

Chapter 108

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 7-15-1980 as Ch. 108 of the 1980 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Speed-timing devices — See Ch. 94.
Abandoned vehicles — See Ch. 107.

Parking and repairing of vehicles — See Ch. 109.

ARTICLE I
General Regulations

§ 108-1. Definitions and interpretation.

- A. Words and phrases when used in this chapter shall have the meanings ascribed to them in the Vehicle Code of Pennsylvania as now in force or as hereafter amended, enacted or reenacted, except where the context clearly indicates a different meaning
- B. The term "legal holidays" as used in this chapter shall mean and include New Year's Day, Memorial Day, Labor Day, Independence Day, Thanksgiving Day and Christmas, or days celebrated as such.
- C. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

§ 108-2. Manner of adopting permanent traffic and parking regulations. [Amended 10-21-1997 by Ord. No. 524]

The Borough of Heidelberg shall adopt all traffic and parking regulations of a permanent nature:

- A. By enactment of an ordinance; or
- B. By action of the Chief of Police of Heidelberg Borough. The Chief of Police is by this section authorized and directed to impose such traffic regulations as may be specified from time to time by Borough Council by resolution. Such resolution may direct the Chief of Police to regulate traffic or parking through exercise of any of the powers specified at 75 Pa.C.S.A. § 6109(a). Regulations of traffic or parking so imposed shall be deemed to have been authorized and imposed by this chapter and by action of a public official authorized to act on specified matters in accordance with the provisions of 75 Pa.C.S.A. § 6109(b)(2). To the extent that regulations are imposed by action of the Chief

of Police pursuant to a resolution of the Borough Council, the description of the regulated area and the regulation imposed shall be deemed to be incorporated by reference into the applicable list of similarly regulated areas contained in this chapter; or

- C. In any other such manner as may be authorized by law.

§ 108-3. Temporary and emergency regulations.

- A. The Borough Council, Mayor and Police Department shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
- (1) In the case of fire, flood, storm or other emergency, to establish temporary and/or parking regulations.
 - (2) In the case of emergency or to facilitate public works or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.
- B. Such temporary and emergency regulations shall be enforced by the Mayor and Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulation, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature.

§ 108-4. Experimental regulations.

- A. The Borough Council, Mayor and Police Department may, from time to time, designate places upon and along the highways in the borough where, for a period of not more than 90 days, specific traffic and/or parking regulations, 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 just as if they had been specified in this chapter. No person shall operate or park a vehicle or tractor in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section.
- B. The purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the borough relative to traffic and parking.

§ 108-5. Enforcement.

This chapter shall be enforced by the police officers of the Borough of Heidelberg, who are hereby given authority to direct traffic on the highways and intersections of the borough in accordance with the provisions of this chapter and the laws of the Commonwealth of Pennsylvania.

ARTICLE II
Traffic Regulations

§ 108-6. Use of sidewalks by motor vehicles.

No person shall operate a motor vehicle or tractor upon any sidewalk in the borough; nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose.

§ 108-7. Speed limits established; school zones.

A. The speed limit for both directions of traffic along the highways or parts thereof described below is hereby established at the rate of speed indicated:

Name of Highway	Speed Limit (mph)	Location
Collier Avenue [Amended 10-18-2005 by Ord. No. 563, approved 10-18-2005]	30	From Station 173/26 to Station 223/49
First Street	15	Entire length
Industry Way	15	Entire length
Railroad Street	35	Entire length
Short Street [Added 11-20-2007 by Ord. No. 576, approved 11-20-2007]	15	From Collier Street to Madison Avenue

B. School zones. [Added 11-20-2007 by Ord. No. 574, approved 11-20-2007]

Name of Highway	Speed Limit (mph)	Hours	Location
Ellsworth Avenue	15	8:00 a.m. to 9:30 a.m.; 11:00 a.m. to 12:00 noon; 2:30 p.m. to 3:30 p.m.	From the 4th Street along the property of Theos School at 1819 Ellsworth Avenue to 3rd Street, both lanes

1. Editor's Note: This ordinance also stated that violations of the speed limit shall be subject to the fines and penalties established by the Pennsylvania Motor Vehicle Code. (See 75 Pa.C.S.A. § 101 et seq.)

