

CHAPTER 15

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PART 1

GENERAL REGULATIONS

§15-101. Definitions and Interpretations.

1. Words and phrases, when used in this Chapter, except for Sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended, except that in this Chapter the word "street" may be used interchangeably with the word "highway," and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
2. 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 Day.
3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 995, 12/10/2003)

§15-102. Relationship to Pennsylvania Motor Vehicle Code.

1. The provisions of the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended, shall be used for determination of all penalties and for enforcement purposes, except as otherwise provided herein. This Chapter is intended to apply to specific highways and streets which are regulated or restricted in usage.
2. The provisions of the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended, shall be used for traffic regulations, speed restrictions and parking regulations within the Borough, except as otherwise provided herein.

(Ord. 995, 12/10/2003)

§15-103. Manner of Adopting Permanent Traffic and Parking Regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances or as amendments to this Chapter, except where the law specifically authorizes less formal action.

(Ord. 995, 12/10/2003)

§15-104. Provisions to be Continuation of Existing Regulations.

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The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

(Ord. 995, 12/10/2003)

§15-105. Temporary and Emergency Regulations.

1. The Borough Manager shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.
 - B. 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.
2. Such temporary and emergency regulations shall be enforced by the 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 subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution.

(Ord. 995, 12/10/2003)

§15-106. Experimental Regulations.

The Borough Council may, from time to time by resolution, designate places upon and along the highways in the Borough of Aspinwall 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 as if they had been specified in this Chapter. No person shall operate and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution; provided, the purpose of this Section is to allow for test and experimental determination of the feasibility and

feasibility and desirability of permanent changes in the ordinances of the Borough of Aspinwall relative to traffic and parking.

(Ord. 995, 12/10/2003)

§15-107. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. The Borough Council shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
2. The Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.
3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-108. Use of Streets By Processions and Assemblages.

1. For the purpose of this Section, the words "assemblage" and "procession" shall have the following meanings:

ASSEMBLAGE - a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street.

PROCESSION - a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Borough Manager, which shall be issued without fee. Application for the permit shall be made at least 1 week in advance of the day on which the assemblage is proposed to be held, but in any case where a State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it

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shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Borough Manager, which shall be issued without fee. Application for the permit shall be made at least 2 weeks in advance of the day when the procession is proposed to be held, but in any case where the State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.
4. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-109. Authority of Police Officers.

The police officers of the Borough of Aspinwall are hereby authorized to direct traffic on the highways of the Borough of Aspinwall and at intersections thereof and to otherwise enforce the provisions of this Chapter.

(Ord. 995, 12/10/2003)

§15-110. Authorization for Use of Speed Timing Devices.

1. The Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with §3368 of the Vehicle Code, 75 Pa.C.S.A. §3368, as amended.
2. This Section authorizes the use of said devices upon all highways within the Borough of Aspinwall be they Borough of Aspinwall, County or State highways, and does also hereby elect to exercise all powers granted to "local authorities" under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S.A. §6101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(Ord. 995, 12/10/2003)

§15-111. Signs Required.

1. All traffic regulations set forth in this Chapter shall be subject to the posting of proper traffic signs or signals as required by the Vehicle Code, 75 Pa. C.S.A. §101 *et seq.*, as amended.
2. The Mayor and Police Chief are hereby authorized and directed to post the signs in the manner required by the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended.
3. It shall be unlawful to remove, injure, destroy or deface any marking or sign so placed in accordance with the provisions of this Chapter. Any person violating the provisions of this Section shall pay, in addition to the fine otherwise imposed for the violation the cost of replacing or repairing any marking or sign removed, injured, destroyed or defaced by such offender.

(Ord. 995, 12/10/2003)

PART 2

TRAFFIC REGULATIONS

§15-201. Maximum Speed Limits Established on Certain Streets.

1. Maximum speed limits are established on portions of specified streets as set forth below. It shall be unlawful for any person to drive a vehicle on a street or portion thereof at a higher speed than the maximum speed limit established in this Section:

Street	Between	Maximum Speed Limit
All Borough owned streets		15 mph
Delafield Avenue	Entire length within the Borough	25 mph

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

(Ord. 995, 12/10/2003)

§15-202. Maximum Speed Limits Established in Parks.

1. A speed limit of 15 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Borough of Aspinwall, except in the following locations, where the lower maximums, as specified, shall apply:

Park	Street	Location	Maximum Speed Limit
		[Reserved]	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

(Ord. 995, 12/10/2003)

§15-203. Traffic Signals at Certain Locations.

1. At the following locations traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

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Location	Type of Signal
Freeport Road and Western Avenue	Traffic
Freeport Road and Brilliant Avenue	Traffic
Freeport Road and Delafield Avenue	Traffic

2. Any driver of a vehicle who disobeys the directions of any traffic signal shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-204. Intersections Where Turn Prohibited on Red Signal.

1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

Intersection	Vehicles Traveling On	Facing
Freeport Road and Western Avenue	Freeport Road	Western Avenue
Western Avenue and Freeport Road	Western Avenue	Freeport Road

2. Any driver of a vehicle who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-205. One-Way Roadways Established.

1. The following are established as one-way roadways, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

Street	From	To	Direction of Travel
Commercial Alley	Eastern Avenue	Brilliant Avenue	West
Commercial Avenue	Center Avenue	Eastern Avenue	East
Emerson Avenue	Second Street	Loop Road	North
Field Avenue	Fifth Street	Second Street	South
Fifth Street	Western Avenue	Eastern Avenue	East

Street	From	To	Direction of Travel
Fifth Street	Field Avenue	Western Avenue	West
First Street	Western Avenue	Brilliant Avenue	West
Fourth Street	Brilliant Avenue	Lexington Avenue	West
Guyasuta Lane	Guyasuta Road	West Eighth Street	North
Lexington Avenue	Fourth Street	Freeport Road	North
Loop Street	Brilliant Avenue	Emerson Avenue	East
Ninth Street	River Oaks Drive	Virginia Avenue Ext.	West
Second Street	Field Avenue	Brilliant Avenue	East
Third Street	Field Avenue	Brilliant Avenue	East
Virginia Avenue	Fourth Street	Freeport Road	South

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-206. Turning at Certain Intersections Prohibited or Restricted.

1. It shall be unlawful for the driver of any vehicle of the type indicated traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make a left turn and/or a right turn into the second-named street, as indicated, at any time when such a turn is prohibited by this Section:

Vehicles Traveling On	Direction of Travel	Not to Make Turn	Into	When	Type of Vehicle Applicable To
Brilliant Avenue	North	Left	Third Street	All	All
Center Avenue	North	Left	Third Street	All	All
Eastern Avenue	North	Left	Third Street	All	All

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Vehicles Traveling On	Direction of Travel	Not to Make Turn	Into	When	Type of Vehicle Applicable To
Eastern Avenue	North	Right	Third Street	All	All
Eleventh Street	West	Left	Guyasuta Lane	All	All
Freeport Road	West	Right	Virginia Avenue	All	All
Freeport Road	East	Left	Virginia Avenue	All	All
Lexington Avenue	South	Left	Fourth Street	All	All
Maple Avenue	South	Right	Third Street	All	All
Ninth Street	West	Left	Guyasuta Lane	All	All
Second Street	East	Left	Virginia Avenue	All	All
Tenth Street	West	Left	Guyasuta Lane	All	All
Western Avenue	South	Right	Third Street	All	All

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-207. Right Turns Only Permitted at Certain Intersections.

1. It shall be unlawful for the driver of any vehicle traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make other than a right turn, at any time stated, both left turns and straight-across traffic being prohibited:

Vehicles Traveling On	Direction of Travel	Times	Not To Make Left Turn Into or Travel Straight Across
		[Reserved]	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-208. U-Turns Prohibited at Certain Locations.

1. It shall be unlawful for the driver of any vehicle traveling upon any of the following portions of streets, in the direction or directions indicated for that street, to make a U-turn:

Street	Portion	Direction of Travel
	[Reserved]	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-209. No Passing Zones Established.

1. The following are established as no passing zones, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no passing zone:

Street	Direction of Travel	Between
Freeport Road	Both	Entire Length

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-210. Through Highways Established.

