

**BOROUGH OF NORTH EAST
ORDINANCE NO. 912**

**AN ORDINANCE REPEALING ORDINANCE NO. 887 AND ALL
OF THE SUBSEQUENT AMENDMENTS TO ORDINANCE NO. 887
INCLUDING BUT NOT LIMITED TO ORDINANCES NOS. 890 AND 895,
AND RESTATING IN ITS ENTIRETY AN ORDINANCE
PROVIDING FOR THE ACQUISITION, INSTALLATION,
AND REGULATION OF PARKING METERS;
PROVIDING FOR THE PARKING ON CERTAIN STREETS;
AUTHORIZING THE USE OF PARKING METERS THEREUPON
AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF**

PREAMBLE

WHEREAS, on July 5, 2016, the Borough of North East enacted Ordinance 887 entitled "AN ORDINANCE REPEALING ORDINANCE NPO. 403 AND ALL OF THE SUBSEQUENT ADMENDMENST TO ORDINANCE NO. 403 INCLUDING BUT NOT LIMITED TO ORDINANCE NOS. 406, 441, 640, 646, 740, AND770, AND RESTATING IN ITS ENTIRETY AN ORDINANCE PROVIDING FOR THE ACQUISITION,INSTALLATION, AND REGULATION OF PARKING METER; PROVIDING FOR THE PARKING ON CERTAIN STREETS; AUTHORIZING THE USE OF PARKING METERS THEREUPON ANF PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF";

WHEREAS, Ordinance No. 887 has been amended over the years by various Ordinances including but not limited to Ordinance No. 890 and Ordinance No. 895;

WHEREAS, the Borough of North East desires to repeal Ordinance 887 and any other Ordinance relating to the regulation of parking meters and to restate all of such Ordinances in this Ordinance.

THEREFORE, BE IT ORDAINED AND ENACTED, by the corporate authorities of the Borough f North East, Erie County, Pennsylvania, and it is hereby enacted by the authority of the same that Ordinance 887 and all other Ordinances pertaining to the acquisition, installation, and regulation of parking meters are hereby repealed and restated in their entirety as follows;

SECTION 1: Parking Meter Operation

The Borough of North East hereby authorizes the North East Streets Department to remove all parking meters installed upon the streets or parts of streets within the Borough limits. All parking within Borough limits, except for the North East Borough owned Municipal Lot which allows for Permit Parking within designated areas, will become non-metered or free parking areas. Parking throughout the Borough of North East will continue to be non-metered until such time as Borough Council chooses to re-institute the program.

SECTION 2: Manner of Parking

When parking in any parking space within all designated parking zones throughout the Borough, the following guidelines must be followed:

- A. When a parking space in any parking zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked within the provided parking lines to designate the space and remain as close to the curb, sidewalk or berm without encroaching or mounting the curb, sidewalk or berm in any manner.
- B. When a parking space in any parking zone is diagonal to a curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to the curb, sidewalk or berm without encroaching or mounting the curb, sidewalk or berm.

SECTION 3: Violations

If any vehicle is parked within a parking zone during a time in which is prescribed by local Ordinance and detailed by street signage within that parking zone, will be in violation of this Ordinance and punishable as herein set forth:

It shall be unlawful and a violation of the provisions of this Ordinance for any person to:

- A. Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking zone.
- B. Park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.
- C. Park within the designated permit parking only area without the appropriate placard. Permit holders are provided a placard for their vehicle designation the year and space number in which they are permitted to park exclusively. Vehicles that are parked within these designated spaces that do not have such placard will be considered in violation of this Ordinance.

SECTION 4: Report of Violations: Citations

It shall be the duty of the police officers of the Borough of north East and such other persons as may be designated and authorized by the Chief of Police, acting in accordance with instructions issued by the Chief of Police, to report:

- A. The location of each vehicle which is parked in violation of any of the provisions of this article.

- B. The state license number of such vehicle.
- C. The length of time during which such vehicle is parked in violation of any provisions of this Ordinance at the time of his inspection, if known.
- D. Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- E. Both Borough of North East Police Officers and Borough of North East parking enforcement personnel are hereby authorized to enforce this Ordinance and are granted the authority to issue citations not violators.

SECTION 5: General Provisions

- A. Temporary suspension of provisions. The provisions of this Ordinance may be suspended by the Borough Manager and he/she may prescribe temporarily such other rules and regulations as traffic conditions may require.
- B. Erection of signs. The Borough Manager is authorized to erect or cause to be erected appropriate signs notifying the operators of motor vehicles of the provisions of this Ordinance.
- C. Special parking designations. The Borough Manager, in concurrence with the North East Police Department and the North East Streets Department, may designate certain parking spaces within any parking zone as Fifteen Minute (15) Parking as signified by a placard or street sign. This special designation is for spaces that are reserved for short-term pick up or delivery to applicable businesses. Businesses that would like to designate a space in front of their business as a short-term or designated Fifteen Minute (15) parking space, must request their intent to designate a space as short-term in writing addressed to the Borough Manager. The Borough Manager, North East Police Department and North East Streets Department will review each request and determine if a space is granted. Annually the Borough Manager, North East Police Department and North East Streets Department will review the need and validity of each short-term space granted and determine whether or not this space should be considered for continuation or removal of short-term or designated Fifteen Minute (15) parking.

SECTION 6: Parking Zones Established

- A. On-street parking Zone I. Parking zones are hereby established upon the street or parts of the street(s) described below with maximum parking time periods as indicated on all days during the hours of 6:01am to 2:59am.

Parking at any designated public parking space in Zone I is prohibited between the hours of 3:00am to 6:00am.

1. West Main Street from Lake Street to Pearl Street.
2. East Main Street from Lake Street to a point one-thousand feet (1,000) East of Vine Street.
3. North Lake Street from Main Street to Gibson Street.
4. South Lake Street from Main Street to Grant Street.
5. Gibson Street from North Lake Street to Park Street.
6. Park Street from Main Street to Gibson Street.
7. Vine Street from East Main Street to Grant Street.

B. On-street parking Zone II. Parking zones are hereby established upon the street or parts of street(s) described below with maximum parking time periods as indicated on all days during the hours of 6:01am to 2:59am.

1. Clinton Street from South Lake Street to South Pearl Street.
2. South Pearl Street from Wall Street to Clinton Street.
3. South Pearl Street (East Side) from Clinton Street to a point approximately sixty-five (65) feet South of Clinton Street

C. Off-highway parking areas are hereby established in the North East Borough Municipal Parking Lot on Vine Street with maximum parking time periods as indicated on all days during the hours of 8:00am to 6:00pm, except those spaces designated as permit parking only. The Borough of North East may increase or decrease the number of permit parking spaces within the Municipal Parking Lot or any Borough-managed and maintained Street at the discretion of the Borough Manager.

SECTION 7: Severability

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not Affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION 8: Repealer; Effect

- A. All previous Ordinances of the Borough of north East pertaining to the regulation of public parking, previously noted as legislation pertaining to parking meters, including but not limited to Ordinance Nos. 887, 890, and 895, are hereby repealed.
- B. The repeal of Ordinances provided for in Subsection A above shall not affect or prevent the prosecution or punishment of any person for any act

done or liability incurred in violation of any Ordinance or regulation in force immediately prior to the taking effect of this Ordinance.

- C. The provisions of this Ordinance insofar as they are the same as those of Ordinances and regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and regulations and not as new enactments.

SECTION 9: Enforcement

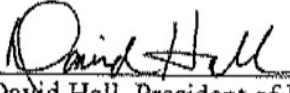
Any violation of the provisions of this Ordinance will be subject to a ticket of up to \$50.00 per occurrence. The Borough may also tow and impound a vehicle if found to be in violation of the provisions of this Ordinance and impede the ability of the Borough perform its maintenance of the streets within the Borough or jeopardize the health, safety and welfare of the Borough residents or businesses. All costs and fees incurred by the Borough for towing a vehicle, impounding a vehicle and releasing said vehicle found to be in violation of this Ordinance will be the sole responsibility of the vehicle owner.

SECTION 10: Effective Date

The within Ordinance shall take effect immediately upon passage.

ENACTED INTO AN ORDINANCE THIS 4TH OF MAY, 2020

THE BOROUGH OF NORTH EAST



David Hall, President of Borough Council

ATTEST:



Patrick J. Gehrlein, Borough Manager

APPROVED THIS 4TH DAY OF MAY, 2020



Steven L. Gregory, Mayor