§ 108-8. Traffic control signals.

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

Intersection

(Reserved)

§ 108-9. One-way highways established.

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

Name of Highway	Direction of Travel	At Intersection of
Short Street [Added 11-20-2007 by Ord. No. 576, approved 11-20-2007]	North	From the intersection of Collier Street to Peach Way, thus requiring all vehicles to enter onto Short Street from either direction from Collier Street and preventing vehicles from exiting Short Street from Madison Avenue to Collier Street

§ 108-10. U-turns.

It shall be unlawful for the operator of a motor vehicle or tractor to make a U-turn on any of the highways or parts thereof described below:

Name of Highway	Location
	(Reserved)

§ 108-11. Turns at intersections.

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

Name of Highway	Direction of Travel	Prohibited Turn	At Intersection of
			(Reserved)

§ 108-12. Prohibited turns.

No person, firm or corporation shall operate a motor vehicle in such a manner as to make a left-hand turn onto Greentree Road within the Borough of Heidelberg except at the intersection of Greentree Road and Washington Avenue.

§ 108-13. Through highways.

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

Name of Highway	Limits
	(Reserved)

§ 108-14. Stop intersections.

The intersections described below are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first-named highway as to face traffic approaching the second-named highway in the direction or directions indicated. These stop intersections are in addition to highways intersecting with the through highways established by § 108-13. All vehicles and tractors approaching any such intersection upon the first-named highway, in the direction or directions indicated in each case, shall come to a full stop, within a reasonable distance, before entering any such intersection.

Stop Sign on	Direction of Travel	At Intersection of
Short Street [Added 11-20-2007 by Ord. No. 576, approved 11-20-2007]	North	Madison Avenue

§ 108-15. Yield-right-of-way intersections.

The intersections described below are hereby established as yield-right-of-way intersections, and official yield signs shall be erected in such a position upon the first-named highway as to face traffic approaching the second-named highway in the direction or directions indicated. All vehicles and tractors approaching any such intersection upon the first-named highway, in the direction or directions indicated, shall yield the right-of-way to any vehicle in the intersection or approaching on the second-named highway so closely as to constitute an immediate hazard during the time that the operator of such vehicle or tractor is moving across or within such intersection.

Yield Sign on	Direction of Travel	At Intersection of
	(Reserved)	

§ 108-16. No-passing zones.

The zones described below are hereby established as no-passing zones, and it shall be unlawful for any person driving a vehicle to pass any other vehicle which is proceeding in the same direction:

Name of Highway	Limits
	(Reserved)

§ 108-17. Closing of certain highways to certain vehicles.

It shall be unlawful for any person to operate any vehicle or tractor, except a passenger vehicle (but not including any passenger vehicle drawing any trailer or towing any other vehicle), upon any of the portions of the highways described below; provided, however, that nothing herein shall prohibit the operation of any commercial vehicle or tractor upon any highway or portion thereof listed below where such operation thereon shall be necessary in order to pick up or deliver any goods, wares, merchandise or material from or to any premises located upon any such highway or portion thereof:

Name of Highway	Limits
Aylesworth Avenue	Between signs
Collier Street	Between signs
Fourth Street [Added 10-16-2001 by Ord. No. 543]	Between Washington Street and State Route 50
Garfield Avenue	Between signs
Grant Avenue	Between signs
Hayes Street	Between signs
Plum Alley [Added 10-16-2001 by Ord. No. 543]	Between signs
Second Street [Added 10-16-2001 by Ord. No. 543]	Between signs
Third Street [Added 10-16-2001 by Ord. No. 543]	Between signs
Walnut Street	Between signs
West Railroad Street	Between signs
Zero Street	Between signs

§ 108-18. Vehicle weight limits established.

It shall be unlawful for any person to operate any commercial vehicle or other tractor, trailer or tractor-trailer combination having a gross weight in excess of that herein respectively prescribed upon any of the highways or portions thereof described below, except for the purpose of making local deliveries on that highway:

Name of Highway	Max. Gross Weight (pounds)	Location
	(Reserved)	

§ 108-19. Operation of vehicles on closed highways.