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this Section shall stop the vehicle or yield right-of-way as required by §§3323(b) or 3323(c) of the Vehicle Code, 75 Pa.C.S.A. §§3323(b), 3323(c), as amended, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that Section of the law:

Stop Street	Intersecting or Through Street	Direction of Travel
Eastern Avenue	Third Street	North and south
Eastern Avenue	Fourth Street	North and south
Eastern Avenue	Freeport Road	South
Eastern Avenue	Sixth Street	North
Eastern Avenue [<i>Ord. 1026</i>]	First Street	North and south
Eighth Street, West	Center Avenue	East
Eleventh Street	Center Avenue	West
Emerson Avenue	Fourth Street	North and south
Emerson Avenue	Second Street	North and south
Emerson Avenue	Second Street	East and west
Field Avenue	Fourth Street	South
Field Avenue	Third Street	South
Fifth Street	Field Avenue	West
Fifth Street	Center Avenue	East and west
First Street	Western Avenue	West
First Street	Eastern Avenue	West
Fourth Street	Lexington Avenue	West
Fourth Street	Brilliant Avenue	West
Fourth Street	Western Avenue	West
Fourth Street	Field Avenue	West
Fourth Street	Eastern Avenue	West
Fourth Street	Delafield Avenue	East
Fourth Street	Emerson Avenue	West
Fourth Street	Maple Avenue	West
Fourth Street	Center Avenue	West
Guyasuta Lane	Twelfth Street	North and south
Guyasuta Road	Guyasuta Lane	East
Lexington Avenue	Second Street	North
Lexington Avenue	Fourth Street	North and south

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Stop Street	Intersecting or Through Street	Direction of Travel
Loop Street	Emerson Avenue	East
Maple Avenue	Third Street	South
Ninth Street	Center Avenue	East and west
Riveroaks Road	Guyasuta Road	North
Second Street	Brilliant Avenue	East and west
Second Street	Delafield Avenue	East
Second Street	Western Avenue	East
Second Street	Eastern Avenue	East
Second Street	Virginia Avenue	East
Second Street	Center Avenue	East
Second Street	Lexington Avenue	East and west
Sixth Street	Maple Avenue	West
Sixth Street	Emerson Avenue	East
Sixth Street	Center Avenue	West
Sixth Street	Eastern Avenue	East
Tenth Street	Center Avenue	East and west
Third Street	Brilliant Avenue	East
Third Street	Maple Avenue	East
Third Street	Eastern Avenue	East
Third Street	Center Avenue	East
Third Street	Western Avenue	East
Virginia Avenue	Second Street	South
Virginia Avenue	Freeport Road	South
Western Avenue [<i>Ord. 1032</i>]	First Street	North and south
Western Avenue	Second Street	North and south
Western Avenue	Third Street	North and south

- Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1026*, 2/6/2008, §1; and by *Ord. 1032*, 8/12/2009,

§1)

§15-212. Yield Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §15-210) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by §3323(c) of the Vehicle Code, 75 Pa.C.S.A. §§3323(c), as amended, and then yield the right-of-way as required by that subsection of the Vehicle Code.

Yield Street	Through Street	Direction of Travel
Guyasuta Lane	Guyasuta Road	North

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-213. Operation of Motor Vehicles Restricted on Public Lands.

1. No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Borough of Aspinwall or any other public agency or instrumentality within the Borough of Aspinwall without the permission of the property owner and a permit from the Borough Manager of the Borough of Aspinwall.
2. Any person who violates an provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-214. Rotary Traffic Islands Established.

1. The following locations are designated as rotary traffic islands, and every vehicle passing around a rotary traffic island shall be driven only to the right of the island:

Location
[Reserved]

2. Any person who drives a vehicle otherwise than to the right of any rotary traffic island shall be guilty of a violation of this Section and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

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§15-215. Obstruction of Traffic Prohibited.

1. It shall be unlawful for any person, firm or corporation, whether principal or agent, to obstruct by vehicles or otherwise any street, driveway, alleyway, passageway or other way of any kind.
2. It shall be unlawful for any person, firm or corporation to obstruct traffic by vehicles or otherwise in the specific manner and locations described below:

Location	Prohibited Action
Brilliant Avenue	No backing out from First Street onto Brilliant Street
Brilliant Avenue	No backing out from Alley B onto Brilliant Avenue
Brilliant Avenue	No backing out from Commercial Avenue onto Eastern Avenue

(Ord. 995, 12/10/2003)

PART 3

RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

§15-301. Vehicle Weight Limits ; Exceptions.

1. It shall be unlawful for any person to operate any vehicle or tractor, except a passenger vehicle, or other tractor, trailer, or tractor-trailer combination having a gross weight in excess of 20,000 pounds (10 tons), unless specified otherwise, upon any street within the Borough, except for the purpose of making local deliveries on that street. This vehicle weight restriction shall not apply to State roads or portions thereof located in the Borough.
2. This Section shall not apply to the operation of any public safety or firefighting vehicles, Borough-owned or contracted vehicles or school and public transportation motor buses.
3. For the purposes of this Section, “gross weight” shall mean the combined weight of the vehicle and load.
4. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), 4902(g)(1) and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

(Ord. 995, 12/10/2003)

§15-302. Truck Traffic Restricted on Certain Streets.

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

Street	Between
Delafield Avenue	Freeport Road and Route 28
Ninth Street	Center Avenue and Guyasuta Lane
Tenth Street	Center Avenue and Guyasuta Lane

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-303. Restrictions on Parking Trucks, Trailers and Commercial Vehicles.

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1. No truck, commercial vehicle, mobile home or camper unit exceeding 7,000 pounds in gross weight or designed as Class III or above by the Pennsylvania Motor Vehicle Code or vehicles with dual rear wheels, buses or construction vehicles or equipment shall be parked on or in any street, road, highway, alley or way of the Borough of Aspinwall between the hours of 10 p.m. and 6 a.m., Monday through Saturday, and from 10 p.m. Saturday to 6 a.m. Monday, at the prevailing time standard; except that during said hours they may park for a reasonable period as may be required for the prompt loading or unloading thereof for the provision of public utility services of any emergency nature.
2. Construction vehicles or equipment may be parked on a lot while construction activity is proceeding, in accordance with the provisions of §15-1105 of this Chapter, provided a Borough permit has been duly grant for construction activity.

(Ord. 995, 12/10/2003)

§15-304. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code, 75 Pa.C.S.A. §§4902(b), as amended, it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street:

Street or Bridge	Between	Restrictions
	(Reserved)	

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(b) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. §§4902(a), 4902(g)(1), as amended, and, upon conviction, shall be sentenced to pay a fine of not less than \$25 and not more than \$100 and costs.

(Ord. 995, 12/10/2003)

PART 4**GENERAL PARKING REGULATIONS****§15-401. Vehicles to be Parked Within Marked Spaces.**

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

(*Ord. 995, 12/10/2003*)

§15-402. Parking Prohibited at all Times in Certain Locations.

Parking shall be prohibited at all times in the following locations:

Street	Side	Between
Brilliant Avenue	West	Southern street line of Second Street to corner
Brilliant Avenue	East	Second Street and Second Street Alley
Center Avenue	East	Commercial Avenue and Freeport Road
Center Avenue	East	Across from West Eight Street entrance
Center Avenue	West	First Street and Freeport Road
Commercial Alley	South	Near intersection with Eastern Avenue
Commercial Alley		Southwest corner area
Delafield Avenue	East	Entire length
Delafield Avenue	West	Northern street line of Freeport Road to corner
Eastern Avenue	West	First Street and Commercial Avenue
Eastern Avenue	East	Commercial Avenue and Freeport Road
Eighth Street, West	North	Entire length
Eighth Street	South	Entire length
Eighth Street (alley)	Both	Seventh Street and Eighth Street

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Street	Side	Between
Eleventh Street	North	Entire length
Field Avenue	West	Between signs on the fence
Field Avenue	West	Across from Second Street Alley
Field Avenue	East	Entire Length
Field Avenue	West	At entrance to the Borough field
Fifth Street	North	Center Avenue and Eastern Avenue
Fifth Street	South	Field Avenue and Center Avenue
Fifth Street	North	Eastern street line of Western Avenue to corner
Fourth Street	North	Entire Length
Fourth Street	South	Emerson Avenue and Delafield Avenue
Freeport Road	North	Entire length (except at parking meters)
Freeport Road	North	Western street line of Brilliant Avenue to corner
Freeport Road	North	At northeasterly corner of Freeport Road and Emerson Road
Guyasuta Road	South	Entire length
Lexington Avenue	East	PA Route 28 and Fourth Street
Ninth Street	South	Entire length
Second Street	South	Brilliant Avenue to Delafield Avenue
Second Street (alley)	South	Center Avenue and Eastern Avenue
Tenth Street	North	Center Avenue to eastern Borough boundary
Third Street	North	Maple Avenue and Brilliant Avenue
Twelfth Street	South	Entire length
Waterworks Drive	East	Entire Length
Western Avenue	East	First Street and Freeport Road

(Ord. 995, 12/10/2003)

§15-403. Parking Prohibited in Certain Locations Certain Days and Hours.

