

ORDINANCE NO. 294

CONYNGHAM BOROUGH, LUZERNE COUNTY, PENNSYLVANIA

Section 101. Title. This Ordinance shall be known as the "Conyngham Borough Snow Ban Ordinance".

Section 102. Purpose. This Ordinance is being adopted to protect the health, welfare and safety of the public by establishing a snow and ice emergency route within the Borough to allow for safe passage for vehicular travel during snow and ice emergencies as defined by this Ordinance.

Section 103. Definitions. The following words, terms, and phrases, when used in this Ordinance, shall be defined as follows, unless the context clearly indicates otherwise:

Borough- means Conyngham Borough, Luzerne County, Pennsylvania.

Code Enforcement Officer- means the person appointed by Conyngham Borough Council to administer and enforce the ordinances of the Borough including this Ordinance.

Person- includes any person, partnership, firm, association, corporation, or other legal entity.

Snow Emergency Route- includes the entire width of the street between the boundary line of a way publicly maintained when any part is open to the use of the public for purposes of vehicular travel.

Snow or Ice Storm- means any weather condition in which any accumulation of snow or ice greater than two (2) inches has fallen.

Vehicle- includes any type of mechanical device, propelled by a motor, in which persons or property may be transported upon public streets, alleys or highways, including trailers, semi-trailers, cargo trailers, coaches, or wagons, whether motorized or not, and cars, automobiles, buses, recreational vehicles, all-terrain vehicles, motorcycles or bikes.

Section 104. Establishment of Snow Emergency Route. Main Street is hereby established as a snow emergency route during snow and ice storms on both sides for the entire length through the Borough.

Section 105. Parking Prohibited on Snow Emergency Route. No person shall park, cause to be parked, or allow to remain parked, any vehicle on a snow emergency route as established under Section 104 above during any snow or ice storm.

Section 106. Posting of Snow Emergency Route. All established snow emergency routes under Section 104 above shall be posted with signage prior to any snow or ice storm in each direction on both sides of the street containing the following information:

**SNOW EMERGENCY ROUTE
NO PARKING WHEN TWO OR MORE INCHES OF SNOW OR ICE ACCUMULATES
VEHICLES SUBJECT TO TOW AND STORAGE
FINES OF \$50 PLUS COSTS FOR FIRST OFFENSE AND \$100 PLUS COSTS FOR
A SUBSEQUENT OFFENSE**

Section 107. Enforcement of Ordinance. The Code Enforcement Officer or a Police Officer shall have authority to enforce this Ordinance.

Section 108. Towing and Storage of Vehicles.

(a) Any vehicle found to be in violation of this Ordinance may be towed by anyone having authority to enforce this Ordinance.

(b) Whenever a vehicle is towed under this Ordinance, the person ordering the vehicle towed shall give the owner of the vehicle notice once the identity of the owner of the vehicle is known of the location of where the vehicle is being stored. If the identity of the vehicle owner is unknown, and the vehicle is not returned to the owner within seventy-two (72) hours of the tow, then a Police Officer shall cause a written report of such removal to be mailed to the Pennsylvania Department of Transportation (Penn Dot) whose duty it is to register motor vehicles and file a copy of such notice with the towing operator whose garage is storing the vehicle. The notice shall include a description of the vehicle, the date, time and place from which it was removed, the reasons for removal, and the name of the garage or place where the vehicle is being stored.

(c) The expenses incurred with the towing and storage of a vehicle under this Ordinance shall be the responsibility of the owner of the vehicle.

Section 109. Penalty for Violation. Any person who violates any provision of this Ordinance shall be subject to the following: (a) a fine of Fifty (\$50.00) Dollars for a first offense; and (b) a fine of One Hundred (\$100.00) Dollars for a second or subsequent offense. In default of the payment of a fine, a person who is found to violate this Ordinance shall be subject to imprisonment for a term not to exceed fifteen (15) days. The fine or penalty imposed under this Section may be in addition to the removal and

impounding of a vehicle under Section 108 above and any costs and additional amounts incurred as a result of any towing and storage charges under Section 108 above.

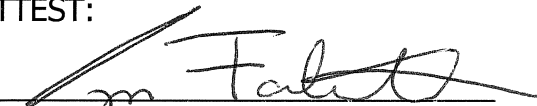
Section 110. Severability. If any section, clause, provisions or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable less the invalid portion.

Section 111. Repealer. All ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistencies.

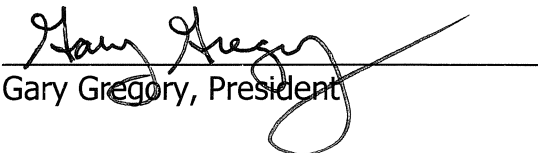
Section 112. Effective Date. This Ordinance shall become effective immediately following its adoption.

ADOPTED by Conyngham Borough Council, this 21st day of April, 2015.

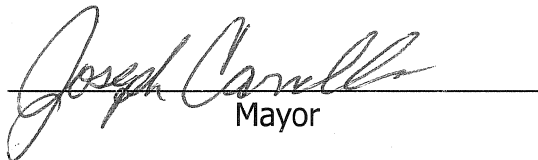
ATTEST:


Lynn Falatko, Secretary

CONYNGHAM BOROUGH COUNCIL:


Gary Gregory, President

APPROVED BY THE MAYOR:


Mayor