ORDINANCE NO. 213

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AN ORDINANCE REGULATING THE VEHICULAR TRAFFIC UPON, PARKING AND THE USE AND MISUSE OF THE STREETS AND PROPERTY OF BERLIN BOROUGH AND PROVIDING PENALTY FOR THE VIOLATION THEREOF.

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WHEREAS, the Borough of Berlin, by Ordinance No. 108 duly promulgated and adopted on November 4, 1946, regulated the vehicular traffic upon, parking and the use and misuse of the streets of Berlin Borough; and,

WHEREAS, the Borough of Berlin is desirous of repealing said Ordinance No. 108 and enacting an Ordinance to reflect the changes in circumstances since occurring and presently existing, and further regulate the traffic upon, parking and the use and misuse of the property and streets of Berlin Borough.

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough of Berlin, and IT IS HEREBY ORDAINED AND ENACTED by the authority of the same, as follows:

Section I. - Definitions. The definitions contained in "The Vehicle Code" of the Commonwealth of Pennsylvania shall apply to this Ordinance.

Section II. - Obstructing Traffic. No person shall obstruct vehicular traffic upon the streets of Berlin Borough in any manner whatsoever.

Section III. - Parking. When parking, all vehicles shall be parked to the right of the center line of the highway at a distance of not more than six (6) inches from the right hand curb and parallel to said right hand curb, unless otherwise indicated by markings, lines,

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arrows or signs. All vehicles, when parked parallel to the right hand curb and adjacent to or abutting another parked vehicle, shall be separated from said other vehicle by a distance of not more than four (4) feet. All vehicles shall be parked within the painted space provided therefor , when so marked. All vehicles parked on the Diamond and Public Square shall be backed or headed in into each parking space, the front or rear wheels, as the case may be, perpendicular to and touching the curb.

Section IV. Prohibited parking. No vehicle shall be parked opposite a yellow curb or where signs are erected indicating that parking is prohibited.

Section V. - Overnight parking. During the months of January, February, March and December, no vehicle shall be parked or left standing on a Borough street ~~between the hours of 2:00 a.m. and 7:00 a.m., prevailing time.~~

Section VI. - Commercial parking. No vehicle shall be parked on a Borough street for the purpose of using said vehicle as a place for the exhibition, sale or distribution of goods or services or for the purpose of storing goods therein or the vehicle itself; Provided, however, that commercial vehicles shall be permitted to park for the purpose of loading