

ORDINANCE NO. 523

**An Ordinance amending Chapter 237 of the Code of the Borough of Danville
entitled VEHICLES AND TRAFFIC.**

SECTION I:

**Chapter 237 of the Code of the Borough of Danville is hereby amended and enacted
as follows:**

Chapter 237. VEHICLES AND TRAFFIC

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- § 237-1. Definitions and interpretation.
- § 237-2. Manner of adopting permanent traffic and parking regulations.
- § 237-3. Temporary and emergency regulations.
- § 237-4. Experimental regulations.
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- § 237-46. Approved storage garages designated.
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- § 237-49. Notification of removal and impounding.
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ARTICLE VII. Interpretation and Repeal; Penalties

- § 237-54. Severability.
- § 237-55. Repeal of previous ordinances; effect.
- § 237-56. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Danville during codification 5-14-1975 by Ord. No. 257 (Ch. 131 of the 1975 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Reckless driving — See Ch. 188.
Junked vehicles — See Ch. 243.

ARTICLE I. General Regulations

§ 237-1. Definitions and interpretation. [Amended 11-12-2014 by Ord. No. 523]

- A. Words and phrases, when used in this chapter, shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania, as now in force, or as hereafter amended, enacted or reenacted, *Editor's Note: See 75 Pa.C.S.A. § 101 et seq.* except where the context clearly indicates a different meaning.
- B. As used in this chapter, the following additional terms and term uses shall have the meanings indicated:

COMMUTER VEHICLE – A motor vehicle parked in a residential area by a person not a resident of that residential area.

GUEST – A person on the premises with the actual or implied consent of an occupant.

MANAGER – An adult individual designated by the owner of a residential rental unit.

OCCUPANT – Any individual living or sleeping in a building, or having possession of a space within a building.

OWNER – Any person, agent, operator, firm or corporation having a legal or equitable interest in a business, church, nonprofit organization or property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the business, church, nonprofit organization or property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

- C. 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, or days celebrated as such.
- D. In this chapter, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

§ 237-2. Manner of adopting permanent traffic and parking regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances or parts of ordinances or as amendments to ordinances of the Borough of Danville, except for stop intersections, which shall be as designated by resolution of the Borough Council.

§ 237-3. Temporary and emergency regulations.

- A. The Mayor shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations;
 - (2) 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 72 hours.
- B. Such temporary and emergency regulations shall be enforced by the Mayor and 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 regulation, 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 liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature.

§ 237-4. Experimental regulations.

- A. The Borough Council may, from time to time, designate places upon and along the highways in the Borough where, for a period of not more than 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 just 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.
- B. The purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

§ 237-5. Enforcement.

This chapter shall be enforced by the police officers of the Borough of Danville, who are hereby given authority to direct traffic on the highways and intersections of the Borough in accordance with the provisions of this chapter and the laws of the Commonwealth of Pennsylvania.

ARTICLE II. Traffic Regulations

§ 237-6. Operation of vehicles in certain locations.

- A. No person shall operate a motor vehicle or tractor upon any sidewalk in the Borough; nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose.
- B. No person shall operate any vehicle upon the flood control dike in the Borough of Danville which is adjacent to and parallel with the Susquehanna River except where a Borough street is part of the dike.

§ 237-7. Speed limits established.

The speed limit for both directions of traffic along the highways or parts thereof described below is hereby established at the rate of speed indicated.

Name of Street	Speed Limit (mph)	Location
Bloom Street [Amended 12-13-2005 by Ord. No. 470]	25	From Mill Street to Ferry Street
Bloom Street [Amended 12-13-2005 by Ord. No. 470]	35	From Ferry Street to Line Street
Cedar Street [Added 11-14-1989 by Ord. No. 327]	15	From East Market Street to Front Street
Chamber Street [Added 11-12-2014 by Ord. No. 523]	25	From Ferry Street to Lower Street
Continental Boulevard	35	From Mahoning Street to the Borough line
First Street [Added 9-14-1999 by Ord. No. 404]	15	From Leighow to Route 54
Friendship Alley [Added 11-14-1989 by Ord. No. 327]	15	From Cedar Street to Iron Street
Front Street [Added 11-14-1989 by Ord. No. 327]	15	From Mill Street to Railroad Street
Iron Street [Added 11-14-1989 by Ord. No. 327]	15	From East Market to Front Street
Line Street [Added 5-10-1988 by Ord. No. 319]	15	From Bloom Street to Center Street

Name of Street	Speed Limit (mph)	Location
Mahoning Street, West [Added 9-14-1999 by Ord. No. 404]	15	From Front Street to dead end
Market Street, East	35	From Mill Street to Wall Street
Market Street, East	25	From Wall Street to the Borough line
Market Street, West [Added 9-14-1999 by Ord. No. 404]	15	From Front Street to Mill Street
Mill Street	25	From Flint Street to Spruce Street
Northumberland Street [Amended 12-13-2005 by Ord. No. 470]	25	From Continental Boulevard to Mill Street
Northumberland Street [Amended 12-13-2005 by Ord. No. 470]	35	From Continental Boulevard to Borough Line to the west
Railroad Street [Added 8-10-2004 by Ord. No. 457]	25	From East Market Street to Walnut Street
Walnut Street	35	From Ferry Street to the Borough line
Walnut Street [Added 12-13-2005 by Ord. No. 470]	25	From Ferry Street to Church Street
Walnut Street [Added 12-13-2005 by Ord. No. 470]	35	From Church Street to point 708 feet east from the southeast corner of the intersection of Railroad Street and Walnut Street

§ 237-8. Traffic control signals.

Traffic control signals shall be installed and operated at the intersection of those highways described below:

Intersection

- Continental Boulevard and Northumberland Street
- Ferry Street and Bloom Street
- Mill Street and Bloom Street
- Mill Street and Market Street
- Walnut Street and Railroad Street

§ 237-9. One-way highways established.

