>Between</u>
Within Rochester Plaza		
Shopping Center		

2. Any person who violates any provision of this §701 shall, upon conviction, be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. 263, 4/7/1992)

§702. Restrictions on Use of Pushcarts.

1. The word "pushcart", as used in this §702, shall mean a vehicle, including a pedalcycle, propelled solely by human power, and used or intended for use for the display, transport, exhibit or sale of goods, wares or merchandise.

2. It shall be unlawful for any person to propel a pushcart upon any sidewalk in any business district except as necessary to move the pushcart to a location from which it is to be loaded or unloaded or from which goods, wares or merchandise are to be sold or dispensed under permit from Borough Council as provided in subsection (3) of this §702.

3. It shall be unlawful for any person to park a pushcart upon any sidewalk except for the purpose of selling or dispensing from that pushcart goods, wares or merchandise to passersby under permit from Borough Council. Every such permit shall be issued to the person making application for the permit, upon payment of a fee, which shall be for the use of the Borough, set by the Borough Council pursuant to a Resolution. The permit shall be granted to the applicant, upon payment of the fee, and upon his signing an agreement with Borough Council that he shall be bound by the conditions imposed by Borough Council and made a part of the permit, dealing with the following matters:

A. Restricting or limiting the parking of the pushcart to one (1) or more stated locations upon the sidewalk and to stated days and hours at each location.

B. Stating requirements to be adhered to in connection with the disposal of garbage and refuse resulting from the operations carried on.

C. Requiring that there be no violation of any law, Chapter or regulation pertaining to health, sanitation and the handling of food or drink.

4. Any person who violates any provision of this Section, or any condition of any permit granted under this §702, shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs.

(Ord. 263, 4/7/1992)

§703. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.

1. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Borough, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of §105 of Part 1 or §216 of Part 2 of this Chapter. Provided: nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.

2. It shall be unlawful for any person to engage in roller-skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:

A. Any street except in order to cross the roadway.

B. Any sidewalk located in a business district, except that nothing in this paragraph shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.

3. Any person who violates any provision of this §703 shall, upon conviction, be sentenced to pay a fine of fifteen (\$15.00) dollars and costs.

(Ord. 263, 4/7/1992)