

ORDINANCE NO.: 2023- 2

AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL, COUNTY OF SCHUYLKILL, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A NO PARKING/ TOW AWAY ZONE ON THE NORTH SIDE OF VALLEY STREET, MARY-D FROM EMERICK STREET TO UNION -STREET, (EXCEPT FOR THE 200 BLOCK OF VALLEY STREET FROM UNION STREET TO MINE STREET); PROVIDING FOR DEFINITIONS AND INTERPRETATION; AND PROVIDING PENALTIES FOR VIOLATION

WHEREAS, Township Engineer, David L. Horst has conducted and completed a traffic investigation and study for certain portions of Valley Street at the request of and reporting back to the Supervisors; and

WHEREAS, in furtherance of the Engineer's investigation and study a recommendation has been made to restrict all parking on the north side of the Valley Street from Emerick to Union Street and establishing a parking lane entirely on the south side of said Valley Street; and

WHEREAS, based upon said recommendations, the Township Supervisors have determined that such parking restriction recommendation has merit and is intended to protect the health, safety, and welfare of residents within the area of Valley Street subject to this Ordinance.

NOW THEREFORE, be it ordained and enacted by the Board of Supervisors of the Township of Schuylkill, County of Schuylkill, Commonwealth of Pennsylvania as follows:

Article 1. Definitions and Interpretations. Words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in the Vehicle Code of Pennsylvania as now enforced or as hereinafter amended, enacted or reenacted, except in those instances where the context clearly indicates a different meaning. The singular shall include the plural and the masculine shall include the feminine.

Article 2. Establishment of No Parking/ Tow Away Zone.

- A. That portion of Valley Street from Emerick Street to Union Street, North Side only, is hereby declared to be a no parking/ tow away zone. There shall be no parking on the north side of Valley Street between Emerick Street and Union Street by any motor vehicle within this corridor. Furthermore, no person or entity shall park a vehicle on private property on the north side of Valley Street so as to encroach within any portion of the no parking/ tow away zone as established herein.

Parking shall, however, be permitted on both the North Side and South Side of the 200 block of Valley Street, from Union Street to Mine Street but no vehicle shall extend beyond the white fog line encroaching into the Township right of way (Valley Street) and any violation of this provision shall be subject to the same penalty provisions as set forth herein: summary offense – prosecution and/or towing.

- B. Towing and storage: Removal and impounding of vehicles under this Ordinance shall be done by approved storage garages that shall be designated from time to time by the Township. Every such garage shall submit evidence to the Township that it is bonded or has acquired liability insurance in an amount satisfactory to the Township as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Township its schedule of charges for towing and storage of vehicles and once approved by the Township those charges shall be adhered to by the approved storage garage.

The payment of towing and storage charges shall not relieve the owner of any vehicle

from liability for any fine or penalty for the violation of this Ordinance for which the vehicle was removed from impoundment. In order to reclaim his or her vehicle the owner shall pay towing and storage costs. The Township shall maintain a record of all vehicles impounded under this Ordinance and shall be able at all reasonable times to furnish the owners or agents of the owners of those vehicles with information as to the place of storage of the vehicle.

- C. Official no parking/ tow away signs shall be erected to consistent with this Ordinance and the recommendations provided to this Board of Supervisors.

Article 3. Penalty for Violation. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of \$100.00 and costs of prosecution and shall be enforced as a summary offense and enforcement shall be by action brought before a District Justice in the same manner provided for the enforcement of summary offenses under Pennsylvania Rules of Criminal Procedure.

Article 4. Enforcement. This Ordinance shall be enforced by the Schuylkill Township Police Department.

Article 5. Inconsistent Ordinances Repealed. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as the same may be in conflict with this Ordinance only to the extent of the No Parking / Tow Away Zone established by this Ordinance.


Article 6. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance.

It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted and such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

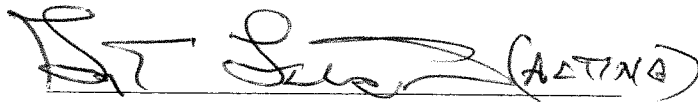
Article 7. Effective Date. This Ordinance shall take effect immediately upon adoption by the Board of Supervisors of Schuylkill Township.

Adopted this 7th day of August, 2023.

SCHUYLKILL TOWNSHIP SUPERVISORS

BY: 
Charles Fayash, Chairman

ATTEST:

 (ACTING)
Denise Hill, Secretary