The highways or parts of highways described below are hereby designated as one-way streets in the direction indicated:

Name of Highway	Direction of Travel	Limits
Ash Street	North	From Bloom Street to Center Street
B Street	North	From A Street to A Street
B Street	South	From Bloom Street to Green Street
C Street	South	From Bloom Street to Green Street
C Street	West	From B Street to A Street
Canal Street	East	From Mill Street to Ferry Street
Cherry Street [Added 4-8-2002 by Ord. No. 437]	North	From Bloom Street to Center Street
Chestnut Street	South	From West Mahoning Street to West Market Street
Cross Keys [Added 10-10-1989 by Ord. No. 325]	North	From Water Street to Front Street
D Street	East	From A Street to B Street
E Street	West	From B Street to A Street
Eagles Alley [Added 7-11-1978 by Ord. No. 283]	West	From Mill Street to Factory Street
Faust Street [Added 2-8-1977 by Ord. No. 266]	North	From Cooper Street to East Market Street
Franklin Street [Added 10-14-2002 by Ord. No. 445]	West	Wall Street to Alton Street (a distance of 400 feet)
Friendship Alley [Added 11-14-1989 by Ord. No. 327]	East	From Cedar Street to Iron Street
Front Street	East	From Mill Street to Railroad Street
Front Street, East [Added 2-8-1977 by Ord. No. 266; amended 5-10-1977 by Ord. No. 269]	East	From Nassau Street to Honeymoon Street

Name of Highway	Direction of Travel	Limits
Grand Street [Added 8-13-1996 by Ord. No. 388]	East	From Mowery Street to Faust Street
Honeymoon Street [Added 2-8-1977 by Ord. No. 266]	North	From Cooper Street to East Market Street
Jacobs Alley	South	From Bloom Street to Lower Mulberry Street
Jacob Street	South	From Bloom Street to East Mahoning Street
Kline Street	South	From Center Street to Bloom Street
Line Street [Added 5-10-1988 by Ord. No. 319]	North	From Bloom Street to Center Street
Lower Mulberry Street	East	From Mill Street to Church Street
Mahoning Street, West	West	From Mill Street to Chestnut Street
Market Street, West	West	From Railroad Street to Mill Street
Market Street, West	East	From Chestnut Street to Mill Street
Mowery Street [Added 2-8-1977 by Ord. No. 266]	South	From East Market Street to Cooper Street
Memorial Park Alley [Added 5-8-1979 by Ord. No. 286]	South	From Center Street to Bloom Street
Park Avenue, east lane	North	From Market Street to its terminus
Park Avenue, west lane	South	From East Market Street to its terminus
Pine Street [Added 9-12-1995 by Ord. No. 382]	North	From Walnut Street to Bloom Street
Railroad Street	North	From East Front Street to East Market Street
School Alley (between Snyder Lane and Honeymoon Street) [Added 8-8-2000 by Ord. No. 415]	South	From East Market Street to an unnamed alley, a distance of approximately 150 feet

Name of Highway	Direction of Travel	Limits
Steeb Street	South	From Bloom Street to Green Street
Unnamed alley [Added 8-13-1996 by Ord. No. 388]	East	From Mowery Street to Faust Street
Unnamed alley [Added 8-13-1996 by Ord. No. 388]	East	From Mowery Street to Faust Street
Unnamed alley [Added 8-13-1996 by Ord. No. 388]	East	From Mowery Street to Faust Street
Vine Street	South	From Center Street to Bloom Street
Water Street [Added 10-10-1989 by Ord. No. 325]	West	From Church Street to Cross Keys

§ 237-10. U-turns.

It shall be unlawful for the operator of a motor vehicle or tractor to make a U-turn on any of the highways or parts thereof described below:

Name of Highway	Location
(Reserved)	

§ 237-11. Turns at intersections.

No person shall make a turn of the kind designated (left, right, all) at any of the intersections described below:

Name of Highway	Direction of Travel	Prohibited Turn	At Intersection of
Bloom Street	West	Left on Ferry Street	Bloom Street, Ferry Street and Walnut Street
Walnut Street	West	Left on Ferry Street	Bloom Street, Ferry Street and Walnut Street

§ 237-12. Center structures at intersections.

All vehicular traffic shall keep to the right of the following structures or barriers located in the center of the specified intersections:

the first-named highway, in the direction or directions indicated, shall yield the right-of-way to any vehicle in the intersection or approaching on the second-named highway so closely as to constitute an immediate hazard during the time that the operator of such vehicle or tractor is moving across or within such intersection.

Yield Sign on	Direction of Travel	At Intersection of
(Reserved)		

§ 237-16. No-passing zones.

The zones described below are hereby established as no-passing zones, and it shall be unlawful for any person driving a vehicle to pass any other vehicle which is proceeding in the same direction:

Name of Highway	Limits
(Reserved)	

§ 237-17. Closing of certain highways to certain vehicles.

It shall be unlawful for any person to operate any vehicle or tractor except a passenger vehicle (but not including any passenger vehicle drawing any trailer or towing any other vehicle) upon any of the portions of the highways described below; provided, however, that nothing herein shall prohibit the operation of any commercial vehicle or tractor upon any highway or portion thereof listed below where such operation thereon shall be necessary in order to pick up or deliver any goods, wares, merchandise or material from or to any premises located upon any such highway or portion thereof.

Name of Highway	Limits
(Reserved)	

§ 237-18. Vehicle weight limits established. [Amended 2-14-1995 by Ord. No. 378]

It shall be unlawful for any person to operate any commercial vehicle or other tractor, trailer or tractor-trailer combination having a gross weight in excess of that herein respectively prescribed upon any of the highways, streets or alleys or portions thereof described below.

Name of Highway, Street or Alley	Maximum Gross Weight (in pounds)	Location
Little Ash Street	10,000	From Ash Street to Cherry Street

§ 237-19. Operation of vehicles on closed highways.

It shall be unlawful for any person to operate any vehicle or tractor upon any highway in the Borough that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic.

§ 237-20. Play highways.

- A. The Mayor is hereby authorized to designate as play highways whenever he shall deem such action advisable, and for whatever period of time directed by him, any portion of any highway in the Borough, whereon sledding and coasting shall be permitted. Such highway shall be set apart for the purpose under the direction of the Mayor.
- B. No person shall operate any motor vehicle or tractor upon any play highway at any time when such highway shall be so designated, except in case of emergency, with special permission of the Mayor or of the police officer in charge, who shall first clear such play highway of all persons using such highway for the purpose for which it was set aside.
- C. The portions of highways described below are hereby established as play highways during the times designated.

Name of Highway	Days	Hours	Location
(Reserved)			

§ 237-21. Accident reports.

