

Chapter 15

Motor Vehicles and Traffic

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Part 1**General Regulations****§15-101. Definitions and Interpretation.**

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, the Act of June 17, 1976, P.L. 162 No. 81, 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. 1726, 10/14/1991, §15-101)

§15-102. 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. 1726, 10/14/1991, §15-102)

§15-103. Provisions to Be Continuation of Existing Regulations.

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affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.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. 1726, 10/14/1991, §15-103)

§15-104. Temporary and Emergency Regulations.

The Chief of Police 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.

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 regulations, 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. 1726, 10/14/1991, §15-104)

§15-105. Experimental Regulations.

The Board of Commissioners may, from time to time by resolution, designate places upon and along the highways in the Township of Ross 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 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. 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 the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township of Ross relative to traffic and parking.

(Ord. 1726, 10/14/1991, §15-105)

§15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. Board of Commissioners 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. Board of Commissioners 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. 1726, 10/14/1991, §15-106)

§15-107. 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 Chief of Police, which shall be issued without fee. Application for the permit shall be made at least one 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 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 Chief of Police, 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 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 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 reached the end of the route of the procession and 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. 1726, 10/14/1991, §15-107)

§15-108. Authority of Police Officers.

The police officers of the Township of Ross are hereby given authority to direct traffic on the highways of the Township of Ross and at intersections thereof.

(Ord. 1726, 10/14/1991, §15-108)

§15-109. Authorization for Use of Speed Timing Devices.

The Township of Ross 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 Title 75, Pa.C.S.A. §3368.

This Section authorizes the use of said devices upon all highways within the Township of Ross, be they Township of Ross, 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.* (1977) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(*Ord. 1726*, 10/14/1991, §15-109)

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 follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

Street	Between	Maximum Speed Limit
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(As indicated in the official traffic control map located in the office of the Chief of Police)

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 1726, 10/14/1991, §15-201; as amended by Ord. 1747, 5/28/1991; by Ord. 1784, 12/14/1992)

§15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures.

1. Maximum speed limits are established, as follows, on certain bridges and elevated structures, and it shall be unlawful for any person to drive a vehicle on any such bridge or elevated structure, at a higher speed than the maximum prescribed for that bridge or elevated structure:

Bridge or Elevated Structure	Location	Maximum Speed Limit
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[Reserved]

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 1726, 10/14/1991, §15-202)

§15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades.

1. The following are declared to be hazardous grades, and, upon any such hazardous grade, no person shall drive a vehicle, having a gross weight in excess of that referred to for that grade, in the direction stated for that grade, at a speed in excess of that established in this Section for that grade, and, if so stated for a particular grade, the driver of every such vehicle shall stop the vehicle before proceeding downhill:

Street	Between	Direction of Travel	Maximum Gross Weight	Maximum Speed Limit	Required to Stop Before Proceeding Downhill
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[Reserved]

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 1726, 10/14/1991, §15-203)

§15-204. Maximum Speed Limits Established in Parks.

1. A speed limit of 35 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Township of Ross, except in the following locations, where the lower maximums, as specified, shall apply:

Park	Street	Location	Maximum Speed Limit
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[Reserved]

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 1726, 10/14/1991, §15-204)

§15-205. 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:

Location	Type of Signal
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(As indicated in the official traffic control map located in the office of the Chief of Police)

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. 1726, 10/14/1991, §15-205)

§15-206. 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
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

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. 1726, 10/14/1991, §15-206)

§15-207. One-Way Streets Established.

1. The following are established as one-way streets, 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
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-207; as amended by Ord. 2168, 11/28/2005, §1)

§15-208. Rotary Traffic Islands Established.

1. The following 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:

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.

(Ord. 1726, 10/14/1991, §15-208)

§15-209. 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	Into	When	Type of Vehicle Applicable to
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(As indicated in the official traffic control map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-209; as amended by Ord. 2018, 6/26/2000, §1; and by Ord. 2169, 11/28/2005, §1)

§15-210. 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
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(As indicated in the official traffic control map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-210; as amended by Ord. 2195, 7/10/2006, §1)

§15-211. 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
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-211)

§15-212. 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
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-212)

§15-213. 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, 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:

Highway	Between
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

2. Any person who violates any provision of this Section shall, upon conviction,

be sentenced to pay a fine of \$25 and costs.

(*Ord. 1726, 10/14/1991, §15-213*)

§15-214. Stop Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §213) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting of through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first named or stop street, in the direction indicated in each case, shall stop the vehicle as required by §3323(b) of the Vehicle Code, and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that section of the law.

Stop Street	Intersection or Through Street	Direction of Travel
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(As indicated in the official traffic control map located in the office of the Chief of Police)

