

ORDINANCE NO. 11

AN ORDINANCE REGULATING TRAFFIC AND PARKING IN THE
TOWNSHIP OF MILLCREEK, IMPOSING PENALTIES FOR VIOLATION,
AND REPEALING CERTAIN PRIOR ORDINANCES.

The Township of Millcreek hereby ordains:

Article I

General Regulations

Section 1. Definitions and Interpretation.

(a) Words and phrases, when used in this ordinance, shall have the meanings ascribed to them in The Vehicle Code of Pennsylvania, as now in force, or as hereafter amended, enacted or reenacted, except where the context clearly indicates a different meaning.

(b) The term "legal holidays" as used in this ordinance shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas.

(c) In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Manner of Adopting Permanent Traffic and Parking Regulations. All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Township of Millcreek.

Section 3. 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 seventy-two (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 liable to the penalty set forth in the law or elsewhere in this ordinance 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 ordinance, to a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Section 4. Experimental Regulations. The Board of Township Supervisors may, from time to time, designate places upon and along the highways in the Township where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings.

Such regulations, prohibitions and restrictions shall be effective just as if they had been specified in this ordinance. 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 liable to the penalty set forth in the law or elsewhere in this ordinance 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 ordinance, to a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days. 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 Borough relative to traffic and parking.

Section 5. Authority of Peace Officers. The peace officers of the Township are hereby given authority to direct traffic on the highways of the Township, and at intersections thereof.

Article II

Traffic Regulations

Section 1. Motor Vehicles not to be Driven on Sidewalks. No person shall operate a motor vehicle or tractor upon any sidewalk in the Township except for snow removal and grass cutting; nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than ten (10) days.

Section 2. Traffic Signals at Certain Intersections. At the following intersections, official traffic signals shall be erected (or if heretofore erected are hereby ratified), and traffic at such intersections shall be directed by such signals:

Main Street and Sheridan Road

Any operator of a vehicle or tractor who shall disobey the directions of any traffic signal shall, upon conviction thereof, be sentenced to pay a fine of five dollars (\$5.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than three (3) days.

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Section 3. One-Way Highways Established. The following are hereby established as one-way highways:

<u>Highway</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>
1. S. Ash Road	Park Street	Main Street	North
2. Maple Street	Park Street	Main Street	North
3. Pine Street	Park Street	Main Street	South
4. Cooper Street	Alumni Avenue	Main Street	South

Any person who shall operate a motor vehicle or tractor upon any highway or portion thereof hereby established as a one-way highway other than in the direction hereby established for traffic thereon shall, upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Section 4. U-Turns Prohibited on Portions of Certain Highways. It shall be unlawful for the operator of a motor vehicle or tractor to make a U-turn on any of the following portions of highways:

<u>Highway</u>	<u>Location</u>
1. Main Street	Entire length thereof, village of Newmanstown
2. Memorial Boulevard	Entire length thereof, village of Newmanstown

Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Section 5. Left and/or Right Turns Prohibited at Certain Intersections. It shall be unlawful for the operator of any vehicle or tractor, traveling upon the first-named highway at any of the following intersections, in the directions hereby indicated in each case, to make a left turn and/or a right turn at the said intersection, as hereby indicated:

<u>Vehicle Traveling From</u>	<u>Direction of Travel</u>	<u>Into</u>
South Ash Road	Both	Main Street

Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Section 6. Stop Intersections Established. The following intersections are hereby established as stop intersections, and official stop signs shall be erected (or are hereby confirmed if heretofore erected) in such a position as to face traffic approaching the second-named highway upon the first-named highway, in the direction or directions hereby indicated. All vehicles and tractors approaching any such intersection upon the first-named highway, in the direction or directions hereby indicated in each case, shall come to a full stop, within a reasonable distance, before entering any such intersection.

	<u>Stop Highway</u>	<u>Through Highway</u>	<u>Direction of Travel</u>
1.	E. Alumni Avenue	N. Ash Alley	East and West
2.	S. Ash Road	E. Memorial Boulevard	South
3.	Cooper Street	W. Alumni Avenue	North
4.	E. Memorial Boulevard	E. Alumni Avenue	South
5.	N. Parish Avenue	E. Alumni Avenue	North
6.	Parish Avenue	E. Memorial Boulevard	South
7.	E. Park Street	S. Ash Road	East and West

	<u>Stop Highway</u>	<u>Through Highway</u>	<u>Direction of Travel</u>
8.	Park Street	S. Parish Avenue	East and West
9.	Peach Street	Progress Road	North
10.	Sites Alley	E. Memorial Boulevard	South
11.	S. Orchard Lane	W. Alumni Avenue	North
12.	T-311	T-632	North
13.	T-361	T-606	North
14.	T-361	T-608	Northeast
15.	T-361	T-609	North
16.	T-361	T-626	East and West
17.	T-361	T-628	North
18.	T-363	T-620	West
19.	T-363	T-626	West
20.	T-373	T-425	Northeast
21.	T-373	T-616	Southeast
22.	T-375	T-636	West
23.	T-608	T-361	Northwest
24.	T-612	T-610	Northwest
25.	T-620	T-361	South
26.	T-620	T-626	North
27.	T-626	T-628	North
28.	T-636	T-361	South
29.	S. Wolfe Alley	W. Alumni Alley	North
30.	Park Street	Orchard	East and West

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Any operator of a vehicle or tractor who shall fail to come to a full stop, within a reasonable distance, before entering any stop intersection, as hereinabove required, shall, upon conviction thereof, be sentenced to pay a fine of five dollars (\$5.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than three (3) days.