The operator of any motor vehicle involved in an accident in the Borough and required by law to report such accident to any department or agency of the Commonwealth of Pennsylvania, or any other person required to make such report, shall, at the time of making such report to the commonwealth, make a written report to the Chief of Police of the Borough containing the same information.

ARTICLE III. Parking Regulations

§ 237-22. Parking without lights authorized.

The boundary limits of the Borough of Danville are hereby established as a zone in which motor vehicles may remain standing without lights, and all highways within such boundary limits are hereby designated as highways where motor vehicles may remain standing without lights.

§ 237-23. Vehicles to be parked within marked spaces.

Wherever a space shall be marked off on any highway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

§ 237-24. Angle parking.

No person shall park a vehicle upon any of the highways or parts thereof described below except at the angle designated and only within the painted stall lines. On all highways or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

Name of Highway	Side	Angle	Location
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(Reserved)

§ 237-25. Parking prohibited at all times.

No person shall park a vehicle at any time upon any of the highways or parts thereof described below.

Name of Highway	Side	Location
Bloom Street	North	From Mill Street east to the Borough line
Center Street	North	From Ferry Street east to the Borough line
Center Street [Added 4-8-2002 by Ord. No. 437]	South	70 feet east measuring from the southeast corner of Cherry Street and Center Street and west from Cherry Street to an unnamed alley
Church Street [Added 7-12-1995 by Ord. No. 381]	East	From Walnut Street to southernmost point of Caldwell Development, Inc., property line
Continental Boulevard	Both	From Mahoning Street north to the Borough line

Name of Highway	Side	Location
Cooper Street [Added 2-8-1977 by Ord. No. 266]	South	From Faust Street to Railroad Street
Dey Street [Added 9-14-2004 by Ord. No. 458]	Both	From the southeast and southwest corners of the intersection of Dey Street and Liberty Street, south a distance of 70 feet
East Market Street [Added 12-13-2005 by Ord. No. 469]	South	From the southeast corner of Church Street and East Market Street, east a distance of 85 feet
Faust Street [Added 2-8-1977 by Ord. No. 266; amended 5-10-1977 by Ord. No. 269]	Both	From Cooper Street to East Market Street
Ferry Street [Added 12-13-2005 by Ord. No. 469]	East	From the southeast corner of Ferry Street and East Market Street, south a distance of 76 feet
Ferry Street [Added 4-12-2002 by Ord. No. 443]	West	From Maple Alley to Continental Boulevard
Front Street	North	From Mill Street to Railroad Street
Front Street, East [Added 2-8-1977 by Ord. No. 266]	North	From Snyder's Lane to Honeymoon Street
Liberty Street [Added 10-14-2002 by Ord. No. 445]	Both	From McCarthy Lane south a distance of 525 feet
Little Ash Street [Added 10-14-1997 by Ord. No. 394]	South	From Cherry Street to Ferry Street
Market Street, East	North	From Mill Street east to the Borough line
Mill [Added 10-8-2013 by Ord. No. 515]	East	From the northeast corner of the intersection of Mill and SR0011 going North 156 feet toward the southeast corner of the Center Street and Mill street intersection
Mowery Street [Added 2-8-1977 by Ord. No. 266]	East	From East Market Street to Cooper Street

Name of Highway	Side	Location
McCarthy Lane [Added 10-14-2002 by Ord. No. 445]	Both	Entire length
Nassau Street [Added 2-8-1977 by Ord. No. 266]	East	From East Front Street to Cooper Street
Northumberland Street	North	From the Mahoning Creek Street Bridge east to Mill Street
Pine Street [Added 1-8-2013 by Ord. No. 511]	East	From Center Street to Spruce Street
Railroad Street [Added 1-7-2002 by Ord. No. 435]	East	From Walnut Street to Borough line traveling north
Rooney Avenue [Added 9-14-1999 by Ord. No. 404]	Both	From West Front Street to Canal Street
Unnamed alley between West Mahoning Street and West Market Street [Added 5-8-2001 by Ord. No. 429]	Both	From Factory Street to Rooney Avenue
Unnamed alley between Pine Street and Ferry Street running north and south from DL&W Avenue to Walnut Street [Added 9-12-1995 by Ord. No. 383]	East	From DL&W Avenue to Lower Mulberry Street
Walnut Street	Both	From Ferry Street east to the Borough line

§ 237-26. Parking prohibited during certain hours. [Amended 5-12-1998 by Ord. No. 395; 2-13-2007 by Ord. No. 480]

No person shall park a vehicle between the hours specified below of any day upon any of the highways or parts of highways described below:

Name of Highway	Side	Hours/Days	Location
Mill Street [Amended 12-8-2009 by Ord. No. 500]	Both	4:00 a.m. to 6:00 a.m./all	From Front Street to Center Street
Pine Street Parking Lot	Entire lot	7:00 a.m. to 6:00	Entire lot bounded by Ferry

Name of Highway	Side	Hours/Days	Location
[Added 12-8-2009 by Ord. No. 500]		p.m./Monday through Friday	Street, DL&W Avenue, Pine Street and Montgomery

§ 237-27. Parking time limited.

No person shall park a vehicle or allow the same to remain parked upon any of the highways or parts of highways described below between the hours specified for longer than the time indicated below:

Name of Highway	Side	Hours/Days	Time Limit	Location
Mill Street [Added 11-12-2014 by Ord. No. 523]	Both	6:00 a.m. to 4:00 a.m./all	2 Hours	From Front Street to Center Street

§ 237-28. Chocking of wheels required. [Amended 4-12-2002 by Ord. No. 443]

It shall be unlawful for any person to park, or allow to stand, any commercial vehicle, trailer, tractor, or tractor-trailer combination upon any of the highways, streets or alleys, or portions thereof described below, without chocking the rear wheels while parked or standing:

Name of Highway	Side	Location
Ferry Street	East	From Spruce Street to Continental Boulevard

§ 237-29. Parking for disabled persons. [Added 10-14-2008 by Ord. No. 494]

- A. Designation of parking space for disabled persons. At the request of a person with a disability or severely disabled veteran, the Police Department is authorized to designate a parking space near that person's place of residence with a sign or signs indicating that such parking space is reserved for a person with disability or severely disabled veteran, that no parking is allowed there by others, and that any unauthorized person parking there shall be subject to a fine and may be towed. The request for designation of such a parking space shall be made upon such form or forms as may be designed by the Police Department for such purpose. The application fee shall be as established by resolution of the Borough.