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

(*Ord. 1726, 10/14/1991, §15-214; as amended by Ord. 1731, 5/28/1991; by Ord. 1733, 6/24/1991; by Ord. 1734, 6/24/1991; by Ord. 1735, 6/24/1991; by Ord. 1736, 6/24/1991; by Ord. 1737, 6/24/1991; by Ord. 1740, 8/12/1991; by Ord. 1741, 7/22/1991; by Ord. 1742, 8/12/1991; by Ord. 1745, 10/14/1991; by Ord. 1746, 10/14/1991; by Ord. 1748, 10/14/1991; by Ord. 1749, 10/14/1991; by Ord. 1750, 12/9/1991; by Ord. 1759, 3/23/1992; by Ord. 1762, 5/26/1992; by Ord. 1765, 6/6/1992; by Ord. 1766, 6/29/1992; by Ord. 1768, 7/27/1992; by Ord. 1778, 9/28/1992; by Ord. 1794, 1/25/1993; by Ord. 1798, 2/8/1993; by Ord. 1809, 7/26/1993; by Ord. 1810, 7/26/1993; by Ord. 1813, 11/22/1993; by Ord. 1823, 1/10/1994; by Ord. 1838, 5/23/1994, §1; by Ord. 1847, 8/8/1994, §1; by Ord. 1848, 8/8/1994, §1; by Ord. 1852, 8/22/1994, §1; by Ord. 1853, 8/22/1994, §1; by Ord. 1870, 12/27/1994, §1; by Ord. 1871, 1/9/1995, §1; by Ord. 1872, 1/9/1995, §1; Ord. 1878, 6/12/1995, §1; by Ord. 1891, 9/11/1995, §1; by Ord. 1897, 10/23/1995, §1; by Ord. 1899, 11/27/1995, §1; by Ord. 1964, 3/23/1998, §1; by Ord. 1992, 7/26/1999, §1; by Ord. 2012, 5/22/2000, §1; by Ord. 2020, 8/14/2000, §1; by Ord. 2028, 8/28/2000, §1; by Ord. 2029, 8/28/2000, §1; by Ord. 2030, 8/28/2000, §1; by Ord. 2037, 11/27/2000, §1; by Ord. 2040, 12/11/2000, §1; by Ord. 2048, 5/14/2001, §1; Ord. 2049, 6/11/2001, §1; by Ord. 2057, 11/26/2001, §1; by Ord. 2060, 1/14/2002, §1; by Ord. 2069, 8/12/2002, §1; by Ord. 2072, 8/12/2002, §1; Ord. 2073, 9/9/2002, §1; by Ord. 2081, 1/27/2003, §1; by Ord. 2088, 2/24/2003, §1; by Ord. 2090, 3/10/2003, §1; by Ord. 2099, 6/30/2003, §1; by Ord. 2102, 7/28/2003, §1; by Ord. 2108, 9/22/2003, §1; by Ord. 2109, 9/22/2003, §1; by Ord. 2122, 4/12/2004, §1; by Ord. 2135, 1/24/2005, §1; by Ord. 2148, , 3/14/2005, §1; by Ord. 2153, 7/11/2005, §1; by Ord. 2156, 7/11/2005, §1; by Ord. 2171, 11/28/2005, §1; by Ord. 2192, 6/26/2006, §1; by Ord. 2194, 6/26/2006, §1; by Ord. 2196, 8/14/2006, §1; by Ord. 2198, 8/14/2006, §1; by Ord. 2207, 11/13/2006, §1; by Ord. 2209, 11/27/2006, §1; by Ord. 2210, 11/27/2006, §1; by Ord. 2213, 12/11/2006, §1; by Ord. 2214, 12/11/2006, §1; by Ord. 2238, 5/29/2007, §1; by Ord. 2244, 9/10/2007, §1; by Ord. 2264, 4/14/2008, §1; by Ord. 2277, 12/22/2008, §1; by Ord. 2282, 2/9/2009, §1; and by Ord. 2283, 2/9/2009, §1)*

§15-215. Yield Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §15-213) 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, and then yield the right-of-way as required by that subsection of the Vehicle Code.

Yield Street	Through Street	Direction of Travel
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(As indicated in the official traffic control map located in the office of the Chief of Police)

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

(Ord. 1726, 10/14/1991, §15-215; as amended by Ord. 1897, 10/23/1995, §2)

§15-216. No Thru Traffic Signs.

1. The following streets prohibit passage of thru vehicular traffic:

Street	Between
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(As indicated in the official traffic control map located in the office of the Chief of Police)

2. The Ross Township Manager be and is hereby authorized, empowered and directed to acquire and erect an official no thru traffic sign at the entrance to certain streets.

(Ord. 1726, 10/14/1991, §15-216; as amended by Ord. 2201, 9/25/2006, §1)

§15-217. Play Highways Established and Authorized.

1. The following areas upon the streets in the Township of Ross are established as play highways:

Street	Between	Days	Hours
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[Reserved]

2. The Chief of Police is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Township of Ross, where sledding and coasting, shall be permitted. That play highway shall be set apart for the purpose under the direction of the Chief of Police.

3. No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency, with special permission of the Chief of Police or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this subsection shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

(Ord. 1726, 10/14/1991, §15-217)

§15-218. Snowmobile Roads Designated.

1. The following roads and streets within the Township of Ross are designated as special snowmobile roads:

Street or Road	Between	Used by Snowmobiles Only When Closed to Vehicular Traffic	Shared with Vehicular Traffic
[Reserved]			

2. It shall be unlawful for any person to operate a snowmobile on any highway, street or road in the Township of Ross other than as provided above. Provided: nothing in this Section shall prohibit any person from operating a snowmobile on any other street in the Township of Ross:

A. As authorized by §7721 of the Vehicle Code for emergency and bridge crossings and for direct crossing of streets or two-lane highways; or

B. For special snowmobile events where authorized in advance and the street is blocked off as provided in §7723 of the Vehicle Code. Any person who violates any provision of this Section shall be subject to the penalties prescribed in §7752(a) of the Vehicle Code.

(Ord. 1726, 10/14/1991, §15-218)

§15-219. Operation of Motor Vehicles Restricted on Public Lands.

No motor vehicle or motorcycle or minibike shall be operated on any lands owned by the Township or Ross or any other public body or agency within the Township of Ross, except on those lands specifically designated for the operation of motor vehicles, motorcycles or minibikes by resolution of the Board of Commissioners.

(Ord. 1726, 10/14/1991, §15-219)

§15-220. Restrictions on Use of Pushcarts.

1. The word “pushcart,” as used in this Section, shall mean a vehicle, other than 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 Board of Commissioners 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 Board of Commissioners. 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 Township of Ross, of \$100 for any calendar

year, \$50 for any 6-month period, or \$25 for any three month period. The permit shall be granted to the applicant, upon payment of the fee, and upon his signing an agreement with Board of Commissioners that he shall be bound by the conditions imposed by Board of Commissioners 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.

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, shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 1726, 10/14/1991, §15-220)

§15-221. Skates, Coasters, Sleds and Other Toy Vehicles.

1. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Township of Ross, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of §§15-105 or 15-217 of this Chapter. 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 rollerskating 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, except that nothing in this paragraph 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. 1761, 10/14/1991, §15-221)

Part 3

Restrictions on Size, Weight and Type of Vehicle and Load

§15-301. Vehicle Weight Limits Established on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

Street or Bridge	Between	Maximum Gross Weight
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(As indicated in the official traffic control map located in the office of the Chief of Police)

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, 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. 1726, 10/14/1991, §15-301; as amended by Ord. 2022, 8/28/2000, §1)

§15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

Street or Bridge	Between	Restrictions
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[Reserved]

2. Any person who violates any provision of this Section shall be prosecuted under §4902(a) and §4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of \$75 and costs.

(Ord. 1726, 10/14/1991, §15-302)

§15-303. 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, 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
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[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, and, upon conviction, shall be sentenced to pay a fine of not less than \$25 and not more than \$100 and costs.

