

**BOROUGH OF BEECH CREEK  
CLINTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1999 -   /**

**AN ORDINANCE AMENDING BEECH CREEK BOROUGH TRAFFIC AND  
PARKING REGULATIONS TO PROVIDE FOR STOP SIGNS ON BEVERLY  
DRIVE AT THE INTERSECTION OF CATHERINE AVENUE AND  
ESTABLISHING A RESTRICTED PARKING AREA ON THE NORTH SIDE OF  
MAIN STREET BETWEEN GRANT STREET AND VESPER STREET.**

Council of the Borough of Beech Creek, Clinton County, Pennsylvania hereby

ENACTS and ORDAINS as follows:

SECTION I - Article II, Section IV of Ordinance 67, enacted September 6, 1977, (which is now found in Chapter XV, Part 2, Section 14, of the Code of Ordinances of the Borough of Beech Creek) is hereby amended to add the following:

<u>Stop Highway</u>	<u>Intersecting Highway</u>	<u>Direction of Travel</u>
Beverly Drive	Catherine Avenue	East and West

SECTION II - Article III, Section II, of Ordinance 67, enacted September 6, 1977, as amended by Section I, of Ordinance 80-2, enacted March 4, 1980, (and now found in Chapter XV, Part 3, Section 42 of the Code of Ordinances of the Borough of Beech Creek) is amended to add the following:

<u>Highway</u>	<u>Between</u>	<u>Direction</u>
Main Street	Grant Street and Vesper Street	West

SECTION III. This Ordinance shall become effective upon the earliest date provided by Borough law.

ENACTED by the Beech Creek Borough Council, Clinton County, Pennsylvania,

this 6th day of April, 1999.

ATTEST:

BOROUGH OF BEECH CREEK

Patricia Schulz  
Secretary

By William T. Hesse  
President

Approved this 6 day of April, 1999.

Melvin B. Oakley  
Mayor

**NOTICE**

NOTICE is hereby given that the Council of the Borough of Beech Creek, Clinton County, Pennsylvania, intends to act on the Ordinance hereinafter set forth at a regularly scheduled meeting to be held on April 6, 1999, at 7:00 PM at the Borough Building, Beech Creek, Pennsylvania.

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Main Street	Grant Street and Vesper Street	West

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COPLOFF, RYAN & WELCH  
Solicitors

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PUBLISH ONE (1) TIME ONLY ON OR BEFORE MARCH 30, 1999. SEND BILL AND PROOF OF PUBLICATION TO: PATRICIA SCHULTZ, SECRETARY, BEECH CREEK BOROUGH, P.O. BOX 216, BEECH CREEK, PENNSYLVANIA 16822

CHAPTER XV

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Part 1  
General Regulations

Section 1. Definitions and Interpretation.<sup>1</sup>

(a) Words and phrases, when used in this ordinance,<sup>2</sup> 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) In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ordinance 67, September 6, 1977, Article I, Section 1)

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 Borough of Beech Creek. (Ordinance 67, September 6, 1977, Article I, Section 2)

Section 3. Temporary and Emergency Regulations. The Borough Council 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<sup>3</sup> for a violation of such nature, and, in case of a violation

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1. This heading, and those of Sections 2 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter, are part of Ordinance 67 as enacted.
  2. Sections 1 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter.
  3. Sections 1 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter.

for which no specific penalty is set forth in the law or elsewhere in this ordinance, to a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article I, Section 3)

Section 4. Experimental Regulations. The Borough Council may, from time to time, designate places upon and along the highways in the Borough 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.<sup>4</sup> 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 twenty-five (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. 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. (Ordinance 67, September 6, 1977, Article I, Section 4)

Section 5. Authority of Police Officers. The police officers of the Borough are hereby given authority to direct traffic on the highways of the Borough, and at intersections thereof. (Ordinance 67, September 6, 1977, Article I, Section 5)

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4. Sections 1 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter.