- B. Signs on designated spaces. A reserved space shall be identified by a sign. Such sign designating a reservation of a parking space for a person with disability or severely disabled veteran shall contain the following information:
- (1) The word "Reserved."
 - (2) The international symbol for access for persons with disabilities.
 - (3) A statement that "No parking is allowed by others."
 - (4) A statement that "Unauthorized parking subject to towing and/or a fine of up to \$200."
- C. Disability parking placard and plates.
- (1) Vehicles utilizing parking spaces designated for persons with disability or severely disabled veterans shall display a current disability plate or a disability parking placard issued by the Commonwealth of Pennsylvania, Department of Transportation.
 - (2) The exception to Subsection C(1) above is that persons who are dropping off or picking up a person with disability or severely disabled veteran may utilize the reserved parking space designated for such person with disability or severely disabled person for a period of not greater than 15 minutes. The burden shall be upon such person to prove, by a preponderance of the evidence, that he or she was engaged in dropping off or picking up a person with disability or severely disabled veteran.
- D. Costs of signage. The cost of erecting and maintaining signs designating reservation of parking spaces for persons with disability or severely disabled veterans shall be borne by the person for whom such space is being reserved, in an amount as established by resolution of the Borough.
- E. Termination of reserved space. Upon the death or change of domicile of the person with disability or severely disabled veteran, or upon the failure to utilize the reserved space, the reservation of the parking space shall terminate. Removal of the signage indicating reservation of the space shall be by the Borough of Danville. Persons for whom the space is reserved shall notify the Borough in the event of change of domicile or utilization of reserved space.
- F. Fines, penalties and payment for towing costs. Fines, penalties and payment for towing costs shall be imposed as set forth in the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 3354.

§ 237-30. Residential Districts Permit Parking [Added 11-12-2014 by Ord. No. 523]

A. Purpose and intent. The Borough finds that:

- (1) Certain residential areas in the Borough of Danville are subjected to commuter vehicle parking, therefore depriving the residents of those areas of spaces in which to park their own vehicles.
- (2) The establishment of a permit parking program for certain affected residential areas should facilitate efficient movement of traffic by providing for residential parking preference during certain hours of the day and days of the week while also ensuring primary access of available parking spaces to neighborhood residents.

B. Permits required. It shall be unlawful for any person to park a motor vehicle or trailer or any other type of motor vehicle without a proper, valid parking permit placard displayed thereon between the hours specified below during the days specified below and upon any of the highways or parts of highways indicated and described below, hereinafter referred to as the “permit area”:

Name of Highway	Side	Hours/Days	Location
Ash Street	Both	7:00 a.m. to 7:00 p.m./Monday through Friday	From Little Ash Street to Center Street
Ash Street	East	7:00 a.m. to 7:00 p.m./Monday through Friday	From Center Street to Bloom Street
Center Street	South	7:00 a.m. to 7:00 p.m./Monday through Friday	From Line Avenue to Ash Street
Cherry Street	East	7:00 a.m. to 7:00 p.m./Monday through Friday	From Little Ash Street to Bloom Street
Vine Street	Both	7:00 a.m. to 7:00 p.m./Monday through Friday	From Little Ash Street to Center Street
Vine Street	East	7:00 a.m. to 7:00 p.m./Monday through Friday	From Center Street to Bloom Street

C. Certain parking spaces exempted.

- a. Parking spaces within the permit area as defined in § **237-30.B.** that have been designated time-limited customer parking for identified non-conforming businesses within the permit area's residential district are exempt from the residential permit parking placard requirements as defined in this section.
- D. Legal holidays exempted. Residential permit parking placard requirements as defined in this section do not apply during all legal holidays identified in § **237-1.**
- E. Issuance of parking permit placards. Upon application to the Danville Administration Office, on a form to be provided therefor, and upon payment of an annual nonrefundable fee in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of Danville, the owner, manager, or occupant of each residential dwelling unit along the permit area shall be issued a maximum of two (2) residential parking permit placards for use by the occupants of the dwelling unit to which the application refers in accordance with the following terms and conditions:
- (1) The owner, manager or occupant of the dwelling unit shall present one valid proof of registration of one motor vehicle belonging to an occupant of the dwelling unit for each residential parking permit placard issued.
 - (2) Any residential parking permit placards issued hereunder shall be used only by the occupants of a dwelling unit located along the permit area who desire to park their motor vehicle for which a parking permit placard has been issued within the permit area.
 - (3) Any residential parking permit placards issued hereunder shall be valid for one calendar year from January 1 through December 31. Residential parking permit placards issued after January 1 of a given calendar year are only valid through December 31 of the same calendar year. Discounted fees for residential parking permit placards issued after January 1 are in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of Danville.
 - (4) Residential parking permit placards for a given calendar year cannot be applied for earlier than sixty (60) days prior to the start of said year.
 - (5) Issuance of residential parking permit placards shall not guarantee or reserve to the holder a parking space within the designated permit area.
 - (6) In the case of residential dwelling units along the permit area that are not owner-occupied, the property must be in compliance with the Borough of Danville's § **141. Residential Rental Registration Ordinance** in order to be eligible for residential parking permit placards under this section.

- (7) Any residential parking permit placards issued under this section shall not be considered as fulfilling off-street parking space requirements as detailed in § 260-32. **Automotive services; off-street parking and loading.**
- (8) Nothing contained in this section shall be construed as prohibiting motor vehicles displaying a residential parking permit placard issued pursuant to this section from being parked in other areas of the Borough of Danville outside of the permit area.
- (9) Any other regulations or restrictions upon parking imposed by the Borough of its ordinances shall continue with full force and effect in the permit area including but not limited to snow and ice emergencies and street sweeping.

F. Temporary parking permit placards. Upon application to the Danville Administration Office on a form to be provided therefor, and upon payment of an annual nonrefundable fee in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of Danville, the owner, manager, or occupant of a residential dwelling unit along the permit area may be issued temporary parking permit placards. The use of temporary parking permit placards is restricted to guests who desire to park their motor vehicles at curbside within the permit area for the duration of such guest's stay and in accordance with the following terms and conditions:

- (1) Any temporary parking permit placards issued hereunder shall be used only by the guests of residents of a dwelling unit within the permit area who desire to park their motor vehicle at curbside on the streets, alleys or public ways within the permit area.
- (2) Any temporary parking permit placards issued hereunder shall be valid only for the period of time indicated by the Danville Administration Office upon approval.
- (3) The maximum authorized duration of a temporary parking permit placard shall be fourteen (14) days.
- (4) Issuance of temporary parking permit placards shall not guarantee or reserve to the holder a parking space within the designated permit area.
- (5) Nothing contained in this section shall be construed as prohibiting motor vehicles displaying a temporary parking permit placard issued pursuant to this section from being parked in other areas of the Borough of Danville outside of the permit area.

