

BOROUGH OF WEST NEWTON
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO.: 1988-1

AN ORDINANCE REGULATING TRAFFIC ON CERTAIN STREETS, ALLEYS AND PARKING LOTS IN THE BOROUGH OF WEST NEWTON BY ESTABLISHING INDIVIDUAL PARKING SPACES AND THE USE OF PARKING METERS; PROVIDING FOR PENALTIES FOR VIOLATION OF THE PROVISIONS THEREOF; AND FURTHER PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

BE IT ORDAINED AND ENACTED by the Town Council of the Borough of West Newton, Westmoreland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: That from and after the passage of this Ordinance, Council may from time to time by a Resolution declare various streets, alleys and parking lots or portions thereof in the said Borough of West Newton congested traffic areas, and by such Resolution authorize and fix individual parking spaces on said streets, alleys and parking lots and place parking meters in the sidewalks or curbs adjacent thereto.

SECTION 2:

(A) Whenever a vehicle is parked in an individual parking space where a parking meter has been installed, the person parking in such vehicle shall deposit therein such coins as are designated on the said meter for the time he desires to park.

(B) Council shall determine the length of time that parking is permissible in an individual parking space and the amount of money to be deposited therein for such time. Notice to the public shall be given by appropriate signs on the parking meter setting forth the length of time for which parking is permitted. Any vehicle which remains in an individual parking space for a longer time than the time permitted by the coin deposited is illegally parked.

(C) It shall be unlawful under the provisions of this Ordinance to deposit or cause to be deposited in any parking meter, any slug or substitute for United States coins, and any person violating this provision shall be guilty of a summary offense, and upon conviction thereof before the appropriate District Justice, shall be sentenced to pay a fine of not less than Five and no/cents (\$5.00) Dollars and not more than Fifty and no/cents (\$50.00) Dollars for each offense, plus costs of prosecution. In default of payment of the fine and costs as assessed, such person shall be liable to imprisonment in the appropriate jail or detention center for a period not to exceed thirty (30) days.

(D) The provisions of this Ordinance shall not apply between the hours of 6:00 P.M. in the evening until 9:00 A.M. the following morning of each week day including Saturday and between the hours of 6:00 P.M. Saturday and 9:00 A.M. the following Monday. The provisions of this

Ordinance shall also not apply on legal holidays. This subsection shall not apply to Borough Parking Lot No. 1 located on South Water Street or to Borough Parking Lot No. 2 located on North Water Street where meter parking shall be enforced on a twenty-four (24) hour basis, except on legal holidays.

SECTION 3: All parking is prohibited in any parking space where a meter is installed unless a coin is deposited as required by the notice on said parking meter. It shall be the duty of the police officers of the Borough of West Newton, or of such other Borough employees as are from time to time designated by Borough Council, acting in accordance with the instructions issued by the Mayor of the Borough of West Newton, to report:

(A) The number of each parking meter opposite each parking space which indicates that the vehicle occupying the parking space adjacent thereto has exceeded the time permitted for the coin deposited or where no coin has been deposited therein.

(B) The State License Number of such vehicle parked therein.

(C) The time of day the violation occurred.

(D) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

Each officer or other designated individual shall also attach to such vehicle standing in an individual parking space, in violation of this ordinance, a notice to the owner or operator thereof that such vehicle has

been parked in violation of a provision of this ordinance. Each such owner or operator may, within forty-eight (48) hours of the time that such notice of violation was attached to such vehicle, discharge and satisfy the penalty for violation of this ordinance by depositing the sum of Two and no/cents (\$2.00) Dollars in a depository or receptacle called a "courtesy box" placed for said purpose at various locations throughout the Borough or by paying said sum of Two and no/cents (\$2.00) Dollars at the police station during regular business hours. Each said owner or operator who fails to pay the Two and no/cents (\$2.00) Dollars penalty within said forty-eight (48) hour period shall pay a penalty of Five and no/cents (\$5.00) Dollars, for each such violation, and in default thereof, such owner or operator shall be guilty of a summary offense, and upon conviction thereof before the appropriate District Justice, shall be sentenced to pay a fine of not less than Five and no/cents (\$5.00) Dollars and not more than Fifty and no/cents (\$50.00) Dollars for each offense, plus costs of prosecution. In default of payment of the fine and costs as assessed, such owner or operator shall be liable to imprisonment in the appropriate jail or detention center for a period not to exceed thirty (30) days.

SECTION 4: It shall be unlawful and a violation of the provisions of this Ordinance for any person or persons to deface, injur, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance and a reward of

Fifty and no/cents (\$50.00) Dollars will be paid to any person or group of persons furnishing the necessary information for the arrest and conviction of any person or persons so damaging and destroying any meter or meters as aforesaid, and any person or persons so damaging or destroying any such parking meter shall be guilty of a summary offense, and upon conviction thereof before the appropriate District Justice, shall be sentenced to pay a fine of not less than Five and no/cents (\$5.00) Dollars and not more than Fifty and no/cents (\$50.00) Dollars for each offense, together with the cost of repairing or replacing said parking meters, if any, plus the costs of prosecution. In default of payment of the fine, and the costs of repairing or replacing said parking meters, if any, and the costs of prosecution as assessed, such person or persons shall be liable to imprisonment in the appropriate jail or detention center for a period not to exceed thirty (30) days.

SECTION 5: The Council shall designate some member or members of the Police Department, or other person, to collect daily, semi-weekly or weekly as they may direct, the sealed receptacles in the said meters containing the coins deposited therein and deliver the same to bank depositories. The bank shall designate an officer or agent to remove the coins from the said receptacles, count the same and deposit the amount thereof to the credit of the Borough of West Newton.

SECTION 6: The penalty for overtime parking under this Ordinance shall

be either Two and no/cents (\$2.00) Dollars or Five and no/cents (\$5.00) Dollars according to the time of payment as set forth in Section 3 above.

SECTION 7: The provisions of this Ordinance shall apply to Borough Parking Lot No. 1 on South Water Street and Borough Parking Lot No. 2 on North Water Street with the exception that meter parking in those two lots shall be enforced on a twenty-four (24) hour basis except on legal holidays.

SECTION 8: This Ordinance shall be construed in conjunction with all other Ordinances of the Borough of West Newton regulating traffic, parking and the use of the streets, alleys and parking lots and shall be interpreted in light thereof. Nothing in this Ordinance shall be construed as prohibiting the Borough of West Newton from providing free parking spaces for loading and unloading for taxicabs, buses, stands and other matters of similar nature.

SECTION 9: If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Council of the Borough of West Newton that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part hereof, not been included herein.

SECTION 10: All Ordinances, or parts of Ordinances,
inconsistent herewith, are hereby repealed.

SECTION 11: This Ordinance shall take effect immediately.

ORDAINED AND ENACTED this 8th day of February, 1988.

BOROUGH OF WEST NEWTON

BY: Robert P. Kuchar
Robert P. Kuchar, President of Council

ATTEST:

Mary K. Willis
Mary K. Willis, Secretary

EXAMINED AND APPROVED by me this 8th day of
February, 1988.

George J. Thuransky
George J. Thuransky, Mayor