(Ord. 1726, 10/14/1991, §15-303)

§15-304. 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
	[Reserved]

Provided: nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

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

(Ord. 1726, 10/14/1991, §15-304)

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. 1726, 10/14/1991, §15-401)

§15-402. Angle Parking Required on Portions of Certain Streets.

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

Street	Side	Between
[Reserved]		

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

(Ord. 1726, 10/14/1991, §15-402)

§15-403. Parking Prohibited at All Times in Certain Locations.

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

Street	Side	Between
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(As indicated in the official traffic control map located in the office of the Chief of Police)

(Ord. 1726, 10/14/1991, §15-403; as amended by Ord. 1812, 11/22/1993; by Ord. 1827, 2/14/1994; by Ord. 1828, 2/14/1994; by Ord. 1860, 10/10/1994, §1; by Ord. 1866, 12/12/1994, §1; by Ord. 1896, 10/9/1995, §1; by Ord. 1913, 4/22/1996, §1; by Ord. 1917, 6/10/1996, §1; by Ord. 1921, 8/12/1996, §1; by Ord. 1922, 8/12/1996, §1; by Ord. 1926, 10/28/1996, §1; by Ord. 1935, 1/27/1997, §1; by Ord. 1940, 7/14/1997, §1; by Ord. 1961, 3/24/1998, §1; by Ord. 1962, 3/23/1998, §1; by Ord. 1969, 6/22/1998, §1; by Ord. 1976, 9/28/1998, §1; by Ord. 1977, 10/26/1998, §1; by Ord. 2001, 4/24/2000, §1; by Ord. 2004, 12/27/1999, §1; by Ord. 2005, 12/27/1999, §1; by Ord. 2019, 8/14/2000, §1; by Ord. 2024, 8/28/2000, §1; by Ord. 2026, 8/28/2000, §1; by Ord. 2027, 8/28/2000, §1; by Ord. 2038, 11/27/2000, §1; by Ord. 2044, 2/26/2001, §1; by Ord. 2056, 11/26/2001, §1; by Ord. 2062, 3/25/2002, §1; by Ord. 2064, 3/25/2002, §1; by Ord. 2074, 9/23/2002, §1; by Ord. 2089, 2/24/2003, §1; by Ord. 2098, 6/30/2003, §1; by Ord. 2106, 9/22/2003, §1; by Ord. 2107, 9/22/2003, §1; by Ord. 2110, 9/22/2003, §1; by Ord. 2119, 4/12/2004, §1; by Ord. 2120, 4/12/2004, §1; by Ord. 2121, 4/12/2004, §1; by Ord. 2155, 7/11/2005, §1; by Ord. 2159, 8/8/2005, §1; by Ord. 2202, 9/25/2006, §1; by Ord. 2204, 10/9/2006, §1; by Ord. 2208, 1/8/2007, §1; Ord. 2237, 5/29/2007, §1; by Ord. 2249, 10/22/2007, §1; by Ord. 2266, 5/27/2008, §1; and by Ord. 2275, 12/22/2008, §1)

§15-404. 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
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(As indicated in the official traffic control map located in the office of the Chief of Police)

(Ord. 1726, 10/14/1991, §15-404; as amended by Ord. 1856, 8/22/1994, §1; by Ord. 1920, 8/12/1996, §1; by Ord. 1947, 10/6/1997, §1; by Ord. 1948, 10/27/1997, §1; by Ord. 1959, 2/23/1998, §1; by Ord. 2046, 4/23/2001, §1)

§15-405. 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
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[Reserved]

(Ord. 1726, 10/14/1991, §15-405)

§15-406. 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	Parking Time Limit
Tilloston Cir.	West	House Nos. 121-135		Every	72 Hours

(Ord. 1726, 10/14/1991, §15-406; as amended by Ord. 1811, 9/13/1993)

§15-407. 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:

Street	Side	Location	Authorized Purpose or Vehicle
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(As indicated in the official traffic control map located in the office of the Chief of Police)

(Ord. 1726, 10/14/1991, §15-407; as amended by Ord. 1825, 1/10/1994; by Ord. 1839, 5/23/1994, §1; by Ord. 1843, 7/11/1994, §1; by Ord. 1854, 8/22/1994, §1; by Ord. 1862, 10/24/1994, §1; by Ord. 1892, 9/11/1995, §1; by Ord. 1911, 4/8/1996, §1; by Ord. 1916, 6/24/1996, §1; by Ord. 1924, 9/9/1996, §1; by Ord. 1941, 7/14/1997, §1; by Ord. 1953,

12/8/1997, §1; by *Ord. 1954*, 12/8/1997, §1; by *Ord. 1960*, 2/23/1998, §1; by *Ord. 1968*, 5/26/1998, §1; by *Ord. 1972*, 7/27/1998, §1; by *Ord. 1973*, 7/27/1998, §1; by *Ord. 1987*, 6/28/1999, §1; by *Ord. 1988*, 7/12/1999, §1; by *Ord. 1993*, 7/26/1999, §1; by *Ord. 2021*, 8/14/2000, §1; by *Ord. 2063*, 3/25/2002, §1; by *Ord. 2070*, 8/12/2002, §1; by *Ord. 2095*, 5/27/2003, §1; by *Ord. 2096*, 5/27/2003, §1; by *Ord. 2097*, 5/27/2003, §1; by *Ord. 2100*, 6/30/2003, §1; by *Ord. 2130*, 8/9/2004, §1; by *Ord. 2132*, 9/13/2004, §1; by *Ord. 2160*, 8/8/2005, §1; by *Ord. 2161*, 8/8/2005, §1; by *Ord. 2170*, 11/28/2005, §1; by *Ord. 2172*, 11/28/2005, §1; by *Ord. 2178*, 1/9/2006, §1; by *Ord. 2181*, 4/10/2006, §1; by *Ord. 2183*, 5/8/2006, §1; by *Ord. 2185*, 6/12/2006, §1; by *Ord. 2186*, 6/12/2006, §1; by *Ord. 2187*, 6/12/2006, §1; by *Ord. 2193*, 6/26/2006, §1; by *Ord. 2197*, 7/10/2006, §1; by *Ord. 2203*, 9/25/2006, §1; by *Ord. 2206*, 11/13/2006, §1; by *Ord. 2215*, 12/11/2006, §1; by *Ord. 2216*, 12/11/2006, §1; by *Ord. 2235*, 4/23/2007, §1; by *Ord. 2240*, 7/9/2007, §1; by *Ord. 2250*, 10/22/2007, §1; and by *Ord. 2256*, 12/10/2007, §1)

§15-408. 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
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[Reserved]

(*Ord. 1726*, 10/14/1991, §15-408)

§15-409. Designating Certain Areas as Fire Lanes.