- (6) Any other regulations or restrictions upon parking imposed by any other ordinance shall continue with full force and effect in the permit area including but not limited to snow and ice emergencies and street sweeping.
- G. Certain non-residential uses allowed permits. Upon application to the Danville Administration Office, on a form to be provided therefor, and upon payment of an annual nonrefundable fee in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of Danville, the owner of each business, nonprofit organization and church located along the permit area shall be issued a maximum of two (2) residential parking permit placards for the use of the owners, employees, associates, volunteers, patrons, members, congregants or customers of the said business, nonprofit organization or church to which the application refers in accordance with the following terms and conditions:
- (1) Any residential parking permit placards issued hereunder shall be used only by the owners, employees, associates, volunteers, patrons, members, congregants or customers of businesses, nonprofit organizations and churches located along the permit area who desire to park their motor vehicle for which a parking permit placard has been issued within the permit area.
 - (2) Any residential parking permit placards issued hereunder shall be valid for one calendar year from January 1 through December 31. Residential parking permit placards issued after January 1 of a given calendar year are only valid through December 31 of the same calendar year. Discounted fees for residential parking permit placards issued after January 1 are in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of Danville.
 - (3) Residential parking permit placards for a given calendar year cannot be applied for earlier than sixty (60) days prior to the start of said year.
 - (4) Issuance of residential parking permit placards shall not guarantee or reserve to the holder a parking space within a designated permit area.
 - (5) Nothing contained in this section shall be construed as prohibiting motor vehicles displaying a residential parking permit placard issued pursuant to this section from being parked in other areas of the Borough of Danville outside of the permit area.
 - (6) Any other regulations or restrictions upon parking imposed by the Borough of its ordinances shall continue with full force and effect in the permit area including but not limited to snow and ice emergencies and street sweeping.

- H. Placement of placards. The residential parking permit placards and guest parking permit placards issued pursuant to this Section shall be affixed to the center (or as near thereto as possible) of the motor vehicle's front windshield, at the top thereof or hung from the back of the motor vehicle's center inside rear-view mirror, so that the placard so affixed or hung shall be clearly visible through the front windshield from the outside of the vehicle. Failure to display or properly display parking permit placards shall constitute a violation of this article.
- I. Duplicate or replacement placard. Any residential parking permit placard which has been issued pursuant to this Section which has been lost, stolen or destroyed shall be replaced in accordance with the following terms and conditions:
- (1) The owner, manager or occupant of each residential dwelling unit, business, nonprofit organization or church along the permit area for which the residential parking permit placard was issued shall apply to the Danville Administration Office for a duplicate or replacement placard. Thereupon, the Danville Administration Office shall issue a duplicate or replacement decal for a fee in an amount to be established, from time to time, by resolution of Borough Council for the use of the Borough of Danville.
 - (2) The previously issued residential parking permit placard that has been lost, stolen or destroyed shall thence forth be invalid. Use of a residential parking permit placard that has been reported as lost, stolen or destroyed shall constitute a violation of this section.
 - (3) Any duplicate or replacement placard issued pursuant to the terms of this Section shall be valid only for the remainder of the calendar year for which the original placard was issued.
- J. Falsification of placards. Any person who, under false pretenses, falsifies, duplicates, forges or alters any residential parking permit placards or guest parking permit placards, issued pursuant to this Section whether original, duplicate or replacement shall be subject to arrest and prosecution under applicable provisions of the Crimes Code of Pennsylvania.
- K. Reselling Prohibited. The trading, leasing, subleasing, reselling, or gifting of residential parking permit placards is prohibited and subject to invalidation of all placards issued to the responsible owner, manager or occupant.

§ 237-31. C-2 District Permit Parking [Added 11-12-2014 by Ord. No. 523]

- A. Purpose and intent. The Borough finds that:

- (1) While the Borough has no responsibility to provide parking for employers or employees of businesses within its C-2 District, opportunity exists in certain areas to meet some of the parking demand created as a result of such employers and employees.
- (2) Facilitating some of the parking needs of employers and employees of businesses within the Borough's C-2 District by utilizing spaces that are less convenient for shopping purposes may help ensure that employers and employees do not instead utilize prime customer spaces intended for downtown clientele.
- (3) While the Borough has no responsibility to provide parking for residents living within its C-2 District, opportunity exists in certain areas to meet some of the parking demand created as a result of such residents.
- (4) Facilitating some of the parking needs of residents living within the Borough's C-2 District may help encourage the development and rehabilitation of upper floor vacant spaces that could be utilized for residential living.
- (5) While the provision of off-street parking for dwelling units in the C-2 District is required as detailed in § 260-32. **Automotive services; off-street parking and loading**, facilitating some of the parking needs of residents living within the Borough's C-2 District may help meet any demand in excess of the parking supply provided as a result of the regulations of Chapter 260 or as a result of nonconforming properties that do not meet said regulations.

B. Permit parking permitted. Parking of a motor vehicle with a proper, valid permit parking placard displayed thereon shall be permitted in lieu of payment of the metered rate as defined in § 237-40. **Parking meter zones and rates established** at brown-colored meter spaces in the municipal parking lots indicated and described below, hereinafter referred to as the "permit area":

Name of Municipal Lot	Number of Brown-Metered Spaces	Location
Municipal Lot #1	65	Rear of 291 Mill Street
Municipal Lot #3	35	Rear of 298 Mill Street

C. Issuance of parking permit placards. Upon application to the Danville Administration Office, on a form to be provided therefor, and upon payment of a quarterly nonrefundable fee in an amount to be established, from time to time, by resolution of the Borough Council for the use of the Borough of

Danville, the owner, manager or occupant of each business or residential dwelling unit within the C-2 District shall be issued commercial parking permit placards for the use of the employers and employees of the said business or for the use of the occupants of the said dwelling unit to park their vehicles within the permit area in accordance with the following terms and conditions:

- (1) The owner, manager or occupant of the business or dwelling unit shall present one valid proof of registration of one motor vehicle belonging to an employer, employee or occupant for each commercial parking permit placard issued.
- (2) Any commercial parking permit placards issued hereunder shall be used only by the owners, employees or occupants of a business or dwelling unit located within the C-2 District who desire to park their motor vehicle for which a parking permit placard has been issued within the permit area.
- (3) Commercial parking permit placards shall be valid on a quarterly basis as per the following schedule:
 - January 1st through March 31st
 - April 1st through June 30th
 - July 1st through September 30th
 - October 1st through December 31st
- (4) The number of commercial parking permit placards made available for sale shall be based upon the number of brown-metered spaces existing in the permit area as defined in **§ 237-31.B. Permit parking permitted.**
 - a. No commercial parking permit placards in excess of 10% of the total number made available for sale shall be issued for use by residents of dwelling units within the C-2 District.
- (5) Existing holders of commercial parking permit placards in any given quarter shall be automatically reissued placards for the following quarter unless prior notice to cease issuance is given to the Borough or payment is not made within the first thirty (30) days of the quarter, at which point the permit placards are considered forfeited. All remaining, available commercial parking permit placards will be issued on a first-come, first-served basis.
- (6) Commercial parking permit placards for a given calendar quarter cannot be applied for earlier than thirty (30) days prior to the start of said quarter.
- (7) In the case of residential dwelling units within the C-2 District that are not owner-occupied, the owner must be in compliance with the Borough of Danville's **§ 141. Residential Rental Registration Ordinance** in order to be eligible for commercial parking permit placards under this section.

- (8) Any commercial parking permit placards issued under this section shall not be considered as fulfilling off-street parking space requirements as detailed in § 260-32. **Automotive services; off-street parking and loading.**
 - (9) Nothing contained in this section shall be construed as prohibiting motor vehicles displaying a commercial parking permit placard issued pursuant to this section from being parked in other areas of the Borough of Danville outside of the permit area.
 - (10) Any other regulations or restrictions upon parking imposed by the Borough of its ordinances shall continue with full force and effect in the permit area including but not limited to snow and ice emergencies and street sweeping.
- D. Placement of placards. The commercial parking permit placards issued pursuant to this Section shall be affixed to the center (or as near thereto as possible) of the motor vehicle's front windshield, at the top thereof or hung from the back of the motor vehicle's center inside rear-view mirror, so that the placard so affixed or hung shall be clearly visible through the front windshield from the outside of the vehicle. Failure to display or properly display parking permit placards shall constitute a violation of this article.
- E. Duplicate or replacement placard. Any commercial parking permit placard which has been issued pursuant to this section which has been lost, stolen or destroyed shall be replaced in accordance with the following terms and conditions:
- (1) The owner, manager or occupant of each business or residential dwelling unit within the C-2 District for which the commercial parking permit placard was issued shall apply to the Danville Administration Office for a duplicate or replacement placard. Thereupon, the Danville Administration Office shall issue a duplicate or replacement decal for a fee in an amount to be established, from time to time, by resolution of Borough Council for the use of the Borough of Danville.
 - (2) The previously issued commercial parking permit placard that has been lost, stolen or destroyed shall thence forth be invalid. Use of a commercial parking permit placard that has been reported as lost, stolen or destroyed shall constitute a violation of this section.
 - (3) Any duplicate or replacement placard issued pursuant to the terms of this Section shall be valid only for the remainder of the quarter for which the original placard was issued.

- F. Falsification of placards. Any person who, under false pretenses, falsifies, duplicates, forges or alters any commercial parking permit placards issued pursuant to this section whether original, duplicate or replacement shall be subject to arrest and prosecution under applicable provisions of the Crimes Code of Pennsylvania.
- G. Reselling prohibited. The trading, leasing, subleasing, reselling, or gifting of commercial parking permit placards is prohibited and subject to invalidation of all placards issued to the responsible owner, manager or occupant.

Article IV. Metered Parking

§ 237-32. Designation of parking spaces.

The Police Department is hereby authorized to provide for the marking off of individual parking spaces in the parking zones and areas designated and described in § 238-40, said parking spaces to be designated by lines painted or marked on the curbing or surface of the highway or area. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

§ 237-33. Installation of meters; operation.

- A. In said parking meter zones, parking meters shall be installed upon the curb, sidewalk or pavement immediately adjacent to the parking spaces provided in § 237-38 of this article. The Police Department shall be responsible for the regulation, control, operation, maintenance and use of such parking meters.
- B. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin for the period of time hereinafter prescribed. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper, visible signal that the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease, and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

§ 237-34. Manner of parking.

- A. When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter; provided, however, that where double parking meters are installed upon one standard so as to serve two parking spaces, any vehicle parked in the space just beyond the parking meters shall be parked so that the rear bumper of such vehicle shall be nearest to the parking meters. When a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in

such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

- B. Where lines or markings are painted or placed upon the curb, sidewalk, highway and/or paved surface adjacent to each parking meter providing for parking at an angle and not parallel or perpendicular to the curb, it shall be unlawful for the operator of any motor vehicle to cross the center line of the highway to enter or leave said parking area.

§ 237-35. Deposit of coins.

When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this article, the operator shall, upon entering said parking space, immediately deposit or cause to be deposited such coin or coins of the United States as are required for such parking meter and as are designated by proper instructions on the parking meter, and failure to deposit such coin or coins shall constitute a breach of this article and shall subject each person to the penalty prescribed hereafter. Upon the deposit of such coin or coins and placing said meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the zone in which said parking space is located, and for which a coin or coins is or are deposited, as indicated on the parking meter. If said vehicle shall remain parked in any such parking space beyond the parking time limit so fixed for such parking space, the parking meter shall, by its violation signal, dial or pointer, indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time. The parking of a vehicle overtime or beyond the period of legal parking time in any such space where any such parking meter is located shall be a violation of this article and punishable as hereinafter set forth.

§ 237-36. Violations.

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

- A. To 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 meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.
- B. To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.
- C. To park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.

- D. To deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.
- E. To deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.
- F. To park or permit the parking of any vehicle in any parking meter space where the meter does not register lawful parking.

§ 237-37. Report of violations; citations.

It shall be the duty of the police officers of the Borough of Danville 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 number of each parking meter which indicates that the vehicle occupying the parking space and adjacent to such parking meter is or has been 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 of the provisions of this article at the time of his inspection.
- D. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

§ 237-38. Collection of coins from meters.

