

BOROUGH OF JERMYN

ORDINANCE NO. 2.2015

~~AN ORDINANCE REPEALING ORDINANCE NUMBER 7-93, AS AMENDED, SAID ORDINANCE ADOPTED SEPTEMBER 9, 1993, IN IT'S ENTIRETY WHICH ESTABLISHED PARKING REGULATIONS AND RESTRICTIONS IN THE 500 BLOCK AND 600 BLOCK OF THE EASTERLY SIDE OF WASHINGTON AVENUE AND IN AND ON THE NORTHERLY SIDE OF THE 100 BLOCK OF RUSHBROOK STREET WITHIN THE BOROUGH OF JERMYN, AND ENACTING THIS NEW ORDINANCE GOVERNING AND REGULATING THE STANDING AND/OR PARKING OF AUTOMOBILES AND MOTOR VEHICLES IN THE 500 BLOCK AND 600 BLOCK OF THE EASTERLY SIDE OF WASHINGTON AVENUE, WITHIN THE BOROUGH OF JERMYN AND PROVIDING FOR FINES AND PENALTIES FOR ANY VIOLATION OF THIS ORDINANCE.~~

By the powers grantee to the Borough of Jermyn by the Borough Code, 8 Pa. C.S. §101, et. seq., be it enacted and ordained by the Council of the Borough of Jermyn, Lackawanna County, Pennsylvania, and it is hereby enacted and ordained by the authority of the Jermyn Borough Council as follows:

Section 1. Title.

This ordinance shall be known as the "Automobile/Motor Vehicle Parking Ordinance for the 500 Block and 600 Block of the Easterly Side of Washington Avenue Ordinance.

Section 2. Purpose. The purpose of this ordinance shall be to repeal the Ordinance establishing parking regulations and restrictions governing and regulating the standing and/or parking of automobiles and motor vehicles in the 500 block and 600 block of the easterly side of Washington Avenue and in and on the northerly side of the 100 block of Rushbrook Street within the Borough of Jermyn, said Ordinance adopted September 9, 1993, Ordinance Number 7-93, as amended, in it's entirety and enacting this new Ordinance concerning parking on the 500 Block and 600 Block of the Easterly Side of Washington Avenue and providing for fines and penalties.

Section 3. Policy.

Pursuant to its authority under 8 Pa. C.S. § 3301.1 (a) to enact ordinances and repeal existing ordinances; pursuant to 8 Pa. C.S. §1202 (3) to impose fines and penalties; pursuant to its authority under 8 Pa. C.S. §1202 (5) to make such regulations as may be necessary for the health, safety, and general welfare of its citizens; pursuant to its authority under 8 Pa. C.S. §1202 (12) to regulate the streets, public squares, common grounds, sidewalks and curbs; pursuant to its authority under 8 Pa.C.S. §1202(34) to tow vehicles or make contracts to tow vehicles and to impose fines and fees thereto and pursuant to its authority under 8 Pa.C.S. §1203, to make and adopt any ordinance necessary for the proper management, care and control of the Borough of Jermyn, the Borough of Jermyn enacts the instant ordinance. It is the desire and intent of the Jermyn Borough Council to ensure that the health, safety, and general welfare and safety of the Borough of Jermyn and its residents is ensured. Therefore, in order to protect its citizens, the Jermyn Borough Council enacts the within ordinance.

Section 4. Definitions.

- A. **“BOROUGH”** means the Borough of Jermyn, Lackawanna County, Pennsylvania, the Mayor of the Borough of Jermyn, the Borough Council of Jermyn and any duly authorized agent of any of the above.
- B. **“MOTOR VEHICLE”** In addition to the definition of "Vehicle" contained in the Pennsylvania Motor Vehicle Code at 75 Pa. C.S. §102, which definition is incorporated herein by reference, the term "Vehicle" shall mean all motor vehicles using Borough streets, including all public and private transportation conveyances, other powered and self-propelled vehicles except ones which are propelled solely by human power.

Section 5. Parking Regulations and Restrictions Governing and Regulating the Standing and/or Parking of Automobiles and Motor Vehicles in the 500 block and 600 block of the easterly side of Washington Avenue.

From the effective date of the within ordinance, no person, partnership, corporation or

any other entity shall allow any automobile or motor vehicle to stay, stand or park in, along or on the 500 block or the 600 block of the easterly side of Washington Avenue between the hours of 9:00 a.m. and 5:00 p.m. for a time period exceeding two hours from Monday up through and including Friday of each week.

Section 6. Penalties

The penalties for any person violating this ordinance shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of twenty-five (\$25.00) Dollars, plus any and all costs related to the removal of the vehicle in violation, such as towing costs.

Section 7. Severability and Amendment.

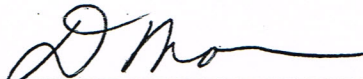
If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains workable minus the invalid portion.

Section 8. Effective Date.

This ordinance shall take effect in accordance with The Borough Code 8 Pa. C.S. §3301.3(b).

ENACTED AND ORDAINED THIS 12 DAY OF NOV., 2015.

ATTEST:

 (SEAL)
DEBORAH MORCOM
BOROUGH MANAGER

BOROUGH COUNCIL OF THE
BOROUGH OF JERMYN

BY: 
PRESIDENT CATHERINE HOSIE

APPROVED this ___ day of _____, 2015.


BRUCE SMALLACOMBE, Mayor