Section 7. Certain Classes of Vehicles Prohibited on Certain Highways. It shall be unlawful for any person to operate any vehicle or tractor, except a passenger vehicle upon any of the following portions of the highways in the Township:

<u>Highway</u>	<u>Between</u>
Township Road T-636	Township Road T-375 and Township Road T-361

Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than ten (10) days. Provided: nothing herein shall prohibit the operation of any commercial vehicle or tractor upon any highway or portion thereof listed hereinabove where such operation thereon shall be necessary in order to pick up or deliver any goods, wares, merchandise or material from or to any premises located upon any such highway or portion thereof.

Section 8. Unlawful to Operate Motor Vehicles or Tractors on Highways Closed for Construction or Repair. It shall be unlawful for any person to operate any vehicle or tractor upon any highway in the Township that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic. Any person who shall violate any provision of this section shall, upon conviction thereof; be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than ten (10) days.

Section 9. Play Highways Established and Authorized. The Chief of Police is hereby authorized to designate as play highways, whenever he shall deem such action advisable, and for whatever period of time directed by him, any portion of any highway in the Township whereon sledding and coasting shall be permitted. Such highway shall be set apart for the purpose under the direction of the Chief.

No person shall operate any motor vehicle or tractor upon any play highway at any time when such highway shall be so designated, except in case of emergency, with special permission of the police officer in charge, who shall first clear such play highway of all persons using such highway for the purpose for which it was set aside. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Section 10. Accident Reports Required. The operator of any motor vehicle involved in an accident in the Township and required by law to report such accident to any department or agency of the Commonwealth of Pennsylvania, or any other person required to make such report, at the time of making such report to the Commonwealth, make a written report to the Chief of Police of the Township containing the same information. Any person failing to make the report to the Chief of Police hereby required shall, upon conviction thereof, be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days.

Article III

Parking Regulations

Section 1. Parking Without Lights Authorized. The boundary limits of the Township of Millcreek are hereby established as a zone in which motor vehicles may remain standing without lights, and all highways within such boundary limits are hereby designated as highways where motor vehicles may remain standing without lights.

Section 2. Vehicles to be Parked Within Marked Spaces. Wherever a space shall be marked off on any highway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

Section 3. Parking Prohibited at All Times in Certain Locations. Parking shall be prohibited at all times in the following locations:

	<u>Highway</u>	<u>Side</u>	<u>Location or Between</u>
1.	Ash Road	Both	From Park Street to Alumni Avenue
2.	Cooper Street	East	Entire length thereof
3.	Locust Street	Both	Entire length thereof
4.	Main Street	North	Alumni Avenue and a point approximately 550 feet east thereof
5.	Maple Street	Both	Entire length thereof
6.	Park Street	Both	Entire length thereof
7.	Peach Street	Both	Entire length thereof
8.	Pine Street	Both	Entire length thereof
9.	N. Sheridan Road		Main Street and Alumni Avenue
10.	S. Sheridan Road	East	Park Street and Main Street, except for loading zone
		West	Park Street and Main Street
11.	Sites Alley	Both	Entire length thereof
12.	Wolf Street	Both	Entire length thereof

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Section 4. Parking Prohibited on All Bridges. Parking is hereby prohibited on all bridges located in the Township at any and all times.

Section 5. Parking Time Limited in Specific Locations Certain Days and Hours. No person shall park a vehicle, or allow the same to remain parked, for longer than the time herein indicated, in any of the following locations, at any time on the days and between the hours herein indicated:

<u>Highway</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>	<u>Parking Time Limit</u>
1. E. Main Street	South	A point 25 feet east of South Sheridan Rd. and a point 50 feet east thereof	Weekdays	7:00 A. M. to 7:00 P. M.	15 minutes
2. S. Sheridan Road	West	A point 25 feet south of W. Main Street and a point 75 feet south of the first point	All	All	15 minutes

Section 6. Loading and Unloading Zones Established. The following are hereby established as loading and unloading zones, and no vehicle shall be parked there at any time, except for the purpose of loading or unloading such vehicle:

<u>Highway</u>	<u>Side</u>	<u>Location</u>	<u>Days</u>	<u>Hours</u>
W. Main Street	North	Between a point 25 feet west of North Sheridan Rd. and a point 75 feet west of the first point	Weekdays	7:00 A.M. to 7:00 P. M.

Section 7. Penalty for Violation. Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not less than two dollars (\$2.00) or more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days. Provided: it shall be the duty of the peace officers of the Township to report to the Chief of Police all violations of any provisions of this article, indicating, in each case, the section thereof violated, the license number of the vehicle involved in such violation, the location where such violation took place, the time of such violation, and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending such violation. The peace officer making such report shall also attach to every such vehicle a notice that such vehicle was parked in violation of this article.

Article IV

Interpretation and Repeal

Section 1. Severability. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

Section 2. Provisions to be a Continuation of Existing Regulations.
The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this ordinance shall not affect any act done or liability incurred, nor shall they affect any suit of prosecution pending or to be instituted to enforce any of these repealed ordinances or regulations.

Section 3. Repeal.

(a). Ordinance 5-10-72, Prescribing traffic and parking regulations and providing penalties for their violation, enacted July 12, 1972, is hereby repealed.

(b). All other ordinances and resolutions on the subject of traffic and parking regulations, enacted prior to the enactment date of this ordinance, are hereby repealed.

ENACTED AND ORDAINED this 8 day of September, 1976.

MILLCREEK TOWNSHIP

ATTEST:

By: _____

Secretary