

Borough of Newburg  
Cumberland County, Pennsylvania

Ordinance No. 2012- 00261

AN ORDINANCE OF THE BOROUGH OF NEWBURG, CUMBERLAND COUNTY, PENNSYLVANIA, ESTABLISHING PARKING REGULATIONS; REGULATING PARKING ALONG MAIN STREET; ESTABLISHING NO PARKING AREAS ALONG MAIN STREET AT ITS INTERSECTION WITH N. HIGH STREET, S. HIGH STREET, N. WATER STREET AND S. WATER STREET; AND ESTABLISHING ENFORCEMENT PROCEDURES AND PENALTIES FOR PARKING VIOLATIONS

WHEREAS, the Borough, pursuant to 53 P.S. §46202(6) and (74) of the Borough Code, as amended, has the authority to adopt ordinances necessary for the safety and general welfare in the Borough; and

WHEREAS, the Borough, pursuant to 75 Pa. C.S.A. § 6109(a) of the Vehicle Code of the Commonwealth of Pennsylvania, as amended, has the authority to regulate or prohibit parking; and

WHEREAS, Borough Council deems it in the best interest of the Borough to establish parking regulations restricting parking in certain locations throughout the Borough; and

WHEREAS, the parking of vehicles on Main Street at its intersections with North and South High Street and North and South Water Street limits the sight distance for vehicles turning onto Main Street; and

WHEREAS, Borough Council deems it in the best interest of the Borough to regulate parking along Main Street and to establish no parking areas along Main Street at its intersection with N. High Street, S. High Street, N. Water Street and S. Water Street.

NOW THEREFORE, Be it Enacted and Ordained and it is hereby adopted by the Newburg Borough Council as follows.

Section 1. The preamble recited above is incorporated by reference herein.

Section 2. Parking prohibited in certain places within the Borough

Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle or in compliance with the law or the directions of a police officer or official traffic control device, no person shall:

- A. Park a vehicle at any place where official signs prohibit standing or parking.
- B. Park a vehicle on private property without the consent of the owner or other person in control or possession of the property except in the case of an emergency or disablement

of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible.

- C. Park a vehicle on the roadway side of any vehicle stopped or parked at the edge or curb of a street, except that a pedacycle may be parked on the roadway abreast of another pedacycle or pedacycles near the side of the roadway at any location where parking is allowed.
- D. Park a vehicle on a sidewalk.
- E. Park a vehicle on a crosswalk.
- F. Park a vehicle with the left-hand wheels nearest the curb, i.e., park against traffic.
- G. Park a vehicle in front of a public or private driveway.
- H. Park a vehicle within 15 feet of a fire hydrant.
- I. Park a vehicle alongside or opposite any street excavation or obstruction when parking would obstruct traffic.
- J. Park a vehicle within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the site of a roadway.
- K. Park a vehicle within 20 feet of a crosswalk at an intersection.
- L. Park a vehicle within an intersection.
- M. Park a vehicle with its side wheels more than 12 inches from the curb or, in the absence of a curb, with its side wheels not being as close as practicable to the edge of the shoulder, except as otherwise permitted.

### Section 3. Parking prohibited along Main Street

- A. Parking shall be prohibited along Main Street for all vehicles for a distance of 80 feet in the easterly direction along W. Main Street and 46 feet in the westerly direction along E. Main Street from the intersection of Main Street with N. High Street. The distance shall be measured from the centerline of N. High Street. The no parking section is shown on the attached plan, Exhibit A, which shall be a part of this Ordinance.
- B. Parking shall be prohibited along Main Street for all vehicles for a distance of 64 feet in the easterly direction along E. Main Street and 113 feet in the westerly direction along W. Main Street from the intersection of Main Street with S. High Street. The distance shall be measured from the centerline of S. High Street. The no parking section is shown on the attached plan, Exhibit B, which shall be a part of this Ordinance.