The areas described below as fire lanes shall be so marked with appropriate signs, indicating the same, and the parking of motor vehicles thereon is prohibited, and for that purpose, the Township Manager be and he is hereby authorized, empowered and directed to purchase and install such signs.

Street or Location	Width	Designated Areas
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(As indicated in the official traffic control device map located in the office of the Chief of Police)

(*Ord. 1726*, 10/14/1991, §15-409)

§15-410. 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 Township of Ross 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. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Chief of Police and pay the sum of \$5 within 48 hours after the time of the notice, or if he will place the sum of \$5, enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Township of Ross, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this Section.

(*Ord. 1726, 10/14/1991, §15-410*)

§15-411. Handicap Parking.

1. It is hereby declared illegal for any person parking a vehicle on public or private property reserved for a handicap person or severely disabled veteran, which property has been posted in accordance with Departmental regulations, and which posting shall further notify the public of this Section of the Ross Township Code and the possible penalties for violation thereof. Persons operating vehicles lawfully bearing a handicap or severely disabled veteran registration plate or displaying a handicap or severely disabled veteran parking placard when such vehicles are being operated by or for the transportation of a handicap person or severely disabled veteran shall be permitted to park in the space reserved for that purpose. Any person who violates this Section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine in accordance with the Commonwealth of Pennsylvania Motor Vehicle Code. The Motor Vehicle Code, at the date of the adoption of this Part, provides for a fine of not less than \$50 nor more than \$200. If the violator pays the fine to the Ross Township Police Department within 48 hours of the time of the issuance of citation for violation, the same is hereby established at the lowest permissible amount which is now \$25. Notice of the parking violation and the right to prepay shall be given as set forth in §15-410 hereof. All handicapped parking signs shall meet PennDOT specifications.

2. Designation of Handicapped Spaces.

A. One in front of residence located at 4486 Rodenbaugh Avenue. [*Ord. 2289*]

B. One at residence located at 160 First Avenue. The handicapped parking space shall be placed approximately 18 feet north of the walkway in front of the residence and continue south to the end of the walkway. [*Ord. 2295*]

(*Ord. 1726, 10/14/1991, §15-411; as added by Ord. 1797, 1/25/1993; and as amended by Ord. 2289, 12/14/2009, §1; and by Ord. 2295, 4/12/2010, §§1, 2*)

§15-412. Parking by Permit Only.

1. Parking shall be prohibited on both sides of that certain unnamed alley paralleling Grove Avenue, for its entire length between the hours of 12 midnight and 8 a.m., except by special permit issued by the Ross Township Police Department. [*Ord. 1942*]

2. Parking shall be prohibited on the both sides of Rosecrest Drive for its entire length at all times, except by special permit issued by the Ross Township Police Department. [*Ord. 1952*]

(*Ord. 1726, 10/14/1991, §15-412; as added by Ord. 1942, 7/14/1997, §1; and as amended by Ord. 1952, 11/24/1997, §1*)

Part 5

Removal and Impoundment of Illegally Parked Vehicles

§15-501. Applicability and Scope.

This art is enacted under authority of §6109(a-22) of the Vehicle Code¹, and gives authority to the Township of Ross 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 Pennsylvania Motor Vehicle Code.

(Ord. 1726, 10/14/1991, §15-501)

§15-502. Authority to Remove and Impound.

The Township of Ross 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 §15-501 of this Part. Provided: no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Part, or the provisions of the Pennsylvania Vehicle Code.

(Ord. 1726, 10/14/1991, §15-502)

§15-503. 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 the Township parking regulations:

Street	Side	Between
Carnation Ave.	Gass Road	Houses numbered 155 and 161
Tillotson Circle East		Houses numbered 118 and 120

(Ord. 1726, 10/14/1991, §15-503; as amended by Ord. 1763, 5/23/1992; and by Ord. 1793, 1/11/1993)

§15-504. Designation of Approved Storage Garages; Bonding; Towing and Storage.

Removal and impounding of vehicles under this Chapter shall be done only by “approved storage garages” that shall be designated from time to time by Board of Commissioners. Every such garage shall submit evidence to Board of Commissioners that it is bonded or has acquired liability insurance in an amount satisfactory to Board

¹75 Pa.C.S.A. §§101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

of Commissioners as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Board of Commissioners its schedule of charges for towing and storage of vehicles under this Chapter, and, when the schedule is approved by Board of Commissioners, 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 Chapter by any approved storage garage. Board of Commissioners 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 Chapter.

(*Ord. 1726, 10/14/1991, §15-504*)

§15-505. 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 Chapter for which the vehicle was removed or impounded.

(*Ord. 1726, 10/14/1991, §15-505*)

§15-506. 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. 1726, 10/14/1991, §15-506; as amended by Ord. 2288, 4/12/2010*)

§15-507. Records of Vehicles Removed and Impounded.

The Township of Ross 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. 1726, 10/14/1991, §15-507*)

§15-508. 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. 1726, 10/14/1991, §15-508*)

§15-509. Penalty.

Any person who shall violate any provision of this Part 5 shall, upon conviction thereof, be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 P.S. §§7301 *et seq.* (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(*Ord. 1726, 10/14/1991, §15-509*)

§15-510. 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, 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 Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, as amended.

(*Ord. 1726, 10/14/1991, §15-510*)

Part 6

Snow and Ice Emergency

§15-601. Declaration of Snow and Ice Emergency.

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in §15-603 of this Part, the [designated official], in his discretion, may declare a snow and ice emergency (designated in this Part as a “snow emergency”). Information on the existence of a snow emergency may be given by the Township of Ross through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

(Ord. 1726, 10/14/1991, §15-601)

§15-602. Parking Prohibited, Driving Motor Vehicles Restricted, on Snow Emergency Routes During Emergency.

After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

- A. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in §15-603 of this Part.
- B. To drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

(Ord. 1726, 10/14/1991 §15-602)

§15-603. Snow Emergency Routes Designated.

The following are designated as snow emergency routes:

Street	Between
	[Reserved]

(Ord. 1726, 10/14/1991 §15-603)

§15-604. Penalty for Violation.