It shall be unlawful for any person to operate any vehicle or tractor upon any highway in the borough that is under construction, resurfacing or repair in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic.

§ 108-20. Play highways.

- A. The Mayor is hereby authorized to designate as play highways, whenever he shall deem such action advisable and for whatever period of time directed by him, any portion of any highway in the borough whereon sledding and coasting shall be permitted. Such highway shall be set apart for the purpose under the direction of the Mayor.
- B. No person shall operate any motor vehicle or tractor upon any play highway at any time when such highway shall be so designated, except in case of emergency, with special permission of the Mayor or of the police officer in charge, who shall first clear such play highway of all persons using such highway for the purpose for which it was set aside.
- C. The portions of highway described below are hereby established as play highways during the times designated:

Name of Highway	Days	Hours (Reserved)	Location
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§ 108-21. Accident reports.

The operator of any motor vehicle involved in an accident in the borough and required by law to report such accident to any department or agency of the Commonwealth of Pennsylvania, or any other person required to make such report, shall, at the time of making such report to the commonwealth, make a written report to the Chief of Police of the borough containing the same information.

**ARTICLE III
Parking Regulations**

§ 108-22. Parking without lights authorized.

(Reserved)

§ 108-23. Vehicles to be parked within marked space.

Wherever a space shall be marked off on any highway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

§ 108-24. Angle parking.

No person shall park a vehicle upon any of the highways or parts thereof described below except at the angle designated and only within the painted stall lines. On all highways or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

Name of Highway	Side	Angle (Reserved)	Location
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§ 108-25. Parking prohibited at all times. [Amended 9-21-2010 by Ord. No. 593]

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

Name of Highway	Side	Location
Cherry Alley [Added 2-19-1985 by Ord. No. 372]	West	Entire length
Collier Street	Both	From the west borough line to the east borough line
East Railroad Street	West	Entire length
Elm Alley [Added 2-19-1985 by Ord. No. 372]	Both	Entire length
First Street		From East Railroad Street to Washington Street
First Street		In front of the Heidelberg Fire Department building
First Street	Both	From West Railroad Street east to the Pittsburgh Railways Company right-of-way
First Street	South	From Ellsworth Avenue east to East Railroad Street
Fourth Street	Both	From West Railroad Street southeast to the Pittsburgh Railways Company right-of-way
Fourth Street [Added 3-18-2008 by Ord. No. 578, approved 3-18-2008]	North	From Ellsworth Avenue to Route 50
Fourth Street [Added 9-21-2010 by Ord. No. 593]	South	Between Washington Street and Route 50
Garfield Avenue [Added 4-17-1984 by Ord. No. 371, approved 4-19-1984]	South	Starting at the intersection of Jackson Street and Garfield Street then along the south side of Garfield Street a distance of 400 feet uphill, to be marked by appropriate signs
Industry Way [Added 2-19-1985 by Ord. No. 372]	North	Entire length
Long Alley [Added 2-19-1985 by Ord. No. 372]	Both	Entire length
Plum Alley [Added 2-19-1985 by Ord. No. 372]	Both	Between Third Street and Fourth Street
Plum Alley [Added 2-19-1985 by Ord. No. 372]	West	Entire length

Name of Highway	Side	Location
Second Street [Added 2-19-1985 by Ord. No. 372]	North	Between Railroad Street and Walnut Street
Second Street [Added 2-19-1985 by Ord. No. 372]	South	Between Washington Street and Route 50
Short Street [Added 11-20-2007 by Ord. No. 576, approved 11-20-2007]	Both	From Collier Street to Madison Avenue
Third Street	Both	From West Railroad Street east to the Pittsburgh Railways Company right-of-way
Third Street [Added 9-21-2010 by Ord. No. 593]	South	Between Washington Street and Route 50
Virgin Alley [Added 2-19-1985 by Ord. No. 372]	North	Entire length
Washington Street	East	From Collier Street to the northeasterly borough line at Chartiers Creek
West Railroad Street	East	From Collier Street to the northerly borough line at Chartiers Creek

§ 108-26. Parking of certain trucks, vans and tractor-trailers prohibited. [Added 9-10-1992 by Ord. No. 258, approved 9-10-1992]

No person shall park a truck or van designated above Class Ten pursuant to Section 1916 of the Pennsylvania Motor Vehicles Code² on any borough street, except during the course of loading or unloading such vehicle.

