

Chapter 272

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Borough Council of the Borough of Beech Creek 9-6-1977 by Ord. No. 67 (Ch. XV of the 1978 Code of Ordinances). Amendments noted where applicable.]

ARTICLE I
General Regulations

§ 272-1. Definitions and word usage.

- A. Words and phrases, when used in this chapter, shall have the meanings ascribed to them in The Vehicle Code of Pennsylvania,¹ as now in force, or as hereafter amended, enacted or reenacted, except where the context clearly indicates a different meaning.
- B. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§ 272-2. 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.

§ 272-3. Temporary and emergency regulations.

- A. The Borough Council shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations;
 - (2) 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.
- B. Such temporary and emergency regulations shall be enforced by the Mayor, Constable or other elected official 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 as set forth in § 272-28. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

§ 272-4. Experimental regulations. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

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 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 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

1. Editor's Note: See 75 Pa.C.S.A. § 101 et seq.

authority of this section. Any person who shall violate any provision of this section shall, upon conviction thereof, be liable to the penalty as set forth in § 272-28. 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.

§ 272-5. Authority to direct traffic.

The Mayor, Constable or other elected official of the Borough are hereby given authority to direct traffic on the highways of the Borough, and at intersections thereof.

**ARTICLE II
Traffic Regulations**

§ 272-6. Motor vehicles not to be driven or parked on sidewalks. [Amended 2-6-2018 by Ord. No. 2018-02; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

No person shall operate or park 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 location where the curb, if such sidewalk is curbed, shall have been properly cut down for the purpose.

§ 272-7. Speed limits established. [Amended 4-7-1981 by Ord. No. 81-2; 9-6-1988 by Ord. No. 1988-1]

A. The following speed limits are hereby established:

Highway	Speed Limit (mph)	Between
Beverly Drive	25	Entire length
Catherine Avenue	25	Entire length
Church Street	25	S.R. 0150 to dead end
Cleveland Avenue	25	Fairview Street to dead end
Fairview Street	25	Harrison Street to dead end
Grant Street	25	S.R. 0150 to Locust Street
Harrison Street	25	S.R. 0150 to S.R. 0364
High Street	25	Water Street to dead end
Locust Street	25	S.R. 0150 to Fairview Street
Maple Avenue	25	Entire length
Maple Avenue	25	S.R. 0150 to Borough line

Highway	Speed Limit (mph)	Between
Main Street	35	East Borough line and west Borough line
Mill Street	25	Entire length
Peters Avenue	25	S.R. 0150 to dead end
Railroad Street	25	Fairview Street to dead end
Vesper Street	15	Entire length
Wynn Avenue	25	Entire length

- B. 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 subject to penalties as set forth in § 272-28. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

§ 272-8. Through highways established.

- A. 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:

Highway	Portion
Main Street	East Borough line to west Borough line

- B. 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 subject to penalties as set forth in § 272-28. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

§ 272-9. Stop intersections established.

- A. The following intersections (in addition to highways intersecting with the through highways established by § 272-8 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:

Stop Highway	Direction of Travel	Intersecting Highway
Beverly Drive	Southwest	Wynn Avenue
Beverly Drive [Added 4-6-1999 by Ord. No. 1999-1]	East and west	Catherine Avenue
Catherine Avenue	South	Beverly Drive
Cleveland Avenue	South	Fairview Street
Fairview Street	East and West	Locust Street
	West	Harrison Street
Grant Street	Northeast	Locust Street
Hill Street	East	Harrison Street
Railroad Street	Southeast	Fairview Street
Vesper Street	South	Locust Street

- B. 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 subject to penalties as set forth in § 272-28. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 272-10. Vehicle weight limits established. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

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:

Highway	Maximum Gross Weight (tons)	Between
Beverly Drive	10	Main Street and Wynn Avenue
Catherine Drive	10	Wynn Avenue and Beverly Drive
Church Street	5	Locust Street and eastern terminus of Church Street

§ 272-11. Unlawful to operate motor vehicles or tractors on highways closed for construction or repair. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

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 subject to penalties as set forth in § 272-28.

§ 272-12. Play highways authorized.