Part 2  
Traffic Regulations

Section 11. Motor Vehicles not to be Driven on Sidewalks. No person shall operate a motor vehicle or tractor upon any sidewalk in the Borough; nor shall any person operate a motor vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such locations where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose. Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section I)

Section 12. Speed Limits Established. The following speed limits are hereby established:

<u>Highway</u>	<u>Between</u>	<u>Speed Limit</u>
Beverly Drive	Entire length	25 mph
Catherine Avenue	Entire length	25 mph
Church Street	S.R. 0150 to dead end	25 mph
Cleveland Avenue	Fairview Street to dead end	25 mph
Fairview Street	Harrison Street to dead end	25 mph
Grant Street	S.R. 0150 to Locust Street	25 mph
Harrison Street	S.R. 0150 to S.R. 0364	25 mph
High Street	Water Street to dead end	25 mph
Locust Street	S.R. 0150 to Fairview Street	25 mph
Maple Avenue	Entire length	25 mph
Maple Avenue	S.R. 0150 to Borough line	25 mph
Main Street	East Borough line and west Borough line	35 mph
Mill Street	Entire length	25 mph
Peters Avenue	S.R. 0150 to dead end	25 mph
Railroad Street	Fairview Street to dead end	25 mph
Vesper Street	Entire length	15 mph
Wynn Avenue	Entire length	25 mph

Any person who shall operate a vehicle or tractor at a speed in excess of that established therefor, upon any highway or portion thereof specified in this Section, shall, upon conviction thereof, be sentenced to pay a fine of thirty-five dollars (\$35.00), and, if convicted of exceeding the speed limit by more than five (5) miles per hour, shall pay an additional fine of two dollars (\$2.00) per mile for each mile in excess of five (5) miles per

hour over the maximum speed limit, and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section II; as amended by Ordinance 81-2, April 7, 1981, §2; and by Ordinance 1988-1, September 6, 1988, §1)

Section 13. Through Highways Established. The following highways are hereby established as through highways, and the operator of every vehicle or tractor upon approaching any such highway at any intersection thereof (except for such intersections where there are now or shall hereafter be located official traffic signal) shall come to a full stop, within a reasonable distance before entering any such through highway:

<u>Highway</u>	<u>Portion</u>
Main Street	East Borough line to west Borough line

Any operator of a vehicle or tractor who shall fail to come to a full stop, within a reasonable distance, before entering any such through highway, as hereinabove required, shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II; Section 3)

Section 14. Stop Intersections Established. The following intersections (in addition to highways intersecting with the through highways established by Section 3 of this article) 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>Intersecting Highway</u>	<u>Direction of Travel</u>
Beverly Drive	Wynn Avenue	Southwest
Catherine Avenue	Beverly Drive	South
Cleveland Avenue	Fairview Street	South
Fairview Street	Locust Street Harrison Street	East and West West
Grant Street	Locust Street	Northeast
Hill Street	Harrison Street	East
Railroad Street	Fairview Street	Southeast
Vesper Street	Locust Street	South

Any operator of a vehicle or tractor who shall fail to come to a full stop,

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5. Section 13 of this Chapter.

within a reasonable distance, before entering any stop intersection, as hereinabove required, shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section 4)

Section 15. Vehicle Weight Limits Established. It shall be unlawful for any person to operate any type of a motor vehicle having a gross weight in excess of that herein respectively prescribed, upon any of the following highways or portions thereof:

<u>Highway</u>	<u>Between</u>	<u>Maximum Gross Weight</u>
Beverly Drive	Main Street and Wynn Avenue	10 tons
Catherine Drive	Wynn Avenue and Beverly Drive	10 tons
Church Street	Locust Street and eastern terminus of Church Street	5 tons

Any person who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of fifty dollars (\$50.00) and costs or prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section 5)

Section 16. 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 Borough that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic. 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, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section 6)

Section 17. Play Highways Authorized. The Mayor is hereby authorized to designate as play highways, whenever he shall deem such action advisable, and for whatever period of time directed by him, any portion of any highway in the Borough whereon playing, sledding or coasting shall be permitted. Such highway shall be set apart for the purpose under the direction of the police.