It shall be the duty of the Chief of Police to designate some proper person or persons to make regular collections of the moneys deposited in said meters.

§ 237-39. General provisions.

- A. Temporary suspension of provisions. The provisions of this article may be temporarily suspended by the Borough Council, and it may prescribe temporarily such other rules and regulations as traffic conditions may require.
- B. Suspension of provisions on designated holidays. The use of parking meters throughout the Borough of Danville be and the same is hereby dispensed with on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

- C. Erection of signs. The Borough Council is authorized to erect or cause to be erected appropriate signs notifying the operators of motor vehicles of the provisions of this article.
- D. Tokens. Where the deposit of any coin or coins is required under the provisions of this article, it shall be permissible to use such token or tokens for that deposit as shall be designated and approved by the Borough Council.

§ 237-40. Parking meter zones and rates established.

[Amended 5-12-1998 by Ord. No. 395; 5-13-2003 by Ord. No. 451 *Editor's Note: This ordinance also repealed former § 131-38, Parking meter rates, which previously followed this section.; 7-10-2007 by Ord. No. 484*]

- A. On-highway parking zones. Parking meter zones are hereby established upon the highways or parts of highways described below with maximum parking time periods as indicated between the hours of 9:00 a.m. and 6:00 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; except Sundays and holidays. Where red-colored meters exist within each zone, the maximum parking time period shall be 15 minutes for that parking space and the rate shall be \$0.25 per 15 minutes.

Name of Street	Side	Time Limit	Location	Rate
Ferry Street	Both	10 hours	From Bloom Street to Market Street	\$0.15/hour
Lower Mulberry Street	Both	2 hours	From Mill Street to Ferry Street	\$0.25/hour
Mahoning Street, East	Both	10 hours	From Ferry Street to alley and property of First Ward School	\$0.15/hour
Mahoning Street, East	South	10 hours	From Mill Street to Ferry Street	\$0.15/hour
Mahoning Street, West	Both	2 hours	From Mill Street to Rooney Avenue	\$0.25/hour
Mahoning Street, West	Both	10 hours	From Rooney Ave to Continental Boulevard	\$0.15/hour
Market Street, East	South	10 hours	From Mill Street to Ferry Street	\$0.15/hour
Market Street, West	Both	10 hours	From Factory Street	\$0.15/hour

Name of Street	Side	Time Limit	Location	Rate
			to Mill Street	
Mill Street	Both	2 hours	From Front Street to Bloom Street	\$0.25/hour
Mill Street	East	2 hours	From Bloom Street to Center Street	\$0.25/hour

B. Off-highway parking areas and rates. Parking meter areas and rates hereby established as described below with maximum parking time periods as indicated between the hours of 9:00 a.m. and 6:00 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, of each week, except on Sundays and holidays. Where red-colored meters exist within off-highway parking meter areas, the maximum parking time period shall be 15 minutes for that parking space and the rate shall be \$0.25 per 15 minutes. Where brown-colored meters exist within off-highway parking meter areas, the maximum parking time period shall be two hours for that parking space and the rate shall be \$0.15 per hour. Motor vehicles displaying a commercial parking permit placard may park at any brown-colored meter without paying the hourly rate as per the regulations of § 237-31. **C-2 District Permit Parking.**

Area	Time Limit	Location	Rate
Municipal Parking Lot	10 hours	Rooney Avenue	\$0.15/hour
Municipal Parking Lot	10 hours	Ferry Street	\$0.15/hour

Article V. Snow and Ice Emergencies

§ 237-41. Declaration of emergency.

In order to facilitate the movement of traffic and to combat the hazards of excessive snow and ice on the highways or portions of highways named in § 237-40 below, the Mayor, in his discretion, may declare an emergency due to such hazards.

§ 237-42. Parking prohibited on certain streets.

A. After any such emergency shall have been declared, it shall be unlawful, during the period of such emergency, for any person to park a motor vehicle or tractor or to allow the same to remain parked on any highway or portion thereof named in Subsection **B** below, or to operate any motor vehicle or

tractor on any such highway or portion thereof, unless such vehicle or tractor shall be equipped with adequate equipment to provide sufficient traction to keep such vehicle or tractor in motion so that other traffic on such highways will not be blocked or seriously impeded.

- B. The highways or portions thereof to which the provisions of this article shall be applicable during all periods of emergency declared as provided in § **237-39** above shall be as described below.

Name of Highway	Limits
Bloom Street [Added 11-14-1978 by Ord. No. 284]	From Ferry Street to the Mahoning Township line
Center Street [Added 11-14-1978 by Ord. No. 284]	From Mill Street to the Mahoning Township line
East Front Street [Added 11-14-1978 by Ord. No. 284]	From Mill Street to Railroad Street
East Market Street [Added 11-14-1978 by Ord. No. 284]	From the Mahoning Township line to Mill Street
Ferry Street [Added 11-14-1978 by Ord. No. 284]	From Continental Boulevard to East Front Street
Mill Street [Added 11-14-1978 by Ord. No. 284]	From Spruce Street to the Susquehanna River bridge
Railroad Street [Added 11-14-1978 by Ord. No. 284]	From East Front Street to Route 11
Spruce Street [Added 11-14-1978 by Ord. No. 284]	From Continental Boulevard to Mill Street
West Front Street [Added 11-14-1978 by Ord. No. 284]	From Factory Street to Mill Street
West Market Street [Added 11-14-1978 by Ord. No. 284]	From Factory Street to Mill Street

§ 237-43. Placement of signs.

- A. In order to assist the operators of motor vehicles and tractors in determining the highways affected by this Article, the Mayor or the Chief of Police shall place around the utility poles, on the highways or portions thereof designated in § **237-42B** above, signs reading as follows:

Snow Emergency Route
Snow Tires or Chains Required
No Parking During Emergency
Vehicles Towed Away

- C. The Mayor or the Chief of Police shall also, through radio, newspaper or other available media, disseminate information as to the existence of such emergency.

§ 237-44. Violations and penalties.