- C. Parking shall be prohibited along W. Main Street for all vehicles for a distance of 123 feet in the easterly direction and 71 feet in the westerly direction along W. Main Street from the intersection of W. Main Street with N. Water Street. The distance shall be measured from the centerline of N. Water Street. The no parking section is shown on the attached plan, Exhibit C, which shall be a part of this Ordinance.
- D. Parking shall be prohibited along W. Main Street for all vehicles for a distance of 68 feet in the easterly direction and 88 feet in the westerly direction along W. Main Street from the intersection of W. Main Street with S. Water Street. The distance shall be measured from the centerline of S. Water Street. The no parking section is shown on the attached plan, Exhibit D, which shall be a part of this Ordinance.
- E. The curbing along the above described no parking sections shall be painted yellow and signs giving notice of the parking restrictions shall be posted.
- F. Except for making local deliveries, tractors with trailers are prohibited from parking along Main Street. Signs giving notice of the parking restriction shall be posted.

Section 4. Vehicles to be parked within marked spaces on Main Street

On Main Street, the space for the parking of an individual vehicle shall be marked off on the street in white paint. Every vehicle parked on Main Street shall be parked wholly within the lines bounding that space.

- A. For any person to park a vehicle or allow it to remain parked not wholly within the marked space, i.e., to park any vehicle across any such line or marking, or to park any vehicle in such a position that such vehicle will not be within the area so designated by such lines or markings, shall be a violation of this Ordinance.
- B. Signs giving notice that parking must be within the marked spaces shall be posted.

Section 5. Parking in the first two marked spaces at the intersections of Main Street with North and South High Street and North and South Water Street limited to coupe/sedan vehicles

At the intersections of (1) W. Main / E. Main Street with N. High Street; (2) W. Main / E. Main Street with S. High Street; (3) W. Main Street with N. Water Street; and (4) W. Main Street with S. Water Street, for the first two marked spaces after the posted no parking zone, in each direction, parking shall be limited to coupe/sedan or smaller size vehicles.

- A. Vehicles larger than a coupe or sedan, to include but not limited to station wagons, mini-vans, full size vans, sport utility vehicles, pickup trucks and trucks are prohibited from parking in these first two marked spaces.
- B. Signs giving notice of the parking restrictions shall be posted.

Section 6. Enforcement of Ordinance and penalties for parking violations

- A. This Ordinance shall be enforced by a parking enforcement officer who shall be designated by resolution of Borough Council. Such parking enforcement officer shall be considered a "law enforcement officer" as that term is defined in the Pennsylvania Rules of Criminal Procedure.
- B. For violations of this Ordinance, the parking enforcement officer shall either hand to the driver of the vehicle or attach to the windshield of the vehicle, a parking ticket or notice of the violation informing the driver that the vehicle was parked in violation of this Ordinance. The parking ticket shall provide the following information:
- 1) the section of the Ordinance violated
  - 2) the license number of the vehicle involved in such violation
  - 3) the location where such violation took place
  - 4) the time of such violation
  - 5) any other facts regarding the circumstances of the violation
- C. The parking ticket shall contain instructions informing the owner or driver of the vehicle of the opportunity to avoid criminal proceedings by paying to the Borough Treasurer \$15.00 within 120 hours after the time the parking ticket was issued, or mailing such amount to the Borough Office within such time period. Payment of \$15.00 within the 120 hours of the issuance of the parking ticket shall save the owner of the vehicle from prosecution and from the additional payment of the costs of prosecution.
- D. If the \$15.00 is not paid or mailed within the 120 hours after the parking ticket was issued, the Mayor shall institute with the local Magisterial District Judge summary criminal proceedings against the owner of the vehicle for a fine of \$50.00 plus the costs of prosecution.

Section 7. The signs required to be posted by this Ordinance and their location shall be in accordance with the regulations of the Pennsylvania Department of Transportation.

Section 8. All other Newburg Borough ordinances or parts of ordinances inconsistent herewith are expressly repealed.

Section 9. In the event that any provision, section, sentence, clause or portion of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or portion of this Ordinance, it being the intent that such remainder shall remain in full force and effect.

