

BOROUGH OF TOPTON
BERKS COUNTY, PENNSYLVANIA

ORDINANCE 2020- 4

AN ORDINANCE OF THE BOROUGH OF TOPTON, BERKS COUNTY, PENNSYLVANIA, RESTRICTING PARKING ALONG THE EAST SIDE OF MAIN STREET FROM THE NORFOLK SOUTHERN RAILROAD RIGHT-OF-WAY TO ITS INTERSECTION WITH WASHINGTON STREET; AUTHORIZING THE BOROUGH TO PLACE SIGNS AND PAINT CURB AND STREET MARKINGS ALONG SAID STREET INDICATING THE ABOVE-REFERENCED PARKING RESTRICTIONS; PROVIDING PENALTIES FOR VIOLATION; AND PROVIDING FOR SEVERABILITY AND REPEAL OF INCONSISTENT ORDINANCES AND RESOLUTIONS OR PARTS THEREOF

WHEREAS, the Borough Council of the Borough of Tipton is authorized pursuant to the Borough Code to enact ordinances to protect public health, safety, and welfare;

WHEREAS, it has come to the attention of the Borough Council that vehicles have been parking along the East side of Main Street, from the Norfolk Southern Railroad right-of-way to the intersection with Washington Street;

WHEREAS, Main Street is a street in the Borough under the jurisdiction of Borough Council;

WHEREAS, based upon the observations of the Borough Council in studies and reviews of this matter, there is a threat to the safety of persons traveling on Main Street and Washington Street due to the presence of parked vehicles on the East Side of Main Street in the vicinity of the intersection of Washington Street;

WHEREAS, in order to protect the traveling public and pedestrians from the above-described danger, it has been recommended that parking of vehicles be eliminated on the East side of Main Street from the Norfolk Southern Railroad right-of-way to the intersection with Washington Street;

WHEREAS, under the Borough Code, a municipality is authorized to regulate parking on streets under its jurisdiction.

IT IS THEREFORE ENACTED AND ORDAINED by the Borough Council of the Borough of Tipton, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Parking Restrictions on Main Street. Parking of vehicles shall be prohibited along the East side of Main Street at its intersection with Washington Street to the edge of the Norfolk Southern Railroad (or its successor in interest) right-of-way.

Section 2. Signs and Curb and Street Markings Authorized. The Borough Council is authorized to place signs of the form and type approved and authorized by the Pennsylvania Department of Transportation (PA DOT), in the manner required under PA DOT regulations, setting forth the aforementioned parking restrictions, and is authorized to paint the curb and street with markings indicating these parking restrictions.

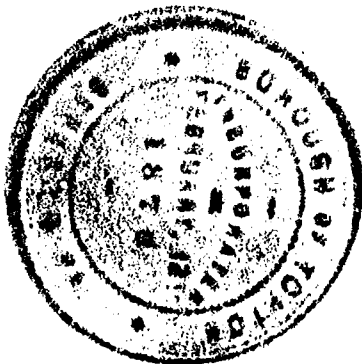
Section 3. Penalties. Any person who shall park a vehicle in violation of the restrictions established by this Ordinance shall, upon conviction thereof by a Magisterial District Judge in an action brought in the same manner as for summary offenses as set forth in the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine which shall not be less than Thirty-Five Dollars (\$35.00) nor more than Three Hundred Dollars (\$300.00), and the costs of prosecution, and in default of payment thereof, shall be imprisoned for not more than five (5) days.

Section 4. 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 Borough Council of the Borough of Topton that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Repealer. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective on the earliest date allowed by applicable law.

DULY ENACTED AND ORDAINED this 14th day of September, 2020.



BOROUGH OF TOPTON
BERKS COUNTY, PENNSYLVANIA

By: Stephen B. Beck
(Vice) President of Council


Attest: Stacy C. Dilo
Secretary BOROUGH MANAGER

Approved as an Ordinance this 14th day of September, 2020:

By: 

, Mayor

I certify that this is a true and correct copy of an Ordinance adopted by the Borough of Topton, Berks County, Pennsylvania on September 14th, 2020.


Secretary
BOROUGH MANAGER