- A. 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 Mayor, Constable or other elected official.
- B. 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 Mayor, Constable or other elected official in charge, who shall first clear such play highway of all persons using such highway for the purpose for which it was set aside. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

ARTICLE III

Parking Guidelines

[Added 3-6-1979 by Ord. No. 79-1]

§ 272-13. Short title.

This article shall be known and may be cited as "Borough of Beech Creek Parking Ordinance."

§ 272-14. Definitions.

Words and phrases when used in this article 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 reenacted, 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.

§ 272-15. 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 30 feet of any stop sign.
- C. No vehicle shall be parked within 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 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 20 feet to the intersection with another street, alley or public thoroughfare.

§ 272-16. 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 Mayor, Constable, other elected official or other designated agent of the Borough shall designate the residential streets in which trucks, tractors and tractor trailers are 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.²

ARTICLE IV
Parking Regulations

§ 272-17. 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.

2. Editor's Note: Original Chapter XV, Section 35, Penalties, of the 1978 Code of Ordinances, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 272-18. Parking prohibited at all times in certain locations. [Amended 3-4-1980 by Ord. No. 80-2; 4-6-1999 by Ord. No. 1999-1; 1-6-2004 by Ord. No. 03-1]

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

Street	Side	Between
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

§ 272-19. Parking prohibited on all bridges.

Parking is hereby prohibited on all bridges in the Borough at any and all times.

§ 272-20. 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:

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

§ 272-21. 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:

Highway	Side	Time Limit	Between
Hill Street	South	Harrison Street and Water Street	2 hours

§ 272-22. Reporting and notice of violation.

- A. Any person who shall violate any provision of this article shall, upon conviction thereof, be subject to penalties as set forth in § 272-28. Provided: it shall be the duty of the Mayor, Constable or other elected official of the Borough to report all violations of

any provisions of this article, indicating, in each case: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]**

- (1) The section thereof violated;
 - (2) The licence number of the vehicle involved in such violation;
 - (3) The location where such violation; and
 - (4) The time of such violation; and
 - (5) Any other facts that might be necessary in order to secure a clear and understanding of the circumstances attending such violation.
- B. The Mayor, Constable or other elected official making such report shall also attach to every such vehicle a notice that such vehicle was parked in violation of this article.

ARTICLE V

Disabled or Unlicensed Vehicles

§ 272-23. 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 48 hours after notification by certified letter from Mayor, Constable or other elected official.³

§ 272-24. Certain vehicles to be treated as nuisance. [Added 2-6-2018 by Ord. No. 2018-02]

Disabled, dismantled or unlicensed vehicles, or vehicles without current inspection stickers, are hereby deemed to be a public nuisance and as such are subject to the provisions of Chapter 186, Nuisances, of the Code of the Borough of Beech Creek. As nuisances, such vehicles are prohibited, subject to being abated as a nuisance, and subject to penalty for violation, all as set forth in Chapter 186, Nuisances.

§ 272-25. Operation of unlicensed vehicles on streets and playgrounds. [Added 2-6-2018 by Ord. No. 2018-02]

The operation of unlicensed motorized vehicles including but not limited to all terrain vehicles, golf carts, and scooters is prohibited upon all streets, highways, and other public rights-of-way within the Borough of Beech Creek and from operating within or upon playgrounds or other unenclosed recreational areas within the Borough of Beech Creek. The penalty for violation of this provision shall be as set forth in § 272-28 of this chapter.

3. Editor's Note: Original Chapter XV, Section 52, Penalty for Violation, of the 1978 Code of Ordinances, which immediately followed this section, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE VI

Interpretation; Penalties**§ 272-26. Severability.**

The provisions of this chapter 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 chapter. It is hereby declared as a legislative intent that this chapter would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

§ 272-27. Provisions to be continuation of prior regulations.

The provisions of this chapter, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this chapter, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this chapter 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.

§ 272-28. Violations and penalties. [Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Any person who violates a provision of this chapter other than Parking Guidelines and Parking Regulations shall, upon conviction, be subject to the appropriate penalties set forth in the Pennsylvania Vehicle Code (75 Pa.C.S.A. § 101 et seq.) for each provision so violated. Any person who violates a provision of Article III Parking Guidelines or Article IV Parking Regulations shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of \$50, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of Article III or Article IV that is violated shall also constitute a separate offense.