

ORDINANCE NO. 2023-04

AN ORDINANCE CHANGING AND AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF LANSFORD, SPECIFICALLY SECTION 420-39 “ SPECIAL PURPOSE PARKING ZONES ESTABLISHED, PARKING OTHERWISE PROHIBITED”; SECTION 420-36, “PARKING OF TRUCK, BUSES AND CERTAIN OTHER VEHICLES PROHIBITED IN CERTAIN LOCATIONS” AND PROVIDING FOR RESTRICTIONS UPON THE PARKING OF CERTAIN LARGE VEHICLES WITHIN THE BOROUGH, CONTAINING DEFINITIONS, PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, REPEALING INCONSISTENT ORDINANCES OR PORTIONS THEREOF, PROVIDING FOR PARTIAL INVALIDITY AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Lansford, Carbon County, Pennsylvania and it is hereby Ordained and Enacted by authority of the same as follows:

SECTION 420-36

A)The Lansford Borough Council has determined that hazardous and unsafe traffic conditions within the Municipal limits of the Borough exist because large vehicles are often parked on streets in the Borough. These hazardous and unsafe conditions are detrimental to the public health, safety and welfare of the residents of the Borough of Lansford and others, impede emergency vehicles(including fire trucks, ambulances, etc.) and interfere with the peaceful and quiet enjoyment of the residents of Lanford Borough in their homes and neighborhoods. The Borough Council has determined that the adoption of this Ordinance is necessary to remediate the forgoing.

B) DEFINITIONS

The following words and phrases used in this Ordinance shall have the meanings given to them in this Section, unless the context of the Ordinance clearly indicates otherwise:

1) Large Vehicles:

- a. The following, as defined by 75 Pa.C.S.A. Section 102: Articulated Bus, Combination, Construction Truck, commercial buses, motor homes, box vans, moving vans, Driveaway-towaway Operation, Farm Equipment, Full Trailer, House Trailer, Limousine(capable of carrying ten or more

passengers), Maxicube Vehicle, Mobile Home, Motor Home, Recreational Trailer, Semitrailer, Stinger-steered Automobile or Boat Transporter, Tow Dolly, Trailer, single body straight Truck, Truck-camper, Truck Tractor and any and all trailers attached to a motor vehicle or not.

b. Boats, snowmobiles, All-Terrain Vehicles and similar off-road vehicles, Pickup Campers, Boat Trailers, Tent Trailers and cases or boxes used for transporting recreational equipment(whether containing that equipment or not).

2) Park or Parking:

a. The halting of a vehicle, whether occupied or not, except temporarily for the purpose of – and while actually engaged in– loading or unloading property or passengers.

3) Street:

a. Any street, road, lane, court, cul-de-sac, alley, path, public way and public square within the Municipal Limits of Lansford Borough.

4) Oversized vehicle

a. Any vehicles with a gross vehicle weight rating in excess of 19,500 pounds regardless of whether or not said vehicle is a combination of a trailer and tractor, a combination of a trailer and a double tractor, or one single standalone vehicle: or

b. Any vehicle with a length exceeding 28 ½ feet regardless of whether or not said vehicle is a single trailer being towed by a truck tractor, a double trailer being towed by a truck tractor or single stand alone vehicle.

5) Commercial Motor Vehicle

a. Any motor vehicle designed for carrying freight or merchandise: Provided, however, that a motor vehicle originally designed for passenger transportation, to which has been added a removable box body without materially altering said motor vehicle, when owned and used by a farmer, shall not be deemed a “commercial motor vehicle” for the purpose of this ordinance: And, further provided, that any motor vehicle of a bus type, operated under contract with or owned by any school district, private school, or parochial school of this Commonwealth for the transportation of school children or children between their homes and Sunday school, shall

be deemed a “commercial motor vehicle.”

6) Trailer

a. A vehicle designed to be towed by a motor vehicle.

7) House Trailer

a. A trailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets and highways.

b. A trailer containing a chassis and a exterior shell designed and constructed for use as a house trailer, as defined in paragraph a., but which is used permanently or temporarily for advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property.