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

Street	Side	Between	Days	Hours
Center Avenue	West	First Street and Twelfth Street	Monday through Saturday	All hours

(Ord. 995, 12/10/2003)

§15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations.

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

Street	Between
	[Reserved]

(Ord. 995, 12/10/2003)

§15-405. Parking Time Limited in Certain Locations Certain Days and Hours.

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

Street	Side	Between	Days	Hours
		[Reserved]		

(Ord. 995, 12/10/2003)

§15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.

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

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Street	Side	Location	Authorized Purpose or Vehicle
Brilliant Avenue	West	One space, between Freeport Road and First Street	Reserved for handicapped
Center Avenue	East	First space off alley between Second Street and Third Street	Water vault - no parking
Commercial Avenue	North	Three spaces in front of municipal building	Official parking only
Emerson Avenue	West	One space, 100 block between Freeport Road and Second Street	Reserved for handicapped
Emerson Avenue		One space at 116 Emerson Avenue	Reserved for handicapped
Fifth Street	North	One space, between Center Avenue and Western Avenue	Reserved for handicapped
First Street	South	Between Brilliant Avenue and Eastern Avenue	Loading zone, no parking
First Street	North	Between Center Avenue and Eastern Avenue at designated area	Official parking only
First Street		Within 20 feet of the driveway entrance to any fire station or when properly posted on the side of a street opposite the entrance to any fire station within 75 feet of the entrance.	Fire Station - Safety Zone, no parking
First Street	North	One space, between Brilliant Avenue and Eastern Avenue	Reserved for handicapped
First Street	South	One space, between Eastern Avenue and Center Avenue	Reserved for handicapped
First Street	North	One space, between Center Avenue and Western Avenue	Reserved for handicapped

Street	Side	Location	Authorized Purpose or Vehicle
Fourth Street	South	One space, between Center Avenue and Eastern Avenue	Reserved for handicapped
Lexington Avenue	East	One space, east side of 200 block, between Second Street and Fourth Street	Reserved for handicapped
Lexington Avenue		One space at 119 Lexington Avenue	Reserved for handicapped
Locust Street		One space across from East Eighth Street	Salt truck exit - no parking December 1 to March 1
Lower Aspinwall Recreation Field		Two spaces, near gate	Reserved for handicapped
Municipal Parking Lot		Commercial Avenue, east side of lot, two spaces	Reserved for handicapped
Second Street	North	One space, 200 block of Second Street	Reserved for handicapped
Second Street	South	One space, south side of 100 block, between Western Avenue and Center Avenue	Reserved for handicapped
Second Street		One space 100 block Second Street at 138	Reserved for handicapped
Third Street	South	Between Maple Avenue and Brilliant Avenue	School Zone - No parking on school days, 12 p.m. to 3 p.m.
Third Street	South	One space, 200 block of Third Street	Reserved for handicapped
Third Street	South	Between Center Avenue and Western Avenue	Church Entrance - no parking
Third Street		One space 200 block Third Street at 219	Fire Chief Only
Waterworks Drive	East	East side	Official parking only

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Street	Side	Location	Authorized Purpose or Vehicle
Western Avenue	East	One space, 400 block, corner of Western Avenue	Reserved for handicapped

(Ord. 995, 12/10/2003)

§15-406A. Parking Signs for Handicapped Persons.

1. The Borough approves the creation of a Handicapped Sign Committee to oversee and administer the rules and regulations of this Section. The Handicapped Sign Committee shall be comprised of three members of the Borough Council Public Safety Committee, the Borough Manager and the Chief of Police.
2. Any handicapped person or severely disabled veteran who desires to have the Borough erect for them on the highway as close as possible to their place of residence a sign or signs indicating that such place is reserved for the handicapped person or severely disabled veteran, that no parking is allowed by others, and that any unauthorized person parking there shall be subject to a fine, pursuant to the provisions of §3354(d) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §3354(d), shall, on an annual basis, make application for the erection of such sign or signs to the Borough, and which application shall include the following information:
 - A. The vehicle must be registered to the handicapped resident and the vehicle must be driven by the handicapped person, or a family member who also resides at the same address.
 - B. A copy of the current special registration plate for one passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds, designating the vehicle so licensed as being used by a handicapped person pursuant to §1338(a) of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §1338(a).
3. An application or renewal for the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Section shall be made to the Disabled Sign Committee on an annual basis, which year shall run from August 1 through August 30 of the following year and any applications for the subsequent calendar year must be filed by July 1 to the 31 of the current calendar year. Otherwise, if new applications or renewal applications for the erection of such signs are not filed with the Disabled Sign Committee by July 31 of the calendar year, they shall expire on August 1 of that same calendar year, and shall not be valid for the subsequent calendar year until such time as they can actually be approved by the sign committee.
4. In considering whether or not to grant new applications or renewal applications for

the erection of a sign or signs from a handicapped person or severely disabled veteran under the provisions of this Section, the Disabled Sign Committee shall consider the health, safety and welfare of the Borough and shall have the authority to deny such applications, or modify such applications.

5. In the event there is a material improvement in the physical condition of the applicant to the extent that the applicant would no longer qualify under the criteria set forth herein, the special parking privilege shall terminate and be withdrawn and the handicapped parking space shall be removed. Likewise, the handicapped parking space shall be removed if there is a change in the circumstances such that the handicapped parking space shall no longer be appropriate under the criteria referred to herein. Further, any misstatement, error, incomplete or misleading representation or application or part thereof shall nullify any grant, and the special parking forfeited and parking space removed.

(Ord. 995, 12/10/2003; as added by Ord. 1010, 6/8/2005, §§1-5)

§15-407. Standing or Parking on Roadway for Loading or Unloading.

It shall be unlawful for any person to stop, stand or park a vehicle (other than a pedalcycle) on the roadway side of any vehicle stopped or parked at the edge or curb of any street, except that standing or parking for the purpose of loading or unloading persons or property shall be permitted on the following named streets on Monday through Saturday, between the hours of 9 a.m. and 11:30 a.m. and between the hours of 1:30 p.m. and 4 p.m., and for no longer than necessary for the loading or unloading.

Street	Side	Between
	[Reserved]	

(Ord. 995, 12/10/2003)

§15-408. Angle Parking Required on Portions of Certain Streets.

1. Only angle parking shall be permitted on the following portions of streets:

Street	Side	Between
Brilliant Avenue	West	First Avenue and Freeport Avenue
Field Avenue	West	Entire length
Freeport Road	South	Eastern Avenue and Center Avenue (approximately)
Waterworks Drive	East	Across from Borough garage (lot)

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2. On all streets where angle parking is required, every vehicle parked at the angle shall be parked with its front nearest the curb.

(Ord. 995, 12/10/2003)

§15-409. Permit Parking.

