

## **Chapter 226**

### **VEHICLES AND TRAFFIC**

**[HISTORY: Adopted by the Borough Council of the Borough of Port Carbon 4-8-2008 by Ord. No. 1-2008. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

**Bicycles — See Ch. 84.**

**Recreational vehicles — See Ch. 229.**

**Sleighing on Borough streets — See Ch. 207, Art. II.**



ARTICLE I  
**General Regulations**

**§ 226-1. Definitions; word usage.**

- 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, except where the context clearly indicates a different meaning.
- B. 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.
- C. 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.

**§ 226-2. 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 Port Carbon.

**§ 226-3. Temporary and emergency regulations.**

- A. The Borough Council, Mayor and Police Department 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.

**§ 226-4. Experimental regulations.**

- A. The Borough Council, Mayor and Police Department 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 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.

**§ 226-5. Enforcement.**

This chapter shall be enforced by the police officers of the Borough of Port Carbon, 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**

**§ 226-6. Use of sidewalks by motor vehicles.**

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.

**§ 226-7. Speed limits established.**

A. The speed limits for both directions of traffic along the highways within the Borough shall be as per the Pennsylvania Motor Vehicle Code, except as established below:

<b>Speed Limit</b>		
<b>Name of Highway</b>	<b>(mph)</b>	<b>Location</b>
Market Street	30	Entire length
Pike Street	30	Entire length

B. All other Borough streets not listed above shall be 25 miles per hour (mph) speed zones.

C. The speed limits established herein, and all speed limits within the Borough shall be enforced by members of the Port Carbon Police Department in accordance with the provisions of the Pennsylvania Motor Vehicle Code. Said members are expressly authorized to use electrical, mechanical and all other speed-timing devices approved by the Pennsylvania Department of Transportation. Said express authorization shall include, but not be limited to, Vascar-plus, a speed-timing device manufactured by Traffic Safety Systems.

**§ 226-8. Traffic control signals.**

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

**Intersection**

Coal Street and Pike Street

PA 209 and Coal Street

(Flashing signal with caution on Coal Street, north and south, and with stop on PA 209 east)

**§ 226-9. One-way highways established.**

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

<b>Name of Highway</b>	<b>Direction of Travel</b>	<b>Limits</b>
Acre Street	West	Lang Street to Coal Street
Brown Street	North	Second Street to Third Street
Canal Street	West	Pine Street to Rose Avenue
Cherry Street	Northwest	Coal Street to First Street
East Washington Street	East	Mill Street to Lang Street
Lang Street	South	Pike Street to East Washington Street
Pike Street	East	Second Street to Market Street
Pine Street	South	Canal Street to First Street
Rose Avenue	North	Canal Street to Pike Street
Second Street	East	Broad Street to Brown Street
Valley Street	West	Spring Street to Pike Street
Walnut Street	North	Fifth Street to Wayne Street

**§ 226-10. 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:

<b>Name of Highway</b>	<b>Location</b>
	(Reserved)

**§ 226-11. Turns at intersections.**

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

<b>Name of Highway</b>	<b>Direction of Travel</b>	<b>Prohibited Turn</b>	<b>At Intersection of</b>
			(Reserved)

B. Turns on red signal. No person shall make a right turn on a steady red signal at the locations described below:

<b>Intersection</b>	<b>Prohibited Turn</b>
Coal Street and Pike Street	All directions

**§ 226-12. 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:

<b>Structure on (name of highway)</b>	<b>At Intersection of</b>
	(Reserved)

**§ 226-13. Through highways.**

The highways described below are hereby established as through highways, and the operator of every vehicle or tractor upon approaching any such highway at any intersection thereof (except for such intersections where there are now or shall hereafter be located official traffic signals) shall come to a full stop, within a reasonable distance, before entering any such through highway:

<b>Name of Highway</b>	<b>Limits</b>
Coal Street	Entire length
First Street	Entire length
Market Street	Entire length
Pike Street	Entire length
Second Street	Entire length