1. If, at any time during a period of snow emergency declared under §601 of this Part, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of not more than \$15 and costs.

2. If, at any time during a period of snow emergency declared under §15-601 of this Part, a person shall drive a motor vehicle upon a snow emergency route, without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this Part, and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 1726, 10/14/1991 §15-604)

Part 7**Towers and Motor Vehicle Transporters****§15-701. Statement of Policy.**

The Township of Ross does hereby express it to be its public policy to appoint motor vehicle transporters. A motor vehicle transporter shall mean any person, firm or corporation or any employee thereof engaged in the business of transporting wrecked, disabled, abandoned, stolen, illegally parked or police impounded motor vehicles from the place where they had been disabled or parked. Appointee(s) agree requirements for transporting motor vehicles only apply to all motor vehicles which come into the care, custody and control of the appointee(s) by virtue of the appointment.

(Ord. 1919, 8/12/1996, §1001)

§15-702. Period of Appointment.

1. Appointee(s) shall be placed on the police rotation towing list and appointee(s) shall serve for a calendar period of 2 consecutive weeks and be available each day and hour thereof. The police rotation list shall mean the list maintained by the Safety Department of motor vehicle transporters officially appointed by the Township of Ross to be notified by the police dispatcher to remove wrecked, disabled, abandoned, stolen, illegally parked or police impounded vehicles.

2. In the event any appointee is unavailable for service during all or any portion of appointee's 2-week calendar appointment, the next scheduled appointee shall be placed in service with no effect on the replacement appointee's next regular 2-week calendar appointment. It shall be the responsibility of appointee(s) to notify the Ross Township Police Department when appointee is out of service for valid reasons such as illness or mechanical failure. Appointee shall notify and receive approval from the Ross Township Police Department before returning to service.

(Ord. 1919, 8/12/1996, §1002)

§15-703. Conform to All Laws.

Appointee(s) shall operate in accordance with the laws and regulations of the Commonwealth of Pennsylvania and the provisions of this Part.

(Ord. 1919, 8/12/1996, §1003)

§15-704. Response Time.

Appointee(s) shall have personnel able to respond to and arrive at the location within 20 minutes from dispatch with appropriate equipment to complete the assignment.

(Ord. 1919, 8/12/1996, §1004)

§15-705. Storage.

1. The Township of Ross does hereby expresses it to be its public policy to approve motor vehicle storage locations operated by appointee(s). Appointee(s) agree storage

requirements apply only to all motor vehicles and parts thereof, be it short term or long term storage, which came into the care, custody and control of appointee(s) by virtue of the appointment.

2. Appointee(s) shall provide, in the minimum, 1,000 square feet of enclosed secure area under roof. Said enclosed secure area shall have:

- A. An active (central station) working alarm system.
- B. Concrete floor.
- C. Secure, locking garage and man doors.
- D. Adequate lighting.

3. Appointee(s) shall store all police impounded motor vehicles within this enclosed secure building. Police impounded motor vehicles shall be defined in §3352(c) of the Vehicle Code, 75 Pa.C.S.A. §3352(c), or any other motor vehicle to be impounded for cause by the Ross Township Police Department.

4. Appointee(s) shall provide adequate outside storage area. Said outside storage area shall have:

- A. Completely enclosed fencing of at least 6 feet in height. If located within Ross Township, fencing shall be covered by some form of opaque material within 60 days from date of appointment.
- B. Locking gate.
- C. Adequate lighting.

5. All police impounded motor vehicles shall be stored within the enclosed secure building. All other motor vehicles may be stored within the fence enclosed outside storage area. All storage areas shall be owned by or leased to appointee(s) and shall be used exclusively by appointee(s) and their employees.

(Ord. 1919, 8/12/1996, §1005)

§15-706. Equipment.

Appointee(s) shall own or lease and maintain in proper working condition, equipment which consists, in the minimum of:

- A. At least one tow truck.
 - (1) Said tow truck shall have a chassis with a manufacturer's rated capacity of at least 11,000 pounds gross vehicle weight.
 - (2) Mounted on the chassis shall be a complete commercially manufactured crane and winch having a manufacturer's capacity rating of at least four tons.
 - (3) At least 100 feet of 3/8-inch diameter cable attached to winch.
 - (4) A commercially manufactured tow sling or wheel lift designed to prevent damage to transported vehicles.
- B. At least one slide back carrier (flat bed).
 - (1) Said slide back carrier shall have a chassis with a manufacturer's rated capacity of at least 15,000 pounds gross weight.
 - (2) Mounted on the chassis must be a complete commercially

manufactured hydraulic operated slide back carrier with a manufacturer's rating of at least 5 tons and a minimum length of 17 feet.

C. Each truck shall carry adequate tools and equipment such as chains, snatch blocks, cable, etc., necessary to render temporary and emergency service by trained personnel.

D. Each truck shall be equipped with amber lighting pursuant to Title 67, Pa.Code, and §4572(b) of the Vehicle code, 75 Pa.C.S.A. §4572(b).

E. Each truck shall carry, at a minimum, a broom, shovel, one type 5 bc or two type 4 bc fire extinguishers, flares, large plastic trash bags and a first aid kit.

F. Each truck shall be equipped with two-way communication equipment which will enable appointee(s) to communicate with the Ross Township Police Dispatch. A cellular phone shall satisfy this requirement.

G. Each truck shall have a sign, with letters and numbers not less than 3 inches in height on each cab door, displaying the name, address and phone number of the appointee.

(Ord. 1919, 8/12/1996, §1006)

§15-707. Site Clean Up.

Appointee(s) shall be responsible for removing all debris and refuse resulting from said accident with no additional cost added to the basic towing fee.

(Ord. 1919, 8/12/1996, §1007)

§15-708. Insurance.

1. Appointee(s) shall not operate any tow truck or permit such to be operated unless and until said appointee(s) provide the Township Manager with a certificate(s) of insurance. Said certificates of insurance shall name only insurance companies licensed to do business in the Commonwealth of Pennsylvania providing indemnity and protection against loss, at a minimum, in the following amounts:

A. Employee dishonesty bond of not less than \$10,000.

B. Workers compensation and employers liability insurance at statutory limits of:

(1) Bodily injury by accident - \$100,000 each accident.

(2) Bodily injury by disease - \$500,000 policy limit.

(3) Bodily injury by disease - \$100,000 each employee.