1. **Limited Time Parking.** Parking for vehicles not bearing a resident parking permit or Borough official parking permit issued by the Borough shall be restricted to 1-hour parking on all Borough streets where parking is otherwise permitted, except restricted permit zones or other special zones as listed below:

Street	Restriction	Location	Side
Brilliant Avenue	No parking 2 p.m. to 3 p.m. school days	Between Fourth Street and Second Street	West

2. **Resident Parking Permit.** A resident of the Borough of Aspinwall will, upon application to the Borough and proof of residency, be issued a resident parking permit by the Borough. No fee shall be charged for this permit. A vehicle displaying a valid resident parking permit issued by the Borough will not be subject to the 1-hour restricted parking regulations.
3. **Restricted Permit Zones.** The following parking restrictions apply at the designated locations. No person without a valid permit shall park in those areas designated by the Borough as restricted permit zones, unless otherwise stated below:

Zone	Location	Restriction Type
Center Avenue	Westerly side of Center Avenue between West Eighth Street and West Ninth Street	No parking
Delafield Avenue	Entire length of Western side	Resident Permit Parking Only
Municipal Parking Lot, Waterworks Drive	Bottom of Waterworks Drive, East side	Restricted Parking Permit
Field Avenue	Between Second and Fifth Street intersections, West side	Restricted Parking Permit during hours indicated
First Street [<i>Ord. 1012</i>]	Northern side of First Street between Center Avenue and Eastern Avenue	Resident Permit Parking Only
Fourth Street (700 block)	From Lexington Avenue to Delafield Road	Resident Permit Parking Only
Freeport Road	200 block, South side	Restricted Parking Permit
Freeport Road	300 and 400 block, South side	Restricted Parking Permit

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Zone	Location	Restriction Type
Municipal Parking Lot, Waterworks Drive	Between railroad tracks and riverfront	Restricted Parking Permit
Second Street (700 block)	From Lexington Avenue to Delafield Road	Resident Permit Parking Only

3. **Borough Official Parking Permit.** A parking permit shall be issued to Borough officials. A vehicle displaying a valid Borough official parking permit shall be permitted to park in any legal parking location while on official Borough business. "Borough officials" shall include the Mayor, Borough Council Members, the Borough Manager, the Borough Solicitor, the Borough Zoning Officer/Building Inspector, the Borough Secretary, the Borough Engineer, and/or Borough police officers.
4. **Parking Permit Fees.** The Borough Council may establish by resolution, adopted from time to time, a schedule of permit fees as shall be necessary for permits established under this Section.
5. **Enforcement of Parking Restrictions and Regulations.** Police officers and parking enforcement personnel of the Borough of Aspinwall shall be authorized to enforce all parking restrictions and regulations within the Borough, acting in accordance with the directions of the Chief of Police.

(Ord. 995, 12/10/2003; as amended by Ord. 1012, 7/12/2006, §1)

§15-410. Parking Prohibited on Portions of Certain Highways During Street Sweeping Hours.

It shall be unlawful for any person to park a vehicle or to allow the same to remain parked, at any time between April 1 and December 1 on any of the following portions of the highways of the Borough of Aspinwall on the days hereby respectively designated for street sweeping purposes:

Street	Side	Between	Days	Hours
Brilliant Street	East	Sixth Street to Second Street	Wednesday	9 a.m. to 12 noon
Brilliant Avenue	Both	Freeport Road to Second Street	Monday, Wednesday, Friday	6 a.m. to 8 a.m.
Brilliant Avenue	West	Sixth Street to Second Street	Monday	1 p.m. to 3 p.m.

Street	Side	Between	Days	Hours
Center Avenue	East	Entire length	Wednesday	1 p.m. to 3 p.m.
Commercial Avenue	South	Center Avenue to Eastern Avenue	Tuesday, Thursday	6 a.m. to 8 a.m.
Commercial Avenue	North	Center Avenue to Eastern Avenue	Monday, Wednesday, Friday	6 a.m. to 8 a.m.
Commercial Alley	West	Entire length	Friday	9 a.m. to 12 noon
Delafield Avenue	West	Entire length	Monday	1 p.m. to 3 p.m.
Eastern Avenue	West	Entire length	Monday	1 p.m. to 3 p.m.
Eastern Avenue	East	Entire length	Wednesday	9 a.m. to 12 noon
Eighth Street	North	Entire length	Wednesday	1 p.m. to 3 p.m.
Eighth Street, West	South	Entire length	Friday	1 p.m. to 3 p.m.
Eleventh Street	South	Entire length	Wednesday	1 p.m. to 3 p.m.
Emerson Avenue	West	Entire length	Monday	1 p.m. to 3 p.m.
Emerson Avenue	West	Entire length	Wednesday	9 a.m. to 12 noon
Field Avenue	West	Entire length	Friday	6 a.m. to 8 a.m.
Fifth Street	North	Center Avenue	Monday	9 a.m. to 12 noon
Fifth Street	South	Center Avenue to Eastern Avenue	Friday	9 a.m. to 12 noon
First Street	North	Brilliant to Center	Monday	6 a.m. to 8 a.m.
First Street	South	Center to Western	Wednesday	9 a.m. to 12 noon
First Street	North	Center to Western	Monday	9 a.m. to 12 noon

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Street	Side	Between	Days	Hours
First Street	South	Brilliant to Center	Wednesday	6 a.m. to 8 a.m.
Fourth Street	South	Entire length	Friday	9 a.m. to 12 noon
Fourth Street	North	Virginia Avenue to Delafield Road	Monday	9 a.m. to 12 noon
Lexington Avenue	East	Entire length	Monday	1 p.m. to 3 p.m.
Lexington Avenue	West	Entire length	Wednesday	9 a.m. to 12 noon
Loop Street	North	Entire length	Monday, Wednesday, Friday	6 a.m. to 8 a.m.
Loop Street	West	Entire length	Tuesday, Thursday	6 a.m. to 8 a.m.
Maple Avenue	East	Entire length	Monday	1 p.m. to 3 p.m.
Maple Avenue	West	Entire length	Wednesday	9 a.m. to 12 noon
Ninth Street	North	Entire length	Wednesday	1 p.m. to 3 p.m.
Second Street	North	Entire length	Friday	9 a.m. to 12 noon
Second Street	South	Entire Length	Monday	9 a.m. to 12 noon
Tenth Street	North	Guyasuta Lane to Center Avenue	Wednesday	1 p.m. to 3 p.m.
Third Street	North	Entire length	Wednesday	9 a.m. to 12 noon
Third Street	South	Entire Length	Monday	9 a.m. to 12 noon
Twelfth Street	North	Entire length	Wednesday	1 p.m. to 3 p.m.
Virginia Avenue	East	Entire length	Wednesday	9 a.m. to 12 noon
Virginia Avenue	West	Entire length	Monday	1 p.m. to 3 p.m.

Street	Side	Between	Days	Hours
Western Avenue	East	Entire length	Wednesday	9 a.m. to 12 noon
Western Avenue	West	Entire length	Monday	1 p.m. to 3 p.m.

(Ord. 995, 12/10/2003)

§15-411. Penalties.

Any person who violates any provision of this Part shall, upon conviction, be sentenced to pay a fine of not more than \$15 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Borough of Aspinwall to report to the appropriate official all violations of any provision of this Part indicating, in each case, the Section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part. A separate offense shall arise for each hour or portion thereof in which a violation of this Part is found to exist or each section of this Part found to have been violated.

(Ord. 995, 12/10/2003)

PART 5

ON-STREET METERED PARKING

§15-501. Parking Meter Zones Established.

1. Parking meter zones are established upon and along certain streets in the Borough of Aspinwall as follows:

Street	Between	Maximum Parking Time
Brilliant Avenue	Both sides between Second Street and Freeport Road	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays
Commercial Avenue	Both sides, entire length	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays
First Street	Both sides from Eastern Avenue to 334 First Street on the south side and 335 First Street on the north side	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays
First Street [<i>Ord. 1012</i>]	South side, between Center Avenue and Eastern Avenue	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays
Freeport Road	North side, between Eastern Avenue and Emerson Avenue	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays
Loop Street	Both side, entire length	Maximum time shown on meter between 9 a.m. and 5 p.m., any day except Sundays and legal holidays

[*Ord. 1027*]

2. The fees, rates and charges for the parking meters at the above locations shall be set from time to time by resolution of Borough Council.

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1012*, 7/12/2006, §1; and by *Ord. 1027*, 3/12/2008, §1)

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§15-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply.