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 twenty-five dollars (\$25.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article II, Section 7)

Part 3  
Parking Regulations

A. Parking Guidelines.

Section 31. Short Title. This Part shall be known and may be cited as "Borough of Beech Creek Parking Ordinance." (Ordinance 79-1, March 6, 1979, Section 1)

Section 32. Definitions. Words and phrases when used in this Part shall have the same meaning ascribed to them in the Vehicle Code of the Commonwealth of Pennsylvania as now in force or hereafter amended, enacted, or re-enacted, except in those instances where the context plainly indicates a different meaning. The singular shall include the plural and the masculine shall include the feminine. (Ordinance 79-1, March 6, 1979, Section 2)

Section 33. Manner of Parking. It shall be unlawful for any person to park any truck or vehicle on any of the streets, alleys or public thoroughfares of the Borough of Beech Creek in violation of the following provisions:

A. All vehicles shall be parked, except where otherwise prohibited, on the right hand side of the road and no vehicle shall park against traffic.

B. No vehicle shall be parked within thirty (30) feet of any stop sign.

C. No vehicle shall be parked within fifteen (15) feet of any fireplug.

D. When parking a vehicle, the same shall be parked parallel with the curb and shall be parked at no greater distance from the curb than six (6) inches.

E. No vehicle shall be parked in a "No Parking" zone.

F. No vehicle shall be parked double.

G. No vehicle shall be parked so as to block a private driveway or so as to obstruct passage upon a public sidewalk or crosswalk.

H. No vehicle shall be parked closer than twenty (20) feet to the intersection with another street, alley or public thoroughfare.

(Ordinance 79-1, March 6, 1979, Section 3)

Section 34. Restricted Parking on Certain Residential Streets. In order to give satisfactory and adequate protection to the citizens of the Borough of Beech Creek, it shall be unlawful to park any trucks, tractors or tractor trailers on any of the public streets of the Borough of Beech Creek which are strictly and solely residential streets, except for the purpose of making deliveries to residences located along side streets. In order to carry out the provisions of this Section, the Borough Council or the Police Officer or other designated agent of the Borough shall designate the residential streets in which trucks, tractors and tractor trailers are

(XV, Sec. 34, cont'd)

prohibited from parking, and shall erect proper signs giving adequate notice to persons, firms or corporations that such streets are restricted and that no trucks, tractors or tractor trailers or other commercial vehicles shall be permitted to park on said streets are restricted and that no trucks, tractors or tractor trailers or other commercial vehicles shall be permitted only to make local deliveries therein. (Ordinance 79-1, March 6, 1979, Section 4)

Section 35. Penalties. Any person who shall violate any of the provisions of this Part shall, upon conviction in a summary proceeding before a Justice of the Peace, be sentenced to pay a fine of not more than two dollars (\$2.00) nor more than fifty dollars (\$50.00), and the costs of prosecution. In default of payment of said fine and costs shall be sentenced to imprisonment in the County Jail for not more than five (5) days. (Ordinance 79-1, March 6, 1979, Section 5)

B. Parking Regulations.

Section 41. 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. (Ordinance 67, September 6, 1977, Article III, Section 1)

Section 42. Parking Prohibited at All Times in Certain Conditions. Parking shall be prohibited at all times in the following locations:

<u>Highway</u>	<u>Between</u>	<u>Direction</u>
Fairview Street	Intersection with former Penn Central Railroad and Locust Street	Northeast

(Ordinance 67, September 6, 1977, Article III, Section 2; as amended by Ordinance 80-2, March 4, 1980, Section 1)

Section 43. Parking Prohibited on All Bridges. Parking is hereby prohibited on all bridges in the Borough at any and all times. (Ordinance 67, September 6, 1977, Article III, Section 3)

Section 44. Parking Prohibited in Specific Locations Certain Days and Hours. Parking shall be prohibited in the following locations at all times on the days and between the hours hereby indicated:

<u>Highway</u>	<u>Side</u>	<u>Between</u>	<u>Days</u>	<u>Hours</u>
Vesper Street	Northeast	A point approximately 250 feet southeast of Fairview Street and Locust Street	Monday through Fridays	School hours

(Ordinance 67, September 6, 1977, Article III, Section 4)

Section 45. Parking Limited Certain Locations. No person shall park a vehicle or tractor, or allow the same to remain parked, for longer than the time herein indicated, in any of the following locations at any time:

<u>Highway</u>	<u>Side</u>	<u>Between</u>	<u>Time Limit</u>
Hill Street	South	Harrison Street and Water Street	2 hours

(Ordinance 67, September 6, 1977, Article III, Section 5)

Section 46. 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 more than fifteen dollars (\$15.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo

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6. Sections 41 to 46 of this chapter.

imprisonment for one (1) day for each ten dollars (\$10.00) of such fine and costs. Provided: it shall be the duty of the police officers of the Borough to report all violations of any provisions of this article, indicating, in each case:

- the section thereof violated,
- the licence number of the vehicle involved in such violation,
- the location where such violation, and
- the time of such violation, and
- any other facts that might be necessary in order to secure a clear and understanding of the circumstances attending such violation.

The police officer making such report shall also attach to every such vehicle a notice that such vehicle was parked in violation of this article. (Ordinance 67, September 6, 1977, Article III, Section 6)

Part 4

Disabled or Unlicensed Vehicles

Section 51. Parking or Storing of Certain Vehicles Prohibited. Disabled, dismantled or unlicensed vehicles, or vehicles without current inspection stickers, shall not be parked or stored on any of the streets or alleys in the Borough. Such disabled, dismantled, or unlicensed vehicles, or vehicles without current inspection stickers, must be removed within forty-eight (48) hours after notification by certified letter from the Borough Police Department. (Ordinance 67, September 6, 1977, Article IV, Section 1)

Section 52. Penalty for Violation. Any person who shall violate any provision of this article<sup>7</sup> shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than one (1) day for each ten dollars (\$10.00) of such fine and costs. (Ordinance 67, September 6, 1977, Article IV, Section 2)

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7. Sections 51 and 52 of this chapter.



Part 5  
Interpretation

Section 61. Severability. The provisions of this ordinance<sup>8</sup> 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. (Ordinance 67, September 6, 1977, Article V, Section 1)

Section 62. Provisions to be a Continuation of Prior Regulations. The provisions of this ordinance,<sup>9</sup> 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 former ordinances or regulations. (Ordinance 67, September 6, 1977, Article V, Section 2)

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8. Sections 1 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter.

9. Sections 1 to 5, 11 to 17, 31 to 36, 51, 52, 61 and 62 of this chapter.

ORDINANCE NO. 03-1

AN ORDINANCE AMENDING ORDINANCE NO. 67 PROVIDING FOR PARKING PROHIBITION ON CERTAIN STREETS.

The Council of the Borough of Beech Creek, Clinton County, Pennsylvania, hereby ordains as follows:

SECTION 1: Chapter XV, Section 42 of the Beech Creek Borough Code, Ordinance Number 67, is hereby amended to read as follows:

Section 42. Parking Prohibited at All Times in Certain Locations.


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

<u>STREET</u>	<u>SIDE</u>	<u>BETWEEN</u>
Fairview Street	Northwest	Intersection with former Penn Central Railroad and Locust Street
Main Street	North	Church Street and Grant Street
Main Street	South	Maple Avenue and Alley East of Maple Avenue

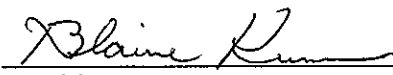
SECTION 2: This Amendment shall become effective on the earliest date provided by Borough Law.

ENACTED AND ORDAINED by Beech Creek Borough Council, Clinton County, Pennsylvania, this \_\_\_\_ day of January, 2004.


ATTEST:

  
Secretary

BOROUGH OF BEECH CREEK:

By:   
President

APPROVED this \_\_\_\_ day of January, 2004.

  
Mayor