C. Business auto insurance with a minimum combined single limit of liability of \$500,000. Said insurance shall include bodily injury and property damage coverage for the following:

(1) Owned vehicles.

(2) Hired and non-owned vehicles.

D. Garage keepers legal liability insurance covering property which comes into the care, custody and control of the appointee(s) by virtue of the towing appointment.

(1) Comprehensive coverage in the amount of \$150,000, with a maximum

deductible of \$500 per vehicle, \$2,500 per occurrence.

(2) Collision coverage in the amount of \$150,000 with a maximum deductible of \$1,000 per occurrence.

Appointee(s) shall be self-insured for the damage within the deductible portion of the coverage.

E. Garage liability (comprehensive general liability) insurance covering the operation of the business, protecting against bodily injury and property damage with a minimum combined single limit of liability of \$1,000,000. The garage liability shall include the following coverages:

- (1) Premises/operations liability.
- (2) Products/completed operations liability.
- (3) Contractual liability.

2. The Township of Ross shall be named an additional insured on all insurance policies.

3. Insurance policies and certificates of insurance shall provide 10 days notice from the insurance company prior to any material change in coverage or cancellation of the policy. This notice is to be mailed to the Manager of Ross Township.

(Ord. 1919, 8/12/1996, §1008)

§15-709. Hours of Operation.

1. Appointee(s) shall have open hours available to owner/designee for the retrieval of vehicle Monday through Friday from at least 9 a.m. until 6 p.m., as well as Saturday from 9 a.m. until 1 p.m.

2. Appointee(s) may have open hours available to owner/designee for the retrieval of vehicles on Sunday. Appointee(s) open for the retrieval of vehicles on Sunday shall have open hours from at least 9 a.m. until 1 p.m. and may charge daily storage rates for Sundays. Appointee(s) not having open hours on Sunday for the retrieval of vehicles shall not charge storage fees for Sundays.

3. Appointee(s) shall state their company policy to the Township of Ross and in their fee schedule which must be publicly displayed.

4. Appointee(s) may be closed on holidays recognized by the Township of Ross and said appointee(s) may charge storage fees for said holidays.

5. Appointee(s) shall be available by appointment for the retrieval of a motor vehicle in the event owner/designee of the motor vehicle cannot be at appointee(s) place of business during normal publicly displayed business hours. Appointee(s) may charge two times the daily storage fee for 1 day on which the vehicle was retrieved by appointment. Appointee(s) shall be readily available without any undue delay in scheduling an appointment for the retrieval of a vehicle. In the event the scheduled appointment for the retrieval of a vehicle is postponed for any reason by the appointee(s), daily storage fees for that vehicle stop accruing at that time of the postponed appointment.

(Ord. 1919, 8/12/1996, §1009)

§15-710. Transported Motor Vehicle Tag Policy.

The Ross Township Police Department shall adopt a transported motor vehicle tag policy and shall designate a vehicle control officer. Said vehicle control officer shall have the authority to enforce the transported vehicle tag policy to insure the control, tracking and accounting of all motor vehicles transported at the direction of the Ross Township Police Department.

(*Ord. 1919, 8/12/1996, §1010*)

§15-711. Release of Vehicles.

1. Appointee(s) agree not to release any police impounded vehicle without a written release from the Ross Township Police Department. When releasing police impounded vehicles to the owner/designee, appointee(s) shall accept as proof of ownership, the registration card or vehicle title and said written release from the Ross Township Police Department. The written release from the Police Department may be faxed to appointee by the Ross Township Police Department.

2. When releasing other than police impounded vehicles to the owner/designee, the appointee shall accept as proof of ownership the registration card (owner's card) or vehicle title.

3. When releasing any vehicle, appointee(s) shall require driver retrieving the vehicle to produce a valid drivers license.

(*Ord. 1919, 8/12/1996, §1011*)

§15-712. Personal Property of Others.

1. The Ross Township Police Department shall, as soon as possible, inventory personal property in every police impounded vehicle transported by appointee(s). Appointee shall assume responsibility for any and all articles of personal property left in the vehicle as recorded on the police officer's inventory of vehicle contents. Appointee agrees to provide restitution or compensation for any such article upon verification of loss while in appointee's care, custody and control.

2. Appointee agrees not to release any personal property from any police impounded vehicle without a written release from the Ross Township Police Department.

3. An owner/designee may retrieve personal property from a non-police impounded vehicle at any time during the appointees' normal business hours as detailed in §15-709 by providing proper identification.

4. The owner/designee may retrieve personal property from a police impounded vehicle at any time during appointee's normal business hours provided owner/designee has written authorization from the Ross Township Police Department and proper identification. Upon release of personal property, the owner/ designee shall receipt appointee's copy of the inventory of vehicle contents.

(*Ord. 1919, 8/12/1996, §1012*)

§15-713. Fees.

1. Maximum fees for towing/transporting services shall be established by the Township of Ross. Applicant(s) who meet the criteria of this Part and are accepted by the Township of Ross, shall be the appointee(s) for the term of 1 year. Fees may not be

altered by appointee(s) during the term of the appointment. Appointee(s) shall be required to present an itemized, sequentially numbered invoice to the owner/designee for every vehicle transported by virtue of the appointment. No charge for service shall be made unless made upon a printed invoice which shall contain the following information:

- A. Current rates for service as approved by the Township Ross.
- B. Name, address and phone number of the appointee.
- C. The date and time call was received from dispatch.
- D. Time of arrival at the scene.
- E. Destination, including the address of where the vehicle was transported.
- F. Separation of charges for:
 - (1) Transporting.
 - (2) Recovery.
 - (3) Mileage.
 - (4) Storage.

2. No person shall be liable to appointee for fees in excess of the maximum. Fees for transporting include, but are not limited to, labor, traveling time and waiting time.

3. A duplicate copy of the invoice shall be sent to the Ross Township Police Chief by the tenth of every month and a copy shall be retained by appointee(s) for a period of 2 years.

4. When requested, appointee(s) shall review said invoices with the Ross Township Police Department to assist the Police Department in fact finding and accident analysis.

(Ord. 1919, 8/12/1996, §1013)

§15-714. Storage Fees.