Parking meters shall be operated by the deposit of a coin in the meter as prescribed by §15-505, and the parking rates for specified lengths of time, as well as the maximum parking times prescribed in §15-501, shall apply at all times between the hours of 9 a.m. and 5 p.m. Monday through Saturday, in the parking meter zones listed in §15-501.

(Ord. 995, 12/10/2003)

§15-503. Placement and Characteristics of Parking Meters.

Parking meters installed in the parking meter zones established by §15-501 shall be placed upon the curb or sidewalk, and immediately adjacent to the individual parking spaces described in §15-504. Each parking meter shall be placed or set so as to show that the parking space adjacent to that meter is or is not legally occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Borough of Aspinwall and when the adjacent space is occupied by a vehicle, the parking meter shall indicate on and by its dial and pointer the duration of the period of legal parking and, on the expiration of that period, shall indicate illegal parking or over-parking.

(Ord. 995, 12/10/2003)

§15-504. Parked Vehicles to be Wholly Within Marked Spaces.

Lines and/or markings shall be painted or placed upon the curb, sidewalk or roadway adjacent to each parking meter for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked at any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.

(Ord. 995, 12/10/2003)

§15-505. Coin Deposit in Meter; Overtime Parking Unlawful.

Whenever a vehicle is to be parked in any space adjacent to a parking meter, at any time in the period of limited parking as prescribed by §15-502, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle shall remain in any such parking space for any length of time that the meter shall indicate by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime, and the

parking of a vehicle overtime shall be a violation of this Part.

(Ord. 995, 12/10/2003)

§15-506. Unlawful to Deposit Substitute for Coin in Meter.

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

(Ord. 995, 12/10/2003)

§15-507. Unlawful to Deposit Coin in Meter to Extend Parking Time.

It shall be unlawful and a violation of this Part for any person to deposit or cause to be deposited in any parking meter installed under the provisions of this Part any coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time established for that zone.

(Ord. 995, 12/10/2003)

§15-508. Unlawful to Remain Parked at Meter Showing Violation.

It shall be unlawful, and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

(Ord. 995, 12/10/2003)

§15-509. Unlawful to Tamper with Meter.

It shall be unlawful, and a violation of this Part, for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Borough of Aspinwall under the direction of the Borough Manager or Borough Council.

(Ord. 995, 12/10/2003)

§15-510. Ticketing of Vehicles Parked Unlawfully

1. It shall be the duty of the police officers and parking enforcement personnel of the

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Borough of Aspinwall, acting in accordance with the directions of the Chief of Police, to report:

- A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.
 - B. The date and hour of the violation.
 - C. The license number of the vehicle.
 - D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$4 within 24 hours after the time of the notice, or will place the sum of \$4 enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §15-511.1 of this Part. If this above-referenced sum is not paid within 24 hours after the time of the notice, then the owner or driver of the vehicle shall pay a fine of \$6. If this sum is not paid within 14 days after the time of notice, then the provisions of §15-211.1 of this Chapter shall apply. [*Ord. 1027*]

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1027*, 3/12/2008, §2)

§15-511. Penalty for Violations.

1. Any person who violates any provision of this Part, with the exception of §§15-504 and 15-509, and who fails to pay the fine set forth in §15-510, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$20 and costs. [*Ord. 1027*]
2. Any person who violates any provision of §15-504 of this Part shall, upon conviction, be sentenced to pay a fine of not more than (a) \$5 for parking across any marked metered space lines plus costs, and (b) \$10 for occupying two metered spaces with one vehicle plus costs.
3. Any person who violates any provision of §15-509 of this Part shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$600 and costs and, in default of payment of fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses.
4. A separate offense shall arise for each hour or portion thereof in which a violation of this Part is found to exist or for each section of this Part found to have been

violated.

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1027*, 3/12/2008, §3)

§15-512. Exceptions.

1. By resolution, the Borough Council may temporarily suspend the provisions of this Part requiring coin deposit in meters and establishing a maximum parking time at meters.
2. The Borough of Aspinwall shall have authority to establish no-parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas as previously installed there, and the provisions of this Part shall not apply in those areas where no-parking or special-purpose parking is in effect.

(*Ord. 995*, 12/10/2003)

PART 6

OFF-STREET METERED PARKING

§15-601. Metered Parking Lots Established.

1. Metered Borough parking lots are established at the following locations in the Borough:

Lot	Location	Maximum Parking Time	Days In Operation	Hours in Operation
Municipal parking lot	Commercial Avenue and Freeport Road	none	7 days a week	24 hours

2. The fees, rates and charges for the parking meters at the above locations shall be set from time to time by resolution of Borough Council.

(Ord. 995, 12/10/2003)

§15-602. Reserved Parking Spaces for Handicapped May Be Provided.

The Borough Council, at its discretion, may provide, at convenient and suitable locations in any one or more of the metered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate" or a "disabled veteran placard."

(Ord. 995, 12/10/2003)

§15-603. Parked Vehicles to be Wholly Within Marked Spaces.

Lines and/or markings shall be painted or placed upon the surface of the metered parking lots, adjacent to each parking meter, for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked adjacent to any parking meter shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person:

- A. To park a vehicle across any such line or marking.
- B. To park a vehicle in such a position that the vehicle shall not be within the area so delineated by the lines or markings.
- C. To park a vehicle elsewhere in any such lot than in an individual parking space adjacent to a parking meter.

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(Ord. 995, 12/10/2003)

§15-604. Manner of Parking at Meters.

It shall be unlawful for any person to park a vehicle in any metered parking lot:

- A. Otherwise than with the front of the parked vehicle nearest to the parking meter applicable to that vehicle.
- B. With any part of the vehicle touching the meter post or head or the raised base or barrier on which meters are erected.

(Ord. 995, 12/10/2003)

§15-605. Coin Deposit in Meter; Overtime Parking Unlawful.

Whenever a vehicle is to be parked in any metered parking lot, at any time when the lot is open for use and the meters are to be in operation, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in the proper parking meter, one or more proper coins of the United States of America as specified in the legend on the parking meter. Upon the deposit of the coin or coins, and placing the meter in operation, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter. If any vehicle remains in any such parking space for such length of time that the meter indicates that the lawful parking time has expired, that vehicle shall be considered as being parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Provided, every hour that a vehicle remains parked at a meter showing a violation shall constitute a separate violation of this Part.

(Ord. 995, 12/10/2003)

§15-606. Unlawful to Deposit Substitute for Coin in Meter.

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for a coin of the United States of America.

(Ord. 995, 12/10/2003)

§15-607. Unlawful to Remain Parked at a Meter Showing Violation.

It shall be unlawful and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter for the parking of that vehicle.

(Ord. 995, 12/10/2003)

§15-608. Unlawful to Tamper With Meter.

It shall be unlawful and a violation of this Part for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters by officers, employees or police officers of the Borough of Aspinwall under the direction of the Police Chief or Borough Council.

(Ord. 995, 12/10/2003)

§15-609. Metered Parking Lots for Certain Types of Vehicles Only.

The metered parking lots established by this Part shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other type of vehicle in any of those lots.

(Ord. 995, 12/10/2003)

§15-610. Ticketing of Vehicles Parked Unlawfully.

1. It shall be the duty of the police officers and parking enforcement personnel of the Borough of Aspinwall, acting in accordance with the direction of the Chief of Police, to report:
 - A. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part.
 - B. The date and hour of the violation.
 - C. The license number of the vehicle.
 - D. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
2. The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$4 within 24 hours after the time of the notice, or will place the sum of \$4 enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §15-611.1 of this Part. If this above-referenced sum is not paid within 24 hours after the time of

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the notice, then the own or driver of the vehicle shall pay the sum of \$6. If this sum is not paid within 14 days after the time of notice, then the provisions of §15-611.1 of this Chapter shall apply. [*Ord. 1027*]

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1027*, 3/12/2008, §4)

§15-611. Penalty for Violation.

1. Any person who violates any provision of this Part, with the exception of §§15-603 and 15-608, and who fails to pay the fine set forth in §5-610, shall be cited within 15 days of the violation and, upon conviction, be sentenced to pay a fine of not more than \$20 and costs. [*Ord. 1027*]
2. Any person who violates any provision of §15-603 of this Part shall, upon conviction, be sentenced to pay a fine of not more than (a) \$5 for parking across any marked metered space lines plus costs, and (b) \$10 for occupying two metered spaces with one vehicle plus costs.
3. Any person who violates any provision of §15-608 of this Part shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$600 and costs and, in default of payment of fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses.
4. A separate offense shall arise for each hour or portion thereof in which a violation of this Part is found to exist or for each section of this Part found to have been violated.