C) VIOLATIONS

No person shall park, cause to be parked or permit to be parked any large or oversized motor vehicle except as herein provided ins subsections a) and d) hereafter:

a) Oversized vehicles are only permitted to be parked on designated the parking lot at 425 West Dock Street by the present Sports Zoo between April 1 and November 30 and at the Lansford Pool parking lot between December 1 and March 31, except for Hazardous trailers, waste trailers, gas trucks or trailers, oil trucks or trailers, or municipal trailers which are not permitted to be parked anywhere within the limits of the Borough whether they are filled or empty. Any person who wants to park such an oversized vehicle as provided herein shall submit an application to the Borough for a permit to do so. Said permits shall be issued by the Borough office upon payment of One Hundred (\$100.00) Dollars by the owner or operator of said oversized vehicle.

b) A business can get a temporary permit to park an oversized vehicle adjacent to an address where they are doing business, with the consent of the occupant of that address. The sponsoring address may be commercial or residential. A specific commercial vehicle cannot get permits to park at the same address for more than 10 days in any 90 day period. If there is a need to park at any one address for longer than 10 days, the business will have to request a Parking Restriction waiver from the Borough.

c) Contractor Permits. A business can get annual permits for their oversized vehicles provided:

- 1) the vehicles are registered as commercial vehicles; and
- 2) the business has a current business license.

Contractor permits are valid July 1- June 30 and allow the vehicle to park on-street between the hours of 7:00 AM and 8:00PM.

d) Disabled persons can get Oversized Vehicle Disability Parking Permits, which allow them to park their oversized vehicle adjacent to locations where they receive services (doctor offices, grocery stores, churches, work, home, etc.) To qualify a person must:

1. Have a valid disabled placard or license plate.
2. Have an oversized vehicle that is necessary to accommodate their disability.

e) Commercial vehicles may park on-street after 8PM if they are engaged in active work involving an emergency situation that poses a threat to health and safety. In these circumstances, the contractor's oversized commercial vehicle must have a clearly visible notice in the driver's side window that identifies the emergency location and address. Outside of emergency situations, oversized vehicles must be stored off-street.

f) Owners of campers and motor homes may park on borough streets for a period of time not to exceed forty-eight (48) hours no more than twice per year in order to allow them to winterize, clean, load or unload the camper or motor home or to prepare the camper or motor home for use by the owner.

E) EXCEPTIONS

This Ordinance shall not apply to Lansford Borough Emergency Vehicles as defined by 75 Pa.C.S. Section 102 unless during an emergency response or by permission of the Mayor and/or police department.

F) PENALTIES FOR VIOLATION

1) Unless another penalty is expressly provided by the Pennsylvania Motor Vehicle Code, any person or registered owner of any vehicle which violates this Ordinance, shall, upon conviction, be subject to a fine of no less than seventy-five (\$75.00) and up to Three Hundred Dollars (\$300.00) for each offense and each daily occurrence of the same shall be considered as a new offense and punishable as such plus costs of prosecution.

2) The Lansford Police Department shall enforce the provisions of this ordinance and the Lansford Police Department is further authorized to have the oversized vehicle which is parking in violation of this ordinance towed from borough streets

with the owner of said oversized vehicle being responsible for all costs of towing and storage, if applicable.

G) SEVERABILITY

If any Section or provision of this Ordinance is declared by any Court of competent jurisdiction to be invalid or unconstitutional for any reason, such decision shall not affect the validity or constitutionality of this Ordinance as a whole, nor the validity or constitutionality of any other Section or provision of this Ordinance other than the one so declared to be invalid.

H) REPEAL OF CONFLICTING ORDINANCES


All existing Ordinances of Lansford Borough, or parts thereof, inconsistent with this Ordinance or any part thereof, are hereby repealed or amended to the extent specified herein.


I) EFFECTIVE DATE

This Ordinance shall become effective upon adoption hereof.

ORDAINED AND ENACTED by the Council of Lansford Borough this 10th
day of July, 2023.

BOROUGH OF LANSFORD

BY: 

ATTEST: 
Secretary

Examined and Approved this _____ day of _____, 2023.

Mayor