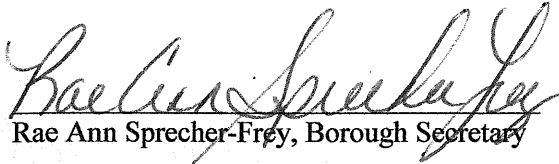
Section 10. This Ordinance shall be effective within five business days after enacted except for Sections 3 through 5 which each shall take effect upon the applicable marking of the curb and street, and the placement of the signs giving notice of their respective restrictions.

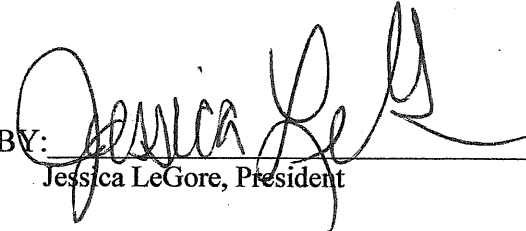
Section 11. Savings Clause. In all other respects, the ordinances of the Borough of Newburg shall remain as previously enacted and ordained.

ENACTED AND ORDAINED by the Borough Council of the Borough of Newburg into law this 17th day of September, 2012.

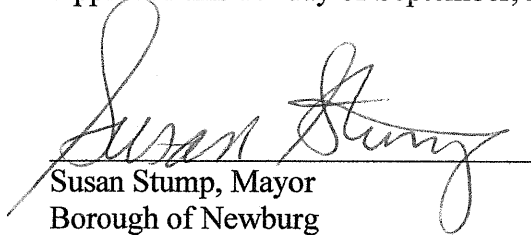
ATTEST:

BOROUGH OF NEWBURG

  
Rae Ann Sprecher-Frey, Borough Secretary

BY:   
Jessica LeGore, President

Approved this 17<sup>th</sup> day of September, 2012.