(*Ord. 995*, 12/10/2003; as amended by *Ord. 1027*, 3/12/2008, §5)

PART 7

REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES

§15-701. Applicability and Scope.

This Part is enacted under authority of §6109(a)(22) of the Vehicle Code, 75 Pa.C.S.A. §6109(a)(22) and gives authority to the Borough of Aspinwall to remove and impound those vehicles which are parked in a tow-away zone and in violation of parking regulations of this Chapter. Vehicles which have been abandoned (as defined by the Vehicle Code) or which are parked in such a manner as to interfere with traffic or pose a hazard to others may be towed under the provisions of the Vehicle Code.

(Ord. 995, 12/10/2003)

§15-702. Authority to Remove and Impound.

The Borough of Aspinwall shall have authority to remove and impound, or to order the removal and impounding, of any vehicle parked overtime or otherwise illegally; provided, that the circumstances of its parking were within the conditions stated in §15-701. Provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part or the provisions of the Vehicle Code.

(Ord. 995, 12/10/2003)

§15-703. Tow Away Zones Designated.

The following designated streets and/or parking lots are hereby established as tow-away zones. Signs shall be posted to place the public on notice that their vehicles may be towed for violation of Borough of Aspinwall parking regulations:

Street	Side	Between	Parking Lot
		[Reserved]	

(Ord. 995, 12/10/2003)

§15-704. Designation of Approved Storage Garages; Bonding; Towing and Storage.

Removal and impounding of vehicles under this Part shall be done only by "approved storage garages" that shall be designated from time to time by the Borough Council. Every such garage shall submit evidence to the Borough Council that it is bonded or has acquired liability insurance in an amount satisfactory to the Borough Council 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

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storage garage shall submit to the Borough Council its schedule of charges for towing and storage of vehicles under this Part and, when the schedule is approved by the Borough Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this Part by any approved storage garage. The Borough Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this Part.

(Ord. 995, 12/10/2003)

§15-705. Payment of Towing and Storage Charges.

The payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this Part for which the vehicle was removed or impounded.

(Ord. 995, 12/10/2003)

§15-706. Reclamation Costs.

In order to reclaim his vehicle, the owner shall pay towing and storage costs plus a \$50 fee, of which \$25 shall be transferred to the Pennsylvania Department of Transportation by the garage to which the vehicle was taken.

(Ord. 995, 12/10/2003)

§15-707. Records of Vehicles Removed and Impounded.

The Borough of Aspinwall shall cause a record to be kept of all vehicles impounded under this Part and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

(Ord. 995, 12/10/2003)

§15-708. Restrictions Upon Removal of Vehicles.

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

(Ord. 995, 12/10/2003)

§15-709. Penalty for Violation.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under the provisions of the Vehicle Code, 75 P.S. §7301 *et seq.*

(*Ord. 995, 12/10/2003*)

§15-710. Reports and Disposition of Unclaimed Vehicles.

If after a period of 15 days the vehicle in storage remains unclaimed, a report shall be filed with PennDOT in accordance with §7311 of the Vehicle Code, 75 Pa.C.S.A. §7311, by the person having legal custody of the vehicle. If the vehicle has not been claimed after 30 days, the vehicle may be transferred to a licensed salvor who will then be responsible for filing the proper reports and disposing of the vehicle in accordance with the provisions of Chapter 73 of the Vehicle Code, 75 Pa C.S.A. §7301 *et seq.*

(*Ord. 995, 12/10/2003*)

§15-711. Notification of Impoundment.

The Police Chief or his designated representative shall be responsible for notifying the owner of record of the impoundment of the vehicle; notification shall be made, by certified mail, within 24 hours of determination of ownership, providing the vehicle has not already been released. The Chief shall keep a record of all vehicles impounded and be able at all times to furnish the owners or agents thereof with information as to the place of impounding.

(*Ord. 995, 12/10/2003*)

§15-712. Posting of Charges.

The towing and storage charges shall be established in the contracts with the Borough and private contractors. A copy of the rates charged for all types of vehicles shall be posted in a conspicuous place in all designated pounds.

(*Ord. 995, 12/10/2003*)

§15-713. Payment of Towing and Storage Charges.

Before the vehicle owner or his agent shall be permitted to removed an impounded vehicle, the towing and storage charges must be paid to the pound keeper. Unless such payment shall be made under protest, as provided for by this Part, it shall be final and conclusive and shall constitute a waiver of any right to recover the money so paid.

(*Ord. 995, 12/10/2003*)

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§15-714. Payment Under Protest.

In the event that any towing and storage charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before the district magistrate, in which case the offender shall be given notice as is provided by law in other cases of summary offenses and shall have the same rights as to appeal and waiver of hearing.

(Ord. 995, 12/10/2003)

PART 8

REGULATION OF PEDALCYCLES AND NONMOTORIZED VEHICLES

§15-801. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited.

- 1. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along the following portions of the streets in the Borough of Aspinwall:

Street	Side	Between
	[Reserved]	

- 2. For the purpose of this Chapter, "pedalcycle" shall be defined as a vehicle propelled solely by human-powered pedals. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children 6 years of age or younger.
- 3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$5 and costs.

(Ord. 995, 12/10/2003)

§15-802. Restrictions on Use of Pushcarts.

- 1. The word "pushcart," as used in this Section, shall mean a vehicle, including a pedalcycle, propelled solely by human power, and used or intended for use for the display, transport, exhibit or sale of goods, wares or merchandise.
- 2. It shall be unlawful for any person to propel a pushcart upon any sidewalk in any business district except as necessary to move the pushcart to a location from which it is to be loaded or unloaded or from which goods, wares or merchandise are to be sold or dispensed under permit from the Borough Council as provided in subsection (3) of this Section.
- 3. It shall be unlawful for any person to park a pushcart upon any sidewalk except for the purpose of selling or dispensing from that pushcart goods, wares or merchandise to passersby under permit from the Borough Council. Every such permit shall be issued to the person making application for the permit, upon payment of a fee, which shall be for the use of the Borough of Aspinwall set by the Borough Council by resolution. The permit shall be granted to the applicant, upon payment of the fee, and upon the applicant signing an agreement with the Borough Council that he shall be bound by the conditions imposed by Borough Council and made a part of the permit, dealing with the following matters:
 - A. Restricting or limiting the parking of the pushcart to one or more stated locations upon the sidewalk and to stated days and hours at each location.

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- B. Stating requirements to be adhered to in connection with the disposal of garbage and refuse resulting from the operations carried on.
 - C. Requiring that there be no violation of any law, ordinance or regulation pertaining to health, sanitation and the handling of food or drink.
4. Any person who violates any provision of this Section, or any condition of any permit granted under this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 995, 12/10/2003)

§15-803. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.

- 1. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Borough of Aspinwall, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of §15-105 or §15-214. Provided, nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.
- 2. It shall be unlawful for any person to engage in roller-skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:
 - A. Any street except in order to cross the roadway.
 - B. Any sidewalk located in a business district of the Borough, except that nothing in this subsection shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.
- 3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$5 and costs.

(Ord. 995, 12/10/2003)

PART 9

PEDESTRIAN REGULATIONS

§15-901. Pedestrians to Obey Traffic-Control Signs.

At all locations in the Borough where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals installed under §15-1002, shall obey the directions of those traffic-control signals, as follows:

- A. When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk.
- B. When facing a steady yellow signal, a pedestrian shall not start to cross the roadway.
- C. When facing a steady red signal, a pedestrian shall not enter the roadway.

(Ord. 995, 12/10/2003)

§15-902. Pedestrian-Control Signal Locations Established.