**§ 226-14. Stop intersections.**

The intersection described below is hereby established as a stop intersection, and official stop signs shall be erected in such a position upon the first-named highway in the direction or directions indicated. All vehicle and tractors approaching any such intersection upon the first-named highway, in the direction or directions indicated in each case, shall come to a full stop, within a reasonable distance, before entering any such intersection:

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Acre Street	West	Coal Street
Apple Street	Both	Oak Street
Apple Street	North	Coal Street
Apple Street	North	Valley Street
Apple Street	South	Rock Street
Broad Street	North	Fourth Street
Brown Street	Both	Third Street
Canal Street	West	Rose Avenue
Canal Street	West	Washington Street
Cherry Street	Both	Valley Street
Cherry Street	Northwest	Coal Street
Cherry Street	Northwest	First Street
Cherry Street	Northwest	Pine Street
Cherry Street	Northwest	Washington Street
Chestnut Street	South	Pottsville Street
Coal Street	Both	North Street
Coal Street	Northeast	Krebs Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Coal Street	Southwest	Krebs Street
Commerce Street	Both	Pottsville Street
Commerce Street	North	Fourth Street
Commerce Street	South	Jackson Street
East Street	Both	Coal Street
East Street	Both	Oak Street
East Street	Both	Valley Street
East Street	North	First Street
East Washington Street	East	Mill Street
Fifth Street	Both	Lillian Street
First Street	West	Market Street
Fourth Street	Both	Brown Street
Fourth Street	West	Lillian Street
Fourth Street	West	Market Street
Grand Street	South	Second Street
Jackson Street	Both	Washington Street
Jackson Street	East	Coal Street
Krebs Street	Both	Coal Street
Krebs Street	North	First Street
Krebs Street	South	Valley Street
Lawton Street	Both	Fourth Street
Lawton Street	Both	Second Street
Lawton Street	Both	Third Street
Lawton Street	South	First Street
Lillian Street	Both	Fifth Street
Lyon Street	South	First Street
Mill Street	North	East Washington Street
Morris Street	Both	Second Street
Morris Street	North	Third Street
Morris Street	South	First Street
Newbold Street	North	Main Street
Nicholas Street	South	First Street
North Street	Both	Coal Street
North Street	Both	Valley Street
North Street	Northwest	First Street



<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Oak Street	Both	Spring Street
Oak Street	East	Wood Street
Park Avenue	Both	Brown Street
Pike Street	East	Market Street
Pine Street	Both	Jackson Street
Pine Street	North	Spruce Street
Pine Street	South	Cherry Street
Pine Street	South	North Street
Pine Street	South	Pike Street
Rose Avenue	Both	Jackson Street
Rose Avenue	North	Pike Street
Second Street	Both	Lyon Street
Second Street	Both	Market Street
Second Street	Both	Nicholas Street
Second Street	East	Broad Street
Spring Street	Both	Coal Street
Spring Street	Both	Valley Street
Spring Street	North	First Street
Spruce Street	East	Coal Street
Spruce Street	West	Washington Street
Third Street	Both	Broad Street
Third Street	Both	Brown Street
Third Street	Both	Lillian Street
Third Street	East	Grand Street
Third Street	West	Market Street
Valley Street	South	Pike Street
Valley Street	Southwest	North Street
Valley Street	West	Spring Street
Washington Street	Both	Jackson Street
Washington Street	Both	Pike Street
Washington Street	North	First Street
Wood Street	South	East Washington Street

**§ 226-15. Yield right-of-way intersections.**

The intersections described below are hereby established as yield right-of-way

intersections, and official yield signs shall be erected in such a position upon the first-named highway as to face traffic approaching the second-named highway in the direction or directions indicated. All vehicles and tractors approaching any such intersection upon 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:

<b>Yield Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
	(Reserved)	

**§ 226-16. 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:

<b>Name of Highway</b>	<b>Limits</b>
	(Reserved)

**§ 226-17. 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:

<b>Name of Highway</b>	<b>Limits</b>
Pike Street	Between Second Street and Rose Avenue, truck traffic limited to local delivery only

**§ 226-18. Vehicle weight limits established.**

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 or portions thereof described below, except for the purpose of making local deliveries on that highway:

<b>Name of Highway</b>	<b>Maximum Gross Weight</b>	<b>Location</b>
Washington Street	(tons) 5	Bridge

**§ 226-19. 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.

**§ 226-20. Play highways.**

- A. The \_\_\_\_\_ 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 \_\_\_\_\_.
- 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 \_\_\_\_\_ 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 highway described below are hereby established as play highways during the times designated:

<b>Name of Highway</b>	<b>Days</b>	<b>Hours</b>	<b>Location</b>
(Reserved)			

**§ 226-21. 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**

**§ 226-22. Vehicles to be parked within marked spaces.**

Whenever 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.

**§ 226-23. 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.

<b>Name of Highway</b>	<b>Side</b>	<b>Angle (degrees)</b>	<b>Location</b>
Washington Street	East	45	First Street to Cherry Street

**§ 226-24. Parking prohibited at all times.**

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

<b>Name of Highway</b>	<b>Side</b>	<b>Location</b>
Acre Street	North	From the bridge to Coal Street
Brown Street	East	Park Avenue to Third Street
Cherry Street	North	Washington Street to Coal Street
First Street	South	North Street to Market Street
Fourth Street	North	From Market Street to a point 100 feet westward
Lang Street	West	East Washington Street to Pike Street
Lillian Street	Both	Third Street to Reese Street
Main Street	Both	Entire length
Market Street	Northeast	Between the intersections of Third and Fourth Streets
North Street	South	First Street to Coal Street
Pike Street	South	Mill Street to Lang Street
Pike Street	West	Pottsville Street to Second Street
Pine Street	East	Canal Street to Pike Street
Pine Street	West	Pike Street to First Street
Pottsville Street	South	From the bridge to Pike Street
Rose Avenue	East	Mill Creek to Jackson Street
Rose Avenue	West	Canal Street to Pike Street

<b>Name of Highway</b>	<b>Side</b>	<b>Location</b>
Second Street	Both	Pike Street to Market Street
Second Street	South	Lyon Street to Broad Street
Spruce Street	North	Coal Street to Rose Avenue
Spruce Street	South	Coal Street to Pine Street
Valley Street	East	North Street to Pike Street
Valley Street	South	From North Street to a point 150 feet eastward
Washington Street	West	As posted across from fire company

**§ 226-25. Parking prohibited during certain hours.**

A. No person shall park a vehicle between the hours specified below of any day, except Saturdays, Sundays and holidays, upon any of the highways or parts of highways described below:

<b>Name of Highway</b>	<b>Side</b>	<b>Hours</b>	<b>Location</b>
		(Reserved)	

B. No person shall park a vehicle between November 1 and March 31 of each and every year upon any of the highways or parts of highways described below during the hours specified:

<b>Name of Highway</b>	<b>Side</b>	<b>Hours</b>	<b>Location</b>
		(Reserved)	

**§ 226-26. 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 limit indicated below, provided that, if parking meters have been installed at any of the described locations, the parking time limits for parking meters shall be observed:

Name of Highway	Side	Hours	Time Limit	Location
			(hours)	
Coal Street		9:00 a.m. to 6:00 p.m., Monday, Tuesday, Wednesday and Saturday; and 9:00 a.m. to 9:00 p.m., Thursday and Friday	1	From the bridge crossing Mill Creek to Cherry Street
Pike Street		9:00 a.m. to 6:00 p.m., Monday, Tuesday, Wednesday and Saturday; and 9:00 a.m. to 9:00 p.m., Thursday and Friday	1	From Valley Street to Pine Street

**§ 226-27. Special-purpose parking zones.**

A. The following is established as a special-purpose parking zone, and it shall be unlawful for any person to park a vehicle or allow it to remain parked in any such zone except as specifically provided for that zone.

Street	Side	Location	Authorized Purpose or Vehicle	Hours	Days
Pine	West	Between North Street and First Street	Payment of tax or office visit at the office of the Borough Tax Receiver	9:00 a.m. to 5:00 p.m.	Monday through Friday

B. The Mayor, Borough police or authorized designee may erect the proper signage, painting and restricted space necessary for establishment of this zone for the parking, ingress and egress for two motor vehicles within said zone. Placement of said restricted zone shall be directly adjacent to the entrance of the office of Tax Receiver located on North Street.