§ 108-27. Parking prohibited during certain hours. [Amended 9-21-2010 by Ord. No. 593]

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

Name of Highway	Side	Hours	Location
Ellsworth Avenue [Added 11-20-2007 by Ord. No. 576, approved 11-20-2007]	East	8:00 a.m. to 9:30 a.m., 11:00 a.m. to 12:00 noon, and 2:30 p.m. to 3:30 p.m., Monday through Friday	For 140 feet from the intersection of 4th Street along the property of Theos School at 1819 Ellsworth Avenue up to the property line of the Heidelberg Borough Park
First Street [Amended 11-20-2001 by Ord. No. 544]	North	8:00 a.m. to 5:00 p.m.	From Route 50 to Ellsworth Street

² Editor's Note: See 75 Pa.C.S.A. § 1916.

Name of Highway	Side	Hours	Location
Washington Street [Added 9-21-2010 by Ord. No. 593]	West	6:00 a.m. to 6:00 p.m.	In front of 1606 and 1608. Corner of Washington St. and First St.

B. No person shall park a truck during the hours specified below upon any of the highways or parts of highways described below:

Name of Highway	Hours	Location
First Street	10:00 p.m. to 6:00 a.m.	From Route 50 to Ellsworth Street
Industry Way	10:00 p.m. to 6:00 a.m.	From Ellsworth Street to terminus of Industry Way

§ 108-28. Parking time limited. [Amended 9-21-2010 by Ord. No. 593]

A. No person shall park a vehicle or allow the same to remain parked upon any of the highways or parts of highways described below between the hours specified for longer than the time limit indicated below, provided that if parking meters have been installed at any of the described locations, the parking time limits for parking meters shall be observed:

Name of Highway	Side	Time Limit (hours)	Location
Collier Street	South	2	From Route 50 to Chartiers Creek

B. The parking time limits set forth above shall not apply to any on-street parking spaces lawfully designated for handicapped parking. [Added 11-20-2001 by Ord. No. 544]

§ 108-29. Special purpose parking zones.

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

Name of Street	Side	Authorized Purpose or Vehicle	Location
(Reserved)			

**ARTICLE IV
Snow and Ice Emergencies**

§ 108-30. Declaration of emergency.

In order to facilitate the movement of traffic and to combat the hazards of excessive snow and ice on the highways or portions of highways named in § 108-31 below, either the Borough Council, the Mayor or the Police Department in its or his discretion may declare an emergency due to such hazards.

§ 108-31. Parking prohibited on certain streets.

- A. After any such emergency shall have been declared, it shall be unlawful during the period of such emergency for any person to park a motor vehicle or tractor or to allow the same to remain parked on any highway or portion thereof named in Subsection B below or to operate any motor vehicle or tractor on any such highway or portion thereof unless such vehicle or tractor shall be equipped with adequate equipment to provide sufficient traction to keep such vehicle or tractor in motion so that other traffic on such highways will not be blocked or seriously impeded.
- B. The highways or portions thereof to which the provisions of this article shall be applicable during all periods of emergency declared as provided in § 108-30 above shall be as described below:

Name of Highway	Limits
(Reserved)	

§ 108-32. Placement of signs.

- A. In order to assist the operators of motor vehicles and tractors in determining the highways affected by this article, the Borough Council, Mayor and Police Department or the Chief of Police shall place around the utility poles on the highways or portions thereof designated in § 108-31B above signs reading as follows:

SNOW

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

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

§ 108-33. Violations.