- 1. At the following locations, official pedestrian-control signals shall be erected (or are ratified if previously erected):

Location

[Reserved]

- 2. Every pedestrian facing a steady or flashing "Don't Walk" signal shall obey the directions of that signal, as follows:
 - A. When facing a steady "Don't Walk" signal, a pedestrian shall not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the "Walk" signal should proceed to a sidewalk or safety zone while the "Don't Walk" signal is showing.
 - B. When facing a flashing "Don't Walk" signal, a pedestrian shall not start to cross the roadway in the direction of the indication, but any pedestrian who has partly completed crossing during the "Walk" indication should proceed to a sidewalk or safety zone.

Any pedestrian who fails to obey the directions of a "Don't Walk" signal, as indicated above, shall be guilty of an offense and a violation of this Part.

(Ord. 995, 12/10/2003)

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§15-903. Locations Where Pedestrian Crossing in Unmarked Crosswalks Restricted.

Except when authorized by a police officer or other appropriately attired person authorized to direct, control or regulate traffic, it shall be unlawful for any pedestrian to cross the roadway at any of the following streets, at the intersection with that street indicated.

Street	Intersection	Direction of Travel
	[Reserved]	

(Ord. 995, 12/10/2003)

§15-904. Locations Where Pedestrians May Cross Only In Crosswalk.

It shall be unlawful for any pedestrian:

- A. To cross any roadway in a business district within the Borough of Aspinwall except in a crosswalk.
- B. To cross the roadway, in any of the following portions of streets in the Borough of Aspinwall, except in a crosswalk:

Street	Between
	[Reserved]

Provided, nothing in this Section shall permit any pedestrian to cross in a crosswalk at any location where that crossing is prohibited by §15-1102.

(Ord. 995, 12/10/2003)

§15-905. Penalty for Violation.

Any pedestrian who violates any provision of this Part shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

(Ord. 995, 12/10/2003)

PART 10

**RECREATION VEHICLES, BOATS AND TRAILERS,
CONSTRUCTION TRAILERS**

§15-1001. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated:

CONSTRUCTION TRAILER - a vehicle with or without its own motive power and used for temporary field office or storage purposes at a construction site.

PARKING - the temporary storage of recreational vehicles for a continued period of time not exceeding 72 hours. Continuity of a single period shall not be considered broken or terminated unless the recreational vehicle involved shall have been removed from the property owner's premises for a period of at least 72 consecutive hours.

RECREATIONAL VEHICLE - a single-axle or multiple-axle nonself-propelled structure mounted on wheels or otherwise capable of being made mobile for the purpose of travel, recreational and vacation use including, but not limited to, travel trailers, mobile homes, motor homes, tent trailers, boats and boat trailers and horse trailers, and self-propelled motor homes or campers.

STORAGE - the placement of recreational vehicles at a given location within the Borough for continuous period of time exceeding 72 hours.

2. As used in this Part, the following terms shall have the meanings assigned to them in the Zoning Ordinance [Chapter 27], "front building line," "front yard," "rear yard" and "side yard."

(Ord. 995, 12/10/2003)

§15-1002. Parking and Storage Regulations.

Recreation vehicles may be parked or stored on the private property of the owner of such vehicle, subject to the following restrictions and regulations:

- A. A recreational vehicle may be parked in a side or rear yard for a period not exceeding 72 hours, but no recreational vehicle shall be parked or stored in the front yard of a lot or in front of the front line of the building.
- B. All recreational vehicles shall be stored either in an enclosed garage or rear yard of a lot. No recreational vehicle to be stored shall exceed 20 feet in length, outside dimension including trailer hitch, or 80 inches in height.
- C. A recreational vehicle's wheels must be blocked at all times or otherwise

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rendered immobile so as to prevent any movement of the vehicle while it is in a stopped position.

- D. Under no circumstances shall any recreational vehicle be stored on any public street, and no recreation vehicle shall be parked on any public street in violation of existing Federal, State or Borough regulation.
- E. No recreational vehicle shall be used for dwelling or habitation purposes while parked or store don any owner's property.
- F. The are in which any recreational vehicle is to be parked or stored shall not preempt any offstreet parking space required to be provided by any provision of the Zoning Ordinance [Chapter 27].
- G. Any recreational vehicle stored in the rear yard of any lot shall meet the requirements and regulations of the Zoning Ordinance [Chapter 27], applicable to accessory building in regard to setbacks.
- H. Any recreational vehicle stored in a rear yard and not in an enclosed garage shall be screened from view. Such screening shall not exceed 5 feet in height and shall consist of either a trellis, latticework, decorative block, basket-weave fencing, open artistic block, shrubbery or other similar material approved by the Zoning Officer. Any such fence or wall shall conform with all applicable provisions of Chapter 5, Code Enforcement, and the Zoning Ordinance [Chapter 27].
- I. Not more than one recreational vehicle may be parked or stored on any private lot in the Borough unless any such vehicle in excess of one vehicle is parked or stored in an enclosed garage.

(Ord. 995, 12/10/2003)

§15-1003. Storage Permits.

- 1. Prior to the storing of any recreational vehicle on any lot except within an enclosed garage, the owner of said lot shall first apply for and obtain a permit from the Zoning Officer allowing such storage. Such permit shall expire no later than January 1 following its issuance and may be renewed for additional terms not more than year each. Not more than one permit shall be issued and in effect allowing the outdoor storage of a recreational vehicle on a particular lot at any given time.
- 2. Application for such permit shall be made on forms to be supplied by the Zoning Officer and shall set forth the following information:
 - A. Name and address of the owner of the recreational vehicle for which the permit is sought.
 - B. Name and address of the owner of the lot on which such recreational vehicle

is to be stored.

- C. Location of the property on which such recreational vehicle is to be stored, including street address and block and lot numbers.
 - D. The height and type of screening to be used.
 - E. The length of time for which the permit is sought.
 - F. A plot plan, drawn to scale and reasonably accurate and legible, showing:
 - (1) The location where such recreational vehicle is to be parked.
 - (2) The relation of such location to structures located on the same lot and on abutting lots.
 - (3) The relation of such location to the boundary lines of abutting lots and the relation of such location to the required side and rear yards.
 - (4) The location of any screening to be used.
 - G. An applicant shall pay a fee, in an amount as established from time to time by resolution of Borough Council, for such permit.
3. Nothing herein contained shall prohibit the Zoning Officer from issuing a temporary permit, the fee to be established from time to time by resolution of Borough Council, allowing the temporary parking or storage of a recreation vehicle on any lot for a period not exceeding 14 days, provided that the Zoning Officer makes the following findings:
- A. Such parking or storage shall not adversely affect the aesthetic appearance of abutting lots.
 - B. Such parking or storage shall not unreasonably interfere with the access to light or air of structure on abutting lots.

(Ord. 995, 12/10/2003)

§15-1004. Exceptions.

- 1. Exceptions to the regulations in the Part may be granted in cases where, because of severe and unusual topographical conditions of the land, complete compliance with the provisions of this Part is impractical. All requests for an exception shall be submitted in writing to the Planning Commission and shall include an appropriate diagram or surveyor's plan of the property involved, drawn in such a manner as to clearly delineate the problem and to indicate the proposed areas where the vehicle could be stored.

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2. The Planning Commission may approve the exception and condition the approval upon acceptance by the property owner of and compliance by the property owner with any conditions deemed necessary by the Planning Commission to preserve the general intent of this Part.

(Ord. 995, 12/10/2003)

§15-1005. Construction Trailers.

1. Such trailers shall be located on the lot on which construction is progressing and shall not be located within 10 feet of the boundary line of any abutting lot.
2. Such trailers shall be used only as temporary field offices and for storage of incidental equipment and supplies, and not for any dwelling use whatsoever.
3. Such trailers shall not be moved into a construction site until after the building permit has been approved and not more than 30 days before which construction actually commences, and trailers shall be removed from such site on or before the completion of construction or at least 30 days after construction ends. If construction is interrupted and ceases for more than 30 days, the construction trailers shall be removed until actual construction commences again.

(Ord. 995, 12/10/2003)

§15-1006. Penalties.

Any person convicted of violating any provision of this Part shall be subject to a fine of not less than \$15 or more than \$50. Each day the violation continues after notice shall be a separate violation.

(Ord. 995, 12/10/2003)

PART 11

OBSTRUCTION OF DRIVEWAYS AND FIRE LANES

§15-1101. Obstruction of Passageways and Driveways Prohibited.