C. Any person who violates any provision of this section, upon conviction, shall be sentenced to pay a fine of not less than \$15 and costs but not more than \$150.





ARTICLE IV  
**Snow and Ice Emergencies**

**§ 226-28. 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 § 226-29 below, either the Borough Council, the Mayor or the Police Department, in its or his discretion, may declare an emergency due to such hazards.

**§ 226-29. 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. During snow and ice emergencies as declared by the Borough of Port Carbon, parking is hereby prohibited on the following streets during said emergencies:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Coal Street	Even address side only	From Spring Street to Pike Street
Coal Street	Both	From Pike Street to Miller factory
Jackson Street	Odd numbered side only	Between Commerce Street and Coal Street
Market Street to Fourth Street		Both
Mill Street	Odd numbered address side only	Between Pike Street and East Washington Street
Pike Street	Both	From Mill Street to Turkey Hill store
Pottsville Street	Both	From Commerce to Pike Street
Third Street	Even address side only	From Lillian Street to East Norwegian Township Line

- C. Any individual, corporation, or entity in violation of this article shall be subject to a fine not more than \$300 together with the costs of filing and prosecution therewith.
- D. This article shall be enforceable through any means available to the Borough of Port Carbon, including, but not limited to, the Pennsylvania Borough Code and Pennsylvania Motor Vehicle Code through summary citation.

**§ 226-30. Placement of signs.**

- A. In order to assist the operators of motor vehicles and tractors in determining the highways affected by this article, the Borough Council, Mayor and Police Department or the Chief of Police shall place around the utility poles on the highways or portions thereof designated in § 226-29B above signs reading as follows:

SNOW  
 EMERGENCY  
 ROUTE  
 SNOW TIRES OR  
 CHAINS REQUIRED  
 NO PARKING  
 DURING EMERGENCY  
 VEHICLES  
 TOWED AWAY

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

**§ 226-31. Violations.**

- A. Any person who shall park a motor vehicle or tractor upon or along any of the highways or portions thereof listed in § 226-29B at any time during a period of emergency declared as provided in § 226-28 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 § 226-29B, which such vehicle or tractor shall become stalled upon any of such highways during a period of emergency declared as provided in § 226-28 of this article and such stalling shall be 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 V  
**Removal and Impounding of Illegally Parked Vehicles**

**§ 226-32. 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.

**§ 226-33. 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:

<b>Name of Garage</b>	<b>Address</b>
	(Reserved)

**§ 226-34. Bonding of garages.**

Every such approved storage garage or pound shall be bonded in an amount as set by resolution of 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 pound keeper.

**§ 226-35. Towing and storage charges.**

The towing charge to be collected by every such pound keeper and the storage charge for the first day and for each additional day shall be as set from time to time by resolution of the Borough Council.

**§ 226-36. 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.

**§ 226-37. 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.

**§ 226-38. 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.

**§ 226-39. 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.

**§ 226-40. 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 VI  
**Interpretation and Repeal; Penalties**

**§ 226-41. 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 had such unconstitutional, illegal or otherwise invalid provision not been included herein.

**§ 226-42. Repeal of previous ordinances; effect.**

- A. All previous ordinances of the Borough of Port Carbon 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.

**§ 226-43. Violations and penalties.**

- A. Traffic violations. Any person violating the provisions of Article II of this chapter shall be guilty of a summary offense and, upon conviction thereof, shall be punishable as set forth in Chapter 1, General Provisions, Article I, General Penalty, of this Code.
- B. Parking violations. Any person violating the provisions of Article III, IV or V of this chapter shall be guilty of a summary offense and, upon conviction thereof, shall be punishable as set forth in Chapter 1, General Provisions, Article I, General Penalty, of this Code, provided that, if a notice of violation is placed upon a vehicle, stating the monetary amount to be paid at the Police Department in satisfaction of the violation and the time within which such payment is to be made, the payment of the stated amount at the Police Department of the Borough of Port Carbon within the stated time shall be deemed to be in full satisfaction of the violation.



ARTICLE VII  
**Handicapped Parking Spaces**

**§ 226-44. Application process.**

- A. Any resident of Port Carbon Borough may make application to the Borough for a handicapped parking space only after acquiring a handicapped license plate or placard or a disabled veteran license plate. The resident applying for said permit must possess a licensed motor vehicle registered at the address requested for the permit.
- B. All applications shall be made to the Borough Secretary.
- C. New applications shall be reviewed by the Borough Police Department which will make a recommendation to the Borough Council, which in turn will make the final determination regarding granting a handicapped parking space.
- D. Renewal applications shall be reviewed by the Borough Council, which will make the final determination regarding renewal of existing spaces.
- E. Each applicant, whether for a new permit or a renewal, shall complete an application form and provide the Borough with all information requested.
- F. An incomplete application form may be denied by the Borough.

**§ 226-45. Application renewal.**

- A. Each permit for a handicapped parking space shall be renewed on an annual basis.
- B. Applications for renewal shall be submitted to the Borough Council between January 1 and January 31 of each calendar year.
- C. In making the final determination regarding the renewal of a previously permitted handicapped space, the Borough shall apply the criteria contained in this article.
- D. Once a permit is not renewed for any reason, any application by the same applicant shall be considered a new application and shall be governed by the provisions of this article.

**§ 226-46. Location of handicapped parking spaces.**

- A. All handicapped parking spaces permitted prior to the effective date of this chapter shall be allowed to remain as located but must be renewed annually beginning January 1, 2004.
- B. No permit shall be granted where adequate handicapped-accessible off-street parking is available.

**§ 226-47. Standards.**

- A. All applicants shall meet at least one of the following requirements with proof from a physician who certifies he examined the applicant within 60 days of application:

- (1) The applicant is wheelchair-confined.
- (2) The person requesting a permit is caring for a person who has a severe physical or mental disability and resides at the residence within the Borough where the handicapped space is to be placed.
- (3) The applicant is unable to walk a distance of 50 feet. (Applicant may be asked to perform this and/or produce documentation verifying this condition.)
- (4) The applicant has severe cardiopulmonary insufficiency requiring the use of ambulatory oxygen.
- (5) The applicant requires the use of prosthetic devices that restrict normal ambulation.
- (6) The applicant has other physical or mental limitations that the Borough believes are severe enough to warrant a handicapped parking space.

**§ 226-48. Revocation of permit.**

- A. The Borough reserves the right to revoke any permit for a handicapped parking space at any time for any reason.
- B. The Borough shall revoke any permit whereby the handicapped individual shall either be removed from the residence or becomes deceased during the calendar year.

**§ 226-49. Financial responsibility.**

- A. Any individual receiving a handicapped parking permit shall bear the sole financial responsibility for painting, signage and any other necessary work in properly designating the proposed area as a handicapped parking space. A Borough representative or a Borough-approved contractor may perform the work at the Borough's option. Any plans related to the painting, signage and designation of said handicapped parking spot must first be approved by the Borough Council.
- B. The Borough Council may from time to time either through resolution or motion charge a reasonable permit fee for recovery of its costs during the permitting process.

**§ 226-50. Dimensions and size of handicapped parking space.**

The Borough Council shall determine the necessary size, length, width and dimensions of any handicapped parking space granted by permit for necessary ingress, egress or regress of a motor vehicle. The Borough Council shall receive full discretion in determining the size of a handicapped parking space.

**§ 226-51. Penalties.**

- A. Purpose. Title 75 of the Pennsylvania Consolidated Statutes, as amended by Act 84 (7/10/1990), provides that local municipalities may designate handicapped parking areas.



- B. Intent. It shall be unlawful for any person, firm, partnership, corporation, whether principal or agent, to park in any area designated as "handicapped parking" by both vertical and horizontal markings.
- C. Penalties. Any person, firm, partnership, or corporation, whether principal or agent, violating the provisions of this article shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article I, General Penalty, of this Code.