- A. Any person who shall park a motor vehicle or tractor upon or along any of the highways or portions thereof listed in § 108-31B at any time during a period of emergency declared as provided in § 108-30 shall be guilty of a violation of this article.
- B. Any person who shall operate a vehicle or tractor upon any highway or portion thereof listed in § 108-31B which such vehicle or tractor shall become stalled upon any of such highways during a period of emergency declared as provided in § 108-30 of this article and such stalling shall be by reason of the failure to have such vehicle or tractor equipped with the equipment hereinabove prescribed shall be guilty of a violation of this article.

ARTICLE V
Removal and Impounding of Illegally Parked Vehicles

§ 108-34. Authorization for removal and impoundment.

The Chief of Police of the borough is hereby authorized to remove and impound or to order the removal and impounding of any vehicle parked on any of the streets, highways or public property in the borough in violation of any provision of the law or of any ordinance of the borough; provided, however, that no such vehicle shall be removed or impounded except in strict adherence to the provisions of this article.

§ 108-35. Approved storage garages designated.

The following garages located in the borough are hereby designated as approved storage garages or as pounds for the storage of such impounded vehicles:

Name of Garage	Address
	(Reserved)

§ 108-36. Bonding of garages.

Every such approved storage garage or pound shall be bonded in an amount to be fixed by resolution of the Borough Council for the indemnification of the owner of every such impounded vehicle against the loss thereof or injury or damage thereto while in the custody of such poundkeeper.

§ 108-37. Towing and storage charges.

The towing and storage charges to be collected by every such poundkeeper shall be fixed by resolution of the Borough Council.

§ 108-38. Notification of removal and impounding.

Within 12 hours from the time of removal of any vehicle under authority granted by this article, notice of the fact that such vehicle has been impounded shall be sent by the Chief of Police of the borough to the owner record of such vehicle. Such notice shall designate the place from which such vehicle was removed, the reason for its removal and impounding and the pound in which it shall have been impounded.

§ 108-39. Payment of charges, protests.

- A. The payment of any towing and impounding charges authorized by this article shall, unless such payment shall have been made under protest, be final and conclusive and shall constitute a waiver of any right to recover the money so paid.
- B. In the event that any towing and impounding charges so imposed shall be paid under protest, the offender shall be entitled to a hearing before a Magistrate or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided in the Vehicle Code in other cases of summary offenses and shall have the same rights as to appeal and waiver of hearing.

§ 108-40. Records of vehicles removed and impounded.

The Chief of Police shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or the agents of the owners thereof with information as to the place of storage of such vehicles.

§ 108-41. Liability of owner or operator for fine or penalty.

The payment of towing and storage charges authorized by this article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded.

§ 108-42. Restrictions upon removal of vehicles.

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

ARTICLE VI
Interpretation and Repeal; Penalties

§ 108-43. Severability.

The provisions of this chapter shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this chapter. It is hereby declared as a legislative intent that this chapter would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

§ 108-44. Repeal of previous ordinances; effect.

- A. All previous ordinances of the Borough of Heidelberg pertaining to the regulation of traffic and parking are hereby repealed.
- B. The repeal of ordinances provided for in Subsection A above shall not affect or prevent the prosecution or punishment of any person for any act done or liability incurred in violation of any ordinance or regulation in force immediately prior to the taking effect of this chapter.
- C. The provisions of this chapter, insofar as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this chapter, are intended as a continuation of such ordinances and regulations and not as new enactments.

§ 108-45. Violations and penalties.

- A. Traffic violations. Any person violating the provisions of Article II of this chapter shall be guilty of a summary offense and, upon conviction thereof, shall be punishable by a fine of \$25 and costs of prosecution.
- B. Parking violations. Any person violating the provisions of Article III, IV or V of this chapter shall be guilty of a summary offense and, upon conviction thereof, shall be punishable by a fine of \$15 and costs of prosecution, provided that if a notice of violation is placed upon a vehicle stating the monetary amount to be paid at the Police Department in satisfaction of the violation and the time within which such payment is to be made, the payment of the stated amount at the Police Department of the Borough of Heidelberg within the stated time shall be deemed to be in full satisfaction of the violation.