- A. Any person who shall park a motor vehicle or tractor upon or along any of the highways or portions thereof listed in § 237-42B, at any time during a period of emergency declared as provided in § 237-41, shall be guilty of a violation of this article.
- B. Any person who shall operate a vehicle or tractor upon any highway or portion thereof listed in § 237-42B and such vehicle or tractor shall become stalled upon any of such highways during a period of emergency declared as provided in § 237-41 of this article, if such stalling shall have been by reason of the failure to have such vehicle or tractor equipped with the equipment hereinabove prescribed, shall be guilty of a violation of this article.

Article VI. Removal and Impounding of Illegally Parked Vehicles

§ 237-45. Authorization for removal and impoundment.

The Chief of Police of the Borough is hereby authorized to remove and impound, or to order the removal and impounding, of any vehicle parked on any of the streets, highways or public property in the Borough in violation of any provision of the law or of any ordinance of the Borough; provided, however, that no such vehicle shall be removed or impounded except in strict adherence to the provisions of this article.

§ 237-46. Approved storage garages designated.

The following garages located in the Borough are hereby designated as approved storage garages, as pounds for the storage of such impounded vehicles:

Name of Garage	Address
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(Reserved)

§ 237-47. Bonding of garages. *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

Every such approved storage garage or pound shall be bonded in an amount as set by the Borough Council for the indemnifying of the owner of every such impounded vehicle against the loss thereof, or injury or damage thereto, while in the custody of such poundkeeper.

§ 237-48. Towing and storage charges. *Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).*

The towing charge to be collected by every such poundkeeper shall be in an amount as set by the Borough Council and the storage charge for the first day and for each additional day shall be in amounts as set by the Borough Council.

§ 237-49. Notification of removal and impounding.

Within 12 hours from the time of removal of any vehicle under authority granted by this article, notice of the fact that such vehicle has been impounded shall be sent by the Chief of Police of the Borough to the owner of record of such vehicle. Such notice shall designate the place from which such vehicle was removed, the reason for its removal and impounding and the pound in which it shall have been impounded.

§ 237-50. Payment of charges; protests.

- A. The payment of any towing and impounding charges authorized by this article shall, unless such payment shall have been made "under protest," be final and conclusive, and shall constitute a waiver of any right to recover the money so paid.
- B. In the event that any towing and impounding charges so imposed shall be paid "under protest," the offender shall be entitled to a hearing before a Magisterial District Judge or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided in the Vehicle Code in other cases of summary offenses, and shall have the same rights as to appeal and waiver of hearing.

§ 237-51. Records of vehicles removed and impounded.

The Chief of Police shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or the agents of the owners thereof with information as to the place of storage of such vehicles.

§ 237-52. Liability of owner or operator for fine or penalty.

The payment of towing and storage charges authorized by this article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded.

§ 237-53. Restrictions upon removal of vehicles.

No vehicle shall be removed under the authority of this article if, at the time of the intended removal thereof, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

Article VII. Interpretation and Repeal; Penalties

§ 237-54. Severability.

The provisions of this chapter 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 chapter. It is hereby declared as a legislative intent that this chapter would have been adopted and such unconstitutional, illegal or otherwise invalid provision not been included herein.

§ 237-55. Repeal of previous ordinances; effect.

- A. All previous ordinances of the Borough of Danville pertaining to the regulation of traffic and parking 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 chapter.
- C. The provisions of this chapter, insofar as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this chapter, are intended as a continuation of such ordinances and regulations and not as new enactments.

§ 237-56. Violations and penalties. [Amended 6-14-1977 by Ord. No. 271; 12-9-1986 by Ord. No. 313; 12-14-1993 by Ord. No. 363]

- A. Unless another penalty is specifically provided for in Subsection **B** of this section, any person who shall violate any provision of this chapter shall, upon conviction, be sentenced to pay a fine of not more than \$300, and costs of prosecution, and in the event of nonpayment of such fine and costs of prosecution, such person shall be subject to imprisonment for a period not exceeding five days. *[Amended 4-12-2002 by Ord. No. 443 Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).]*
- B. Any person who shall violate any provision of a section listed below shall, upon conviction, be sentenced to pay a fine of not more than that specified for a violation of said section and, in the event of nonpayment of such fine and

costs of prosecution, such person shall be subject to imprisonment for a period not exceeding that indicated for said section. [Amended 2-13-2007 by Ord. No. 480; 7-10-2007 by Ord. No. 484; 11-12-2014 by Ord. No. 523]

Article/Section	Maximum Fine	Maximum Imprisonment (days)
Article I		
§§ 237-3 and 237-4	\$10	1
Article II		
§§ 237-7, 237-9, 237-10, 237-11, 237-12, 237-20 and 237-21	\$10	1
§§ 237-8 and 237-13, 237-14 and 237-15	\$10	1
§ 237-19	\$25	2
Article III		
§§ 237-23 through 237-28	\$25	1
§ 237-30B	\$35	1
§ 237-30H	\$25	1
§ 237-30I	\$35	1
§ 237-31D	\$25	1
§ 237-31E	\$35	1
Article IV		
§ 237-36A, B, C and F	\$5 to \$10	1
§ 237-36D and E	\$300	8
Article V		
§ 237-44A	\$15	1
§ 237-44B	\$25	2

C. A notice of violation of any provision of § 237-23 through § 237-28, § 237-30 and § 237-31 of Article III of this chapter shall be placed on the vehicle parked in violation, such notice to contain instructions to the owner or operator of such vehicle that, if he shall report to the Police Department of the Borough of Danville within five days of the time such notice was given and pay as a penalty for and in full satisfaction of such violation the sum of \$25, the same shall save the violator from prosecution and from payment of the fine and costs above prescribed.

[Amended 2-13-2007 by Ord. No. 480; 11-12-2014 by Ord. No. 523]

D. A notice of violation of any provision of § 237-36A, B, C or F of Article IV of this chapter shall be placed on the vehicle parked in violation, such notice to contain instructions to the owner or operator of such vehicle that, if he shall report to the Police Department within five days of the time such notice was given and pay as a penalty for and in full satisfaction of such violation the sum of \$5, or if he shall report to the Police Department after five days of the time such notice was given and pay as a penalty for and in full satisfaction of such violation the sum of \$10, the same shall save the violator from prosecution and from payment of the fine and costs above prescribed.

[Amended 2-13-2007 by Ord. No. 480]

ENACTED AND ORDAINED this 12th day of November, 2014.

Scott A. Richardson, President of Council

APPROVED this 12th day of November, 2014.

Bernie Swank, Mayor

ATTEST

Shannon Berkey, Borough Manager

(SEAL)