Maximum storage fees are to be established by the Township of Ross. Appointee(s) agree storage fees apply only to all motor vehicles which come into the care, custody and control of appointee(s) by virtue of the appointment. Storage fees shall be calculated on a 24-hour basis and shall commence at the time the transported vehicle arrives at the appointee's place of business. A full day storage charge shall accrue at the beginning of each such period except as provided in §15-709 pertaining to Sunday storage fees. Appointee(s) agree no storage fee shall be charged if a vehicle transported to appointee's place of business is retrieved by owner/designee within the first 8-hour period after the vehicle arrived at appointee's place of business.

(Ord. 1919, 8/12/1996, §1014)

§15-715. Recovery Fees.

Maximum vehicle recovery fees are to be established by the Township of Ross. Fees for recovery services shall not be permitted except as provided for in this Section. Recovery fees shall not be charged when the vehicle to be transported is on the roadway or otherwise accessible. When the vehicle is off roadway and requires some method of recovery, appointee(s) shall charge an hourly rate, in 15 minute increments.

Appointee(s) agree the maximum time charged for recovery of a vehicle shall be 3 hours.
(*Ord. 1919, 8/12/1996, §1015*)

§15-716. Mileage Fees.

Maximum fee per mile is to be established by the Township of Ross. When requested by the owner/designee to transport a vehicle to a location other than the appointees' place of business, appointee(s) shall not charge for mileage when the vehicle is transported within Ross Township. When requested by the owner/designee to transport a vehicle to a location outside the Township of Ross, appointee(s) shall charge mileage commencing at the Ross Township boundary at the rate per mile established by the Township of Ross. Mileage shall be charged by way of the shortest regularly traveled available highway route, unless another route is specifically requested by the owner/designee. Appointee(s) shall not transport the vehicle to the appointee's place of business first and charge additional mileage or a second towing fee to transport the vehicle to the owner's/designee's requested location.

(*Ord. 1919, 8/12/1996, §1016*)

§15-717. Equipment Fees.

Appointee(s) shall not charge for a second piece of equipment (truck) brought to the dispatch site unless same has been requested by the Ross Township Police Department. In no case shall the charge for equipment (truck) be greater than the charge for equipment of the type and capacity needed to perform the transport service.

(*Ord. 1919, 8/12/1996, §1017*)

§15-718. Responsibility for Fees.

Appointee(s) agree and it is understood that Ross Township shall not be responsible for the collection or payment of any fee for service rendered by reason of the appointee(s) having been dispatched relative to this appointment. All such services rendered shall be charged to and owed by the owner of the vehicle or other lawful claimant of possession.

(*Ord. 1919, 8/12/1996, §1018*)

§15-719. Method of Payment.

Appointee(s) agree the owner/designee of a vehicle transported by appointee has the option to pay for service with cash or major credit card. It shall be the responsibility of the appointee(s) to make available the acceptance of at least two major credit cards. However, the owner/designee of a vehicle transported subsequent to arrest or other non-consent transport may pay appointee(s) with a major credit card only on the approval of the appointee(s). Appointee(s) shall not be required to accept personal checks in payment of fees.

(*Ord. 1919, 8/12/1996, §1019*)

§15-720. Right/Option of Vehicle Owner.

1. It is the policy of the Township of Ross and it is the right and option of the owner/operator of a motor vehicle to request the vehicle transport service of their choice

unless.

A. The motor vehicle is impounded by the Ross Township Police Department.

B. The motor vehicle, in the sole and absolute discretion of the Ross Township Police Department, is not and/or cannot be safely moved off the roadway by the owner/operator.

2. Unless the vehicle is impounded by the Ross Township Police Department, nothing contained therein shall prevent the owner/operator of a motor vehicle from requesting the vehicle be transported to the location of their choice. When requested, the appointee at the scene shall transport the motor vehicle directly to the owner/operator's desired location, provided the owner/operator has made suitable financial arrangements with the appointee to pay for the transport; and, provided, the owner/operator assumes legal responsibility of the transported vehicle once delivered to the requested location.

3. Whenever possible, appointee(s) shall provide the owner/designee of the vehicle to be transported an explanation of the owner/designee's rights and options. Said rights and options shall be printed on a form supplied by appointee(s) and said form shall also itemize the fee schedule established by the Township of Ross and appointee(s) normal hours of operation.

(*Ord. 1919, 8/12/1996, §1020*)

§15-721. Responsibility of Township Personnel.

1. The Ross Township Manager shall, with notification of appointment, specifically direct appointee(s) attention to the policy of Ross Township and to the rights/options of the vehicle owner/operator as provided for in §15-720 hereof.

2. The Ross Township Police Chief shall communicate the policy of Ross Township to all members of the Ross Township Police Department, provide adequate instruction to insure implementation of all Sections of this Part and verify all Sections of this Part are enforced.

3. The Ross Township Police Department shall be cognizant of the policy of Ross Township, enforce all Sections of this Part and prudently dispatch appointee(s).

(*Ord. 1919, 8/12/1996, §1021*)

§15-722. Illegal Activity.

1. As regulated by *Ord. 1923, 8/12/1996, [Part 8]*, no motor vehicle tower/transporter not appointed by the Township of Ross shall:

A. Pay in any manner a third person not involved in an accident for information as to the location of an accident in Ross Township.

B. Or approach the scene of a motor vehicle accident in Ross Township from which a motor vehicle needs to be transported unless summoned in advance by either the Ross Township Police Department or the owner/operator of the vehicle.

2. Whoever violates this regulation of this Section herein shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [*Ord. 2288*]

3. As regulated by *Ord. 1923*, 8/12/1996, [Part 8], no person shall solicit towing or vehicle repair an accident. Whoever violates this regulation of this Section herein shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [*Ord. 2288*]

(*Ord. 1919*, 8/12/1996, §1022; as amended by *Ord. 2288*, 4/12/2010)

§15-723. Enforcement.

1. The Ross Township Board of Commissioners does hereby appoint a Towing Review Board. Said Towing Review Board shall be formed annually and be comprised of the following:

A. Chairperson of the Public Safety Committee or any member of the Public Safety Committee designated by said chairperson.

B. Ross Township Police Chief or any member of the Ross Township Police Department designated by the Ross Township Police Chief.

C. A representative from the towing industry appointed by the Ross Township Board of Commissioners.

2. The Ross Township Towing Review Board shall be empowered to hear all complaints relative to an appointees' service, conduct or fees. The Towing Review Board may suspend or revoke the appointment of any appointee. Upon receipt of a complaint, and before any suspension or revocation is effective, the Towing Review Board shall convene, providing appointee 10 days written notice of the date, time and place of the hearing and notice a the charge/complaint filed against the appointee. Appointee may be in attendance at the hearing and present to the Towing Review Board evidence, documents and testimony relative to the charge/complaint. Said Towing Review Board shall render their decision within 3 days of the hearing and shall notify appointee of their decision by certified mail and regular mail.