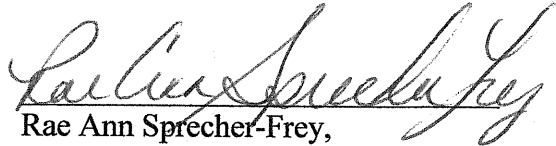
  
Susan Stump, Mayor  
Borough of Newburg



CERTIFICATION

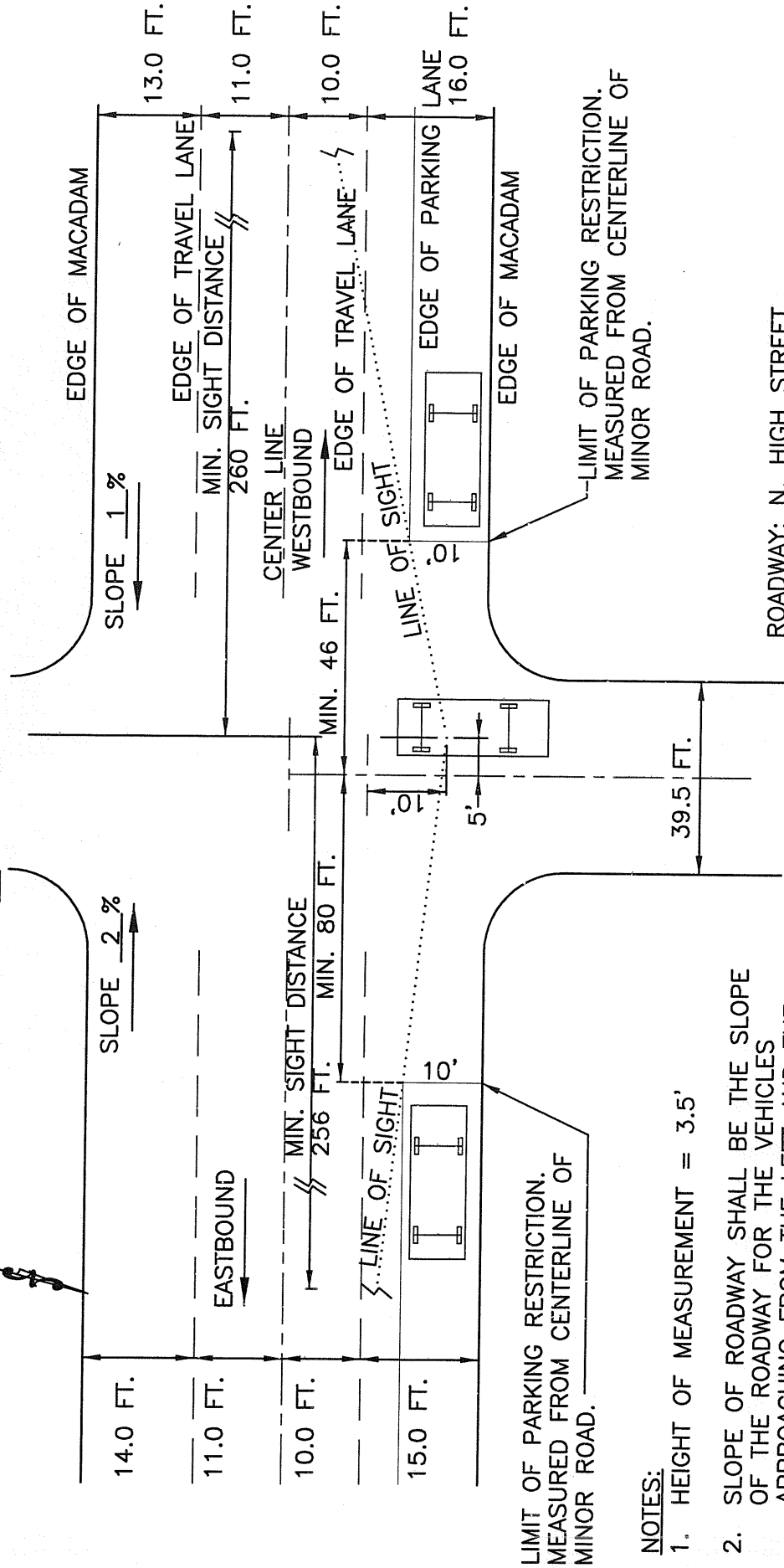
The undersigned hereby confirms that she is the duly appointed Secretary of the Borough of Newburg, Cumberland County, Pennsylvania, and that a summary of the foregoing Ordinance was duly advertised in The Sentinel on Saturday, September 10, 2012, a newspaper of general circulation, and was duly enacted by Borough Council at its regular meeting held on Monday, September 17, 2012 which meeting was duly called and at which time a quorum was present and acting throughout, and that said Ordinance has not been revoked or amended.

Dated: 9-17-12

  
Rae Ann Sprecher-Frey,  
Borough Secretary

# PARKING RESTRICTION EXHIBIT A

ROADWAY: W. MAIN STREET / E. MAIN STREET  
 SPEED LIMIT: 35 MPH



LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

ROADWAY: N. HIGH STREET

**NOTES:**

1. HEIGHT OF MEASUREMENT = 3.5'
2. SLOPE OF ROADWAY SHALL BE THE SLOPE OF THE ROADWAY FOR THE VEHICLES APPROACHING FROM THE LEFT AND THE RIGHT. A POSITIVE SLOPE INDICATES AN APPROACHING VEHICLE TRAVELING UP HILL.

**WM. F. HILL & ASSOC., INC.**  
 PROFESSIONAL ENGINEERS  
 CIVIL ♦ MUNICIPAL ♦ ENVIRONMENTAL  
 GETTYSBURG, PA 17325  
 PH. (717) 334 - 9137