1. It shall be unlawful for any person, firm or corporation, whether principal or agent, to obstruct by vehicles or otherwise any driveway, alleyway, passageway or other way of any kind, including fire lane within the business areas or at educational institutions or at apartments where signs have been placed by order of the Council giving notice that such driveway, alleyway, or passageway or other way of any kind, including fire lane, shall not be so obstructed.
2. It shall also be unlawful for any person, firm or corporation, whether principal or agent, to park any vehicle on a public or private street or highway in such a manner as to obstruct any private driveway in any residential, business or public area of the Borough, including driveways leading into public parks.
3. It also shall be unlawful for any person, firm, or corporation, whether principal or agent, to park any vehicle along side or opposite any street or highway excavation or obstruction or opposite any private driveway, unless a clear and unobstructed width of not less than 20 feet upon the main traveled portion of the said street or highway shall be left free for passage of other vehicles thereon.

(Ord. 995, 12/10/2003)

§15-1102. Posting of Signs.

The Fire Chief, Police Chief and the Mayor are hereby authorized and empowered to designate such prohibition by proper markings and signs so located along the side or sides of such driveway, alleyway, passageway or other way of any kind, including fire lane, and at such reasonable intervals along the same as will give proper notice of such prohibition to persons using such driveway, alleyway, passageway or other way of any kind, including fire lane.

(Ord. 995, 12/10/2003)

§15-1103. Damage to Signs; Cost of Repair or Replacement.

It shall be unlawful to remove, injure, destroy or deface any marking or sign so placed in accordance with the provisions of this Part. Any person violating the provisions of this Section of this Part shall pay, in addition to the fine imposed for the violation of this Part, the cost of replacing or repairing any marking or sign removed, injured, destroyed or defaced by such offender.

(Ord. 995, 12/10/2003)

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§15-1104. Violations and Penalties.

Penalties and fines for any provisions of this Part shall be provided as provided by the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §101 *et seq.* Any person convicted of violating any provision of this Part shall be subject to a fine of not less than \$15 or more than \$50. Each day the violation continues after notice shall be a separate violation.

(Ord. 995, 12/10/2003)

PART 12

TRAFFIC CALMING REGULATIONS

§15-1201. Purpose.

The purpose of this Part is to establish regulations and guidelines for the review and implementation of traffic calming measures to address speeding and high cut-through traffic volumes on Borough streets in order to maintain, preserve and protect the public health, safety and welfare. Traffic calming measures are generally defined as a combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users. Traffic calming measures are not traffic control devices, but rather physical parts of a roadway's design.

(*Ord. 995*, 12/10/2003; as added by *Ord. 1019*, 4/11/2007, §1)

§15-1202. Traffic Calming Review and Approval Procedure.

1. An application for a traffic calming review shall be filed by a Borough resident or property owner with the Borough Manager, on forms prescribed by the Borough Manager.
2. The Borough Manager shall review the application with the Borough Engineer. The Borough Engineer shall make a preliminary determination of the application's compliance with the criteria and requirements of this Part. If the Borough Engineer's preliminary determination finds that the application does not satisfy the criteria and requirements of this Part, then the Borough Manager shall reject the application and the Borough shall provide the applicant with a written notification of the rejection.
3. If the Borough Engineer's preliminary determination finds that the application satisfies the criteria and requirements of this Part, then the Borough Council shall review the application to determine if the application warrants a traffic calming study by a qualified traffic engineer. If the Borough Council determines in its sole discretion that the application does not warrant the performance of a traffic calming study by a qualified traffic engineer, then the Borough Council shall reject the application and the Borough shall provide the applicant with a written notification of the rejection.
4. If the Borough Council determines that the application warrants the performance of a traffic calming study by a qualified traffic engineer, then the Borough Council shall authorize the Borough's retention of a qualified traffic engineer to perform a traffic calming study in accordance with the requirements of this Part in order to determine the application's compliance with the criteria and requirements of this Part. If this traffic calming study determines that the application does not satisfy the criteria and requirements of this Part, then the Borough Council shall reject the application and the Borough shall provide the applicant with a written notification

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of the rejection.

5. If this traffic calming study determines that the application satisfies the criteria and requirements of this Part, then the Borough Manager and Borough Engineer shall evaluate the traffic calming measures that may be utilized to address the issues on the subject street based on the results and recommendations of the traffic calming study and based on the criteria and requirements of this Part. The Borough Manager and Borough Engineer shall present their evaluation at a public meeting of the Borough Council and provide the Borough Council with a recommendation for addressing the traffic calming issues.
6. The Borough Council shall review the evaluations and recommendations of the Borough Manager and Borough Engineer at a public meeting and then the Borough Council shall, in its sole discretion, either deny, approve or approve with conditions the implementation and installation of the traffic calming device proposed by the Borough Manager and Borough Engineer. As part of its review, the Borough Council shall consider the following issues related to the proposed traffic calming device:
 - A. Snow removal.
 - B. Emergency response delays and access issues.
 - C. Additional noise.
 - D. Increase in accidents.
 - E. Reduction of off-street parking.
 - F. Effectiveness.

Borough Council's approval of the implementation and installation of the traffic calming device shall be in the form of an ordinance. If the Borough Council denies the implementation and installation of the traffic calming devices, then the Borough shall provide the applicant with a written notification of the denial.

7. If the Borough Council approves the implementation and installation of the traffic calming device and enacts the required ordinance, then the Borough Engineer shall prepare the necessary plans for construction of the traffic calming device. The installation and implementation of the Borough-approved traffic calming device shall comply with the requirements of this Part and applicable engineering standards. If temporary test devices are installed, supporting data shall be collected after implementation to document the efficiency of the test installation and its ability to lower the speed or volume to acceptable levels. If not proven effective, the traffic calming plan shall be modified or the temporary test devices removed.

(Ord. 995, 12/10/2003; as added by Ord. 1019, 4/11/2007, §1)

§15-1203. Traffic Calming Study Requirements.

All traffic calming studies performed under this Part shall comply with the requirements of *Pennsylvania's Traffic Calming Handbook* (PennDOT Publication No. 383), current edition, and the Institute of Transportation Engineers *Traffic Calming—State of the Practice Publication*, current edition. The traffic calming study shall utilize a study area that encompasses all residential and commercial properties whose driveways directly access the subject street segment as well as all residential and commercial properties whose driveways and streets cross and utilize the subject street as a primary route to enter/exit the neighborhood. The exact locations and times for data collection shall be determined by the Borough in consultation with the qualified traffic engineer performing the study.

(Ord. 995, 12/10/2003; as added by Ord. 1019, 4/11/2007, §1)

§15-1204. Traffic Calming Device Criteria and Requirements.

In order for a traffic calming device to be considered by the Borough Council, the traffic calming device shall comply with the following criteria:

- A. A traffic calming device shall comply with all applicable Federal, State, County and Borough laws, statutes, ordinances, resolutions and regulations, including but not limited to the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended, the Pennsylvania Department of Transportation (PennDOT) regulations, Title 67, Pa.Code., as amended, the Aspinwall Borough Code of Ordinances and this Part.
- B. A traffic calming device shall comply with the requirements of *Pennsylvania's Traffic Calming Handbook* (PennDOT Publication No. 383), current edition, and the Institute of Transportation Engineers *Traffic Calming—State of the Practice Publication*, current edition.
- C. A traffic calming device shall not be located on an arterial street, collector street or alley, as defined by the Borough Subdivision and Land Development Ordinance [Chapter 22].
- D. A traffic calming device shall only be located within a residential zoning district as established by the Borough Zoning Ordinance [Chapter 27]. [Ord. 1037]
- E. A traffic calming device shall be located on a Borough local street, as defined by the Borough Subdivision and Land Development Ordinance [Chapter 22], which satisfies all of the following warrants, as determined by a traffic calming study:

Warrant	Threshold
Traffic Volume	Greater than 400 vehicles per day
85 th Percentile Speed	7 miles per hour greater than posted speed limit

MOTOR VEHICLES AND TRAFFIC

(*Ord. 995*, 12/10/2003; as added by *Ord. 1019*, 4/11/2007, §1; and amended by *Ord. 1037*, 12/9/2009, §1)