3. Appointee(s) agree that upon any material violation of this Part, or upon repeated minor violations of this Part, their appointment shall be suspended or revoked. Any decision to suspend or revoke an appointment shall immediately terminate all authority granted by the appointment.

4. It is agreed any of the following are grounds for immediate suspension or revocation:

A. The appointment was procured by fraudulent conduct or false statements of material fact.

B. A fact concerning an appointee was not known at the time of appointment that would have constituted just cause for refusal to appoint.

C. The appointee has violated the fee schedule by overcharge, or has violated any provision of this Part.

D. Appointee accepts money or other things of value from any person in the vehicle repair business as payment, commission or compensation for soliciting or referral of transported vehicles to a vehicle repair business.

E. Appointee's bankruptcy or a general assignment for the benefit of

creditors.

F. Failure to provide required equipment and properly skilled employees.

G. Failure to comply with an order from the Towing Review Board.

H. Violations of the Pennsylvania Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*, which endanger the safety of life and property within Ross Township.

I. Possession by a tow truck operator within appointee's vehicle of open or unopened alcohol beverages, drugs or other stimulants not specifically prescribed by a medical doctor; gambling equipment or paraphernalia; stolen goods or any contraband of any kind.

J. Refusal to submit to or failure to pass random drug and alcohol testing for appointee and drivers.

5. Any person, firm or corporation whose appointment has been suspended or revoked may file an appeal to the decision of the Towing Review Board to the Ross Township Board of Commissioners. Said appeal shall be filed with the Ross Township Manager within 10 days of receipt by the appointee of the suspension or revocation of towing privileges. The Ross Township Board of Commissioners shall review the decision of the Towing Review Board within 30 days of notice of appeal. After review, the Ross Township Board of Commissioners may reverse, uphold, or modify said order of suspension or revocation made by the Towing Review Board.

6. It is agreed the decision of the Board of Commissioners is final and not subject to appeal or review. Any person, firm or corporation whose appointment has been revoked and said revocation has been upheld by the Board of Commissioners, shall not be eligible for reappointment for the period of 1 year from the date of revocation.

(*Ord. 1919, 8/12/1996, §1023*)

§15-724. Inspection.

Appointee(s) agree to permit members of the Ross Township Police Department, or other authorized Township personnel, to inspect their place of business, equipment, stored vehicles, stored personal property of others and records relative to this Part whenever, in the opinion of said representatives of Ross Township, such inspection is deemed reasonably necessary.

(*Ord. 1919, 8/12/1996, §1024*)

§15-725. Transport Log.

1. Appointee(s) shall, at all times, maintain a current transport log containing the following information in the proper sequence on motor vehicles transported from one location to another:

A. The date and time of transport.

B. The name, address and phone number of the owner of the transported vehicle.

C. Vehicle identification number of the transported vehicle.

D. If applicable, the license number of the transported vehicle.

E. Year, make and model of the transported vehicle.

- F. Specific location of the origin of transport.
- G. Specific location of destination of transport.
- H. Amount charged for the transport of the vehicle.
- I. The name, address and phone number of the individual who authorized the transport.

2. Such entries on the transport log are to be made at the time of each act and recorded legibly, accurately and completely as directed in this Section. Appointee(s) shall maintain an accurate and complete file of transport sheets for each driver employed, including the owner if the owner is also a driver. Transport sheets shall be filed by date of occurrence and retained for a period of 2 years.

3. Upon request of the Ross Township Chief of Police, or his designee, said transport sheets shall be made available for inspection and copy.

4. Transport sheets shall apply only to motor vehicle transports made by appointee(s) by virtue of the appointment.

5. Whoever violates any provision of this Section shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 2288]

6. This Section shall not apply to transports made for private towing calls or with an organization providing such service of which the owner of the vehicle to be transported is a member.

(Ord. 1919, 8/12/1996, §1025; as amended by Ord. 2288, 4/12/2010)

§15-726. Hold Harmless.

1. Appointees) shall agree and covenant to indemnify and hold harmless the Township of Ross, its employees, agents, officials, representatives, attorneys and assigns, from any claims, suits, actions; damages and causes of action which might arise during the term of this appointment for any personal injury, loss of life, or other actions of the appointee(s) their agents, servants, employees or assigns sustained in the performance of any and all services resulting from the appointment, including, but not being limited to, towing, storage, impounding or releasing any vehicle and to defend any action or proceeding brought thereon and from and against any orders, judgments, executions, levies and decrees as may be entered therein.

2. Appointee(s) understand and agree this appointment shall in no way be construed as creating an employer/employee relationship between Ross Township and the appointee(s) or between Ross Township and employees of the appointee(s). The appointee(s) on behalf of himself and of his employees, waives any claims that may arise because of any alleged employer/employee relationship including, but not being limited to, such matters as pension rights, Social Security rights, insurance rights, etc. (Ord. 1919, 8/12/1996, §1026)

§15-727. Acknowledgment of Ordinance.

By accepting the appointment, appointee(s) represent and agree this Part has been read and understood by said appointee(s) and appointee(s) expressly agree to abide by

all Sections of this Part.

(*Ord. 1919, 8/12/1996, §1027*)

§15-728. Transfer or Assignment.

This appointment shall not be assigned or transferred in any way, in whole or in part, to another motor vehicle towing/ transporting service.

(*Ord. 1919, 8/12/1996, §1028*)

Part 8**Conduct of Nonappointed Motor Vehicle Towers and/or Transporters****§15-801. Payment of Third Party for Information Prohibited.**

The non-appointed tower/transporter shall not pay, in any manner, a third person not involved in an accident for information as to the location of an accident in Ross Township.

(Ord. 1923, 8/12/1996, §2)

§15-802. Approach of Accident Scene Prohibited.

The non-appointed tower/transporter shall not approach the scene of a motor vehicle accident in Ross Township from which a motor vehicle needs to be transported unless summoned in advance by either the Ross Township Police Department and/or the owner/ operator of the vehicle.

(Ord. 1923, 8/12/1996, §3)

§15-803. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1923, 8/12/1996, §4; as amended by Ord. 2288, 4/12/2010)