PLAN PREPARATION	
DRAWN BY:	DATE:
DESIGNED BY:	CHECKED BY:
ENVY	ENVY

REVISIONS	
NO.	DATE
1	08/13/12
DESCRIPTION	
REVISED TO REFLECT PARKING LANE	

EXHIBIT A - PARKING RESTRICTION  
MAIN STREET / N. HIGH STREET

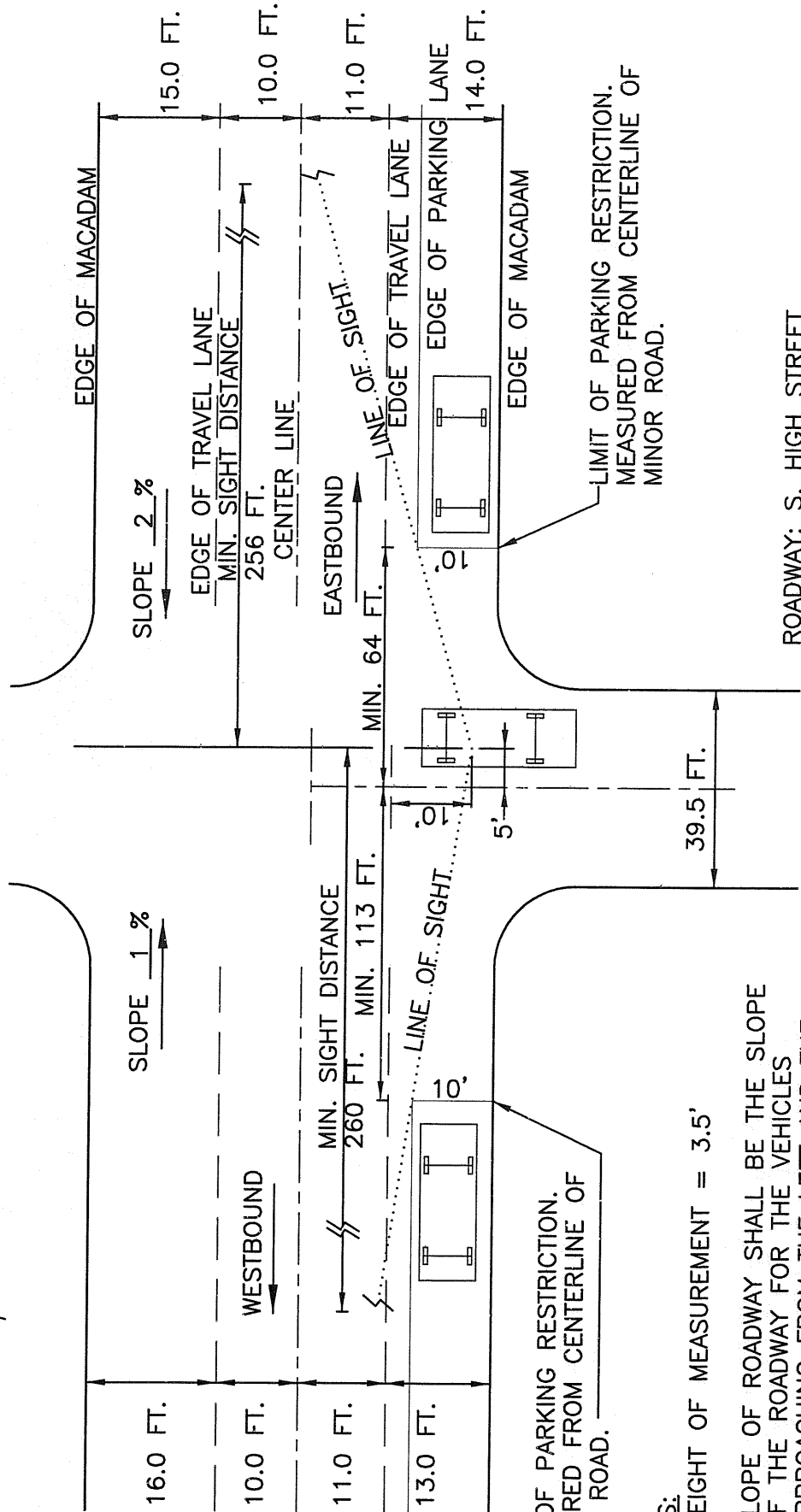
NEWBURG BOROUGH  
 NEWBURG BOROUGH, CUMBERLAND COUNTY, PA

SCALE  
 AS SHOWN

SHEET NO.  
 1 OF 1

# PARKING RESTRICTION EXHIBIT B

ROADWAY: W. MAIN STREET / E. MAIN STREET  
 SPEED LIMIT: 35 MPH



ROADWAY: S. HIGH STREET

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

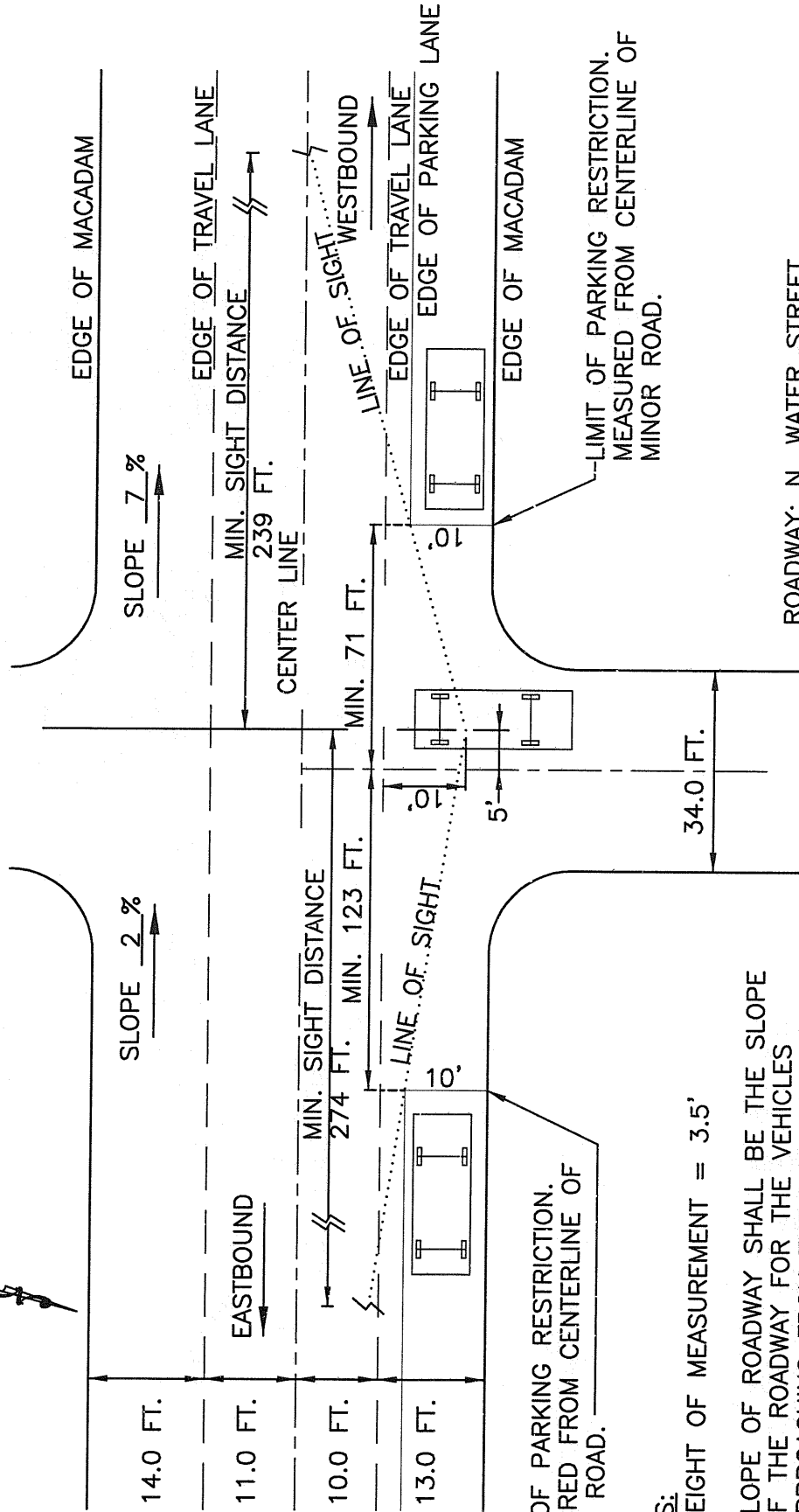
- NOTES:**
- HEIGHT OF MEASUREMENT = 3.5'
  - SLOPE OF ROADWAY SHALL BE THE SLOPE OF THE ROADWAY FOR THE VEHICLES APPROACHING FROM THE LEFT AND THE RIGHT. A POSITIVE SLOPE INDICATES AN APPROACHING VEHICLE TRAVELING UP HILL.

<b>WM. F. HILL &amp; ASSOC., INC.</b> PROFESSIONAL ENGINEERS CIVIL & MUNICIPAL ENGINEERS ENVIRONMENTAL GETTYSBURG, PA 17325 PH. (717) 334-9137		PLAN PREPARATION DRAWN BY: FSI DATE: 06/15/12 DESIGNED BY: EMV CHECKED BY: EMV	REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">NO.</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">DESCRIPTION</th> </tr> <tr> <td>1</td> <td>06/13/12</td> <td>REVISED TO REFLECT PARKING LANE</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	06/13/12	REVISED TO REFLECT PARKING LANE	EXHIBIT B - PARKING RESTRICTION MAIN STREET / S. HIGH STREET NEWBURG BOROUGH NEWBURG BOROUGH, CUMBERLAND COUNTY, PA	SCALE AS SHOWN SHEET NO. 1 OF 1
NO.	DATE	DESCRIPTION									
1	06/13/12	REVISED TO REFLECT PARKING LANE									



# PARKING RESTRICTION EXHIBIT C

ROADWAY: W. MAIN STREET  
 SPEED LIMIT: 35 MPH



ROADWAY: N. WATER STREET

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

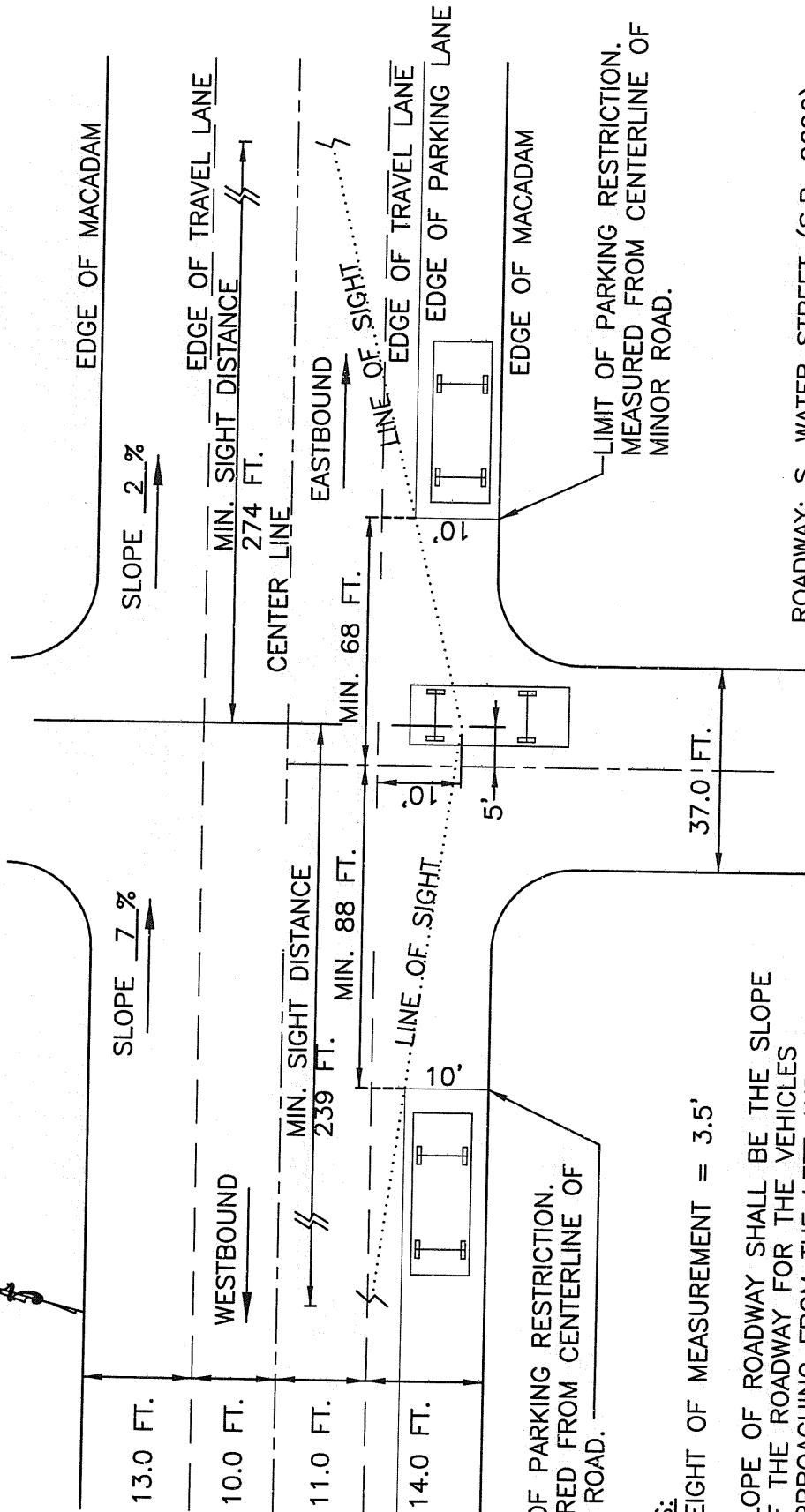
**NOTES:**

1. HEIGHT OF MEASUREMENT = 3.5'
2. SLOPE OF ROADWAY SHALL BE THE SLOPE OF THE ROADWAY FOR THE VEHICLES APPROACHING FROM THE LEFT AND THE RIGHT. A POSITIVE SLOPE INDICATES AN APPROACHING VEHICLE TRAVELING UP HILL.

<b>WM. F. HILL &amp; ASSOC., INC.</b> PROFESSIONAL ENGINEERS CIVIL ♦ MUNICIPAL ♦ ENVIRONMENTAL GETTYSBURG, PA 17325 PH. (717) 334-9137		PLAN PREPARATION DRAWN BY: FSI DATE: 06/15/12 DESIGNED BY: BMV CHECKED BY: BMV		REVISIONS NO. DATE DESCRIPTION 1 06/13/12 REVISED TO REFLECT PARKING LANE		EXHIBIT C - PARKING RESTRICTION MAIN STREET / N. WATER STREET NEWBURG BOROUGH NEWBURG BOROUGH, CUMBERLAND COUNTY, PA		SCALE AS SHOWN	SHEET NO. 1 OF 1

# PARKING RESTRICTION EXHIBIT D

ROADWAY: W. MAIN STREET  
 SPEED LIMIT: 35 MPH



ROADWAY: S. WATER STREET (S.R. 0696)

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

LIMIT OF PARKING RESTRICTION. MEASURED FROM CENTERLINE OF MINOR ROAD.

**NOTES:**

1. HEIGHT OF MEASUREMENT = 3.5'
2. SLOPE OF ROADWAY SHALL BE THE SLOPE OF THE ROADWAY FOR THE VEHICLES APPROACHING FROM THE LEFT AND THE RIGHT. A POSITIVE SLOPE INDICATES AN APPROACHING VEHICLE TRAVELING UP HILL.

<b>WM. F. HILL &amp; ASSOC., INC.</b> PROFESSIONAL ENGINEERS CIVIL ♦ MUNICIPAL ♦ ENVIRONMENTAL GETTYSBURG, PA 17325 PH. (717) 334 - 9137		PLAN PREPARATION DRAWN BY: PSI DESIGNED BY: EMV		REVISIONS NO. DATE DESCRIPTION 1 06/13/12 REVISED TO REFLECT PARKING LANE		EXHIBIT D - PARKING RESTRICTION MAIN STREET / S. WATER STREET	SCALE AS SHOWN
		DATE: 06/15/12 CHECKED BY: EMV				NEWBURG BOROUGH NEWBURG BOROUGH, CUMBERLAND COUNTY, PA	SHEET NO. 1 OF 1