

ORDINANCE NO. 8 of 2017  
BOROUGH OF FORTY FORT

AN ORDINANCE OF THE BOROUGH OF FORTY FORT,  
AMENDING BOROUGH OF FORTY FORT CODE CHAPTER 15, PART 1,  
SECTION 15-402 - PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS

WHEREAS, the Borough of Forty Fort has previously enacted an Ordinance, No. 2009-8, whereby, inter alia, there were established certain locations on streets within the Borough of Forty Fort whereon the parking of vehicles was prohibited at all times; the said provisions of Ordinance No. 2009-8 now being codified and appearing in the Borough of Forty Fort Code as Chapter 15, Part 1, Section 15-402 - Parking Prohibited at All Times in Certain Locations; and

WHEREAS, in the course of its undertaking of a project to pave and rehabilitate certain streets and/or roadways within the Borough it became necessary for the Borough to obtain certain "Highway Occupancy Permits" from the Commonwealth of Pennsylvania Department of Transportation (hereinafter "Penn-D.O.T. "); and

WHEREAS, Highway Occupancy conditional, inter alia, on the amending of the Borough's parking regulations to meet current Penn-D.O.T. regulations for parking on Commonwealth owned roadways and/or highways and on roadways and/or highways intersecting with Commonwealth owned roadways and/or highways; and

WHEREAS, Chapter 15, Part 1, Section 15-102 of the Forty Fort Code provides that "All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this Chapter, except where the law specifically authorizes less formal action.", thereby rendering the passage of an ordinance necessary in order to prohibit the parking of vehicles at all times in specified locations; and

WHEREAS, the Borough Council of the Borough of Forty Fort deems it to be in the best interests of the health, safety and welfare of the residents of, and visitors to, the Borough of Forty Fort, to prohibit the parking of vehicles at all times at the locations set forth on the list attached hereto, made a part hereof and incorporated herein as if the same were more fully set forth herein at length;

NOW, THEREFORE, the Borough of Forty Fort, Luzerne County, Pennsylvania does hereby amend Chapter 15, Part 1, Section 15-402 - Parking Prohibited at All Times in Certain Locations as hereinafter set forth:

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Forty Fort, Luzerne County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same that:

Section 1:

Chapter 15, Part 1, Section 15-402 of the Borough of Forty Fort Code is hereby amended to include within its parking prohibitions the parking of vehicles at all times at the locations set forth on the list attached hereto as Exhibit "A", made a part hereof and incorporated herein as if the same were more fully set forth herein at length.

Section 2:

The Borough of Forty Fort Street Department is hereby directed, in cooperation and consultation with the Borough of Forty Fort Police Department, to erect such signage as may be required by law in order to properly effect the prohibition of the parking of vehicles as provided for in this Ordinance.

Section 3:


Except as the same are amended by the addition of the prohibited parking location provided for in this Ordinance, all of the terms and provisions of the Borough of Forty Fort Code, Chapter 15, Part 1, Section 15-402 shall be and remain in full force and effect.


Section 4:

This Ordinance shall become effective immediately upon its enactment and adoption by Borough Council and shall be immediately enforceable as provided by law by the Borough of Forty Fort Borough Police Department upon the erection of such signage as is required by law in order to properly effect the parking of vehicles as provided for in this Ordinance.

ORDAINED AND ENACTED by the Borough Council of the Borough of Forty Fort, this 21<sup>ST</sup> day of August, 2017.

ATTEST:

  
Bonnie Arnone  
Borough Manager

  
Jeff McLaughlin, President  
Borough of Forty Fort Council

APPROVED this 21<sup>ST</sup> day of August, 2017

  
Andy Tuzinski, Mayor  
Borough of Forty Fort

**Street:** River Street (SR 1006)      **Side:** West      **Between:** Centerline Intersection of Minimum Use Access Driveway of Forty Fort Municipal Building for a Distance of 125 feet south.

**Street:** River Street (SR 1006)      **Side:** West      **Between:** Centerline Intersection of Minimum Use Access Driveway of Forty Fort Municipal Building for a Distance of 148 feet north.

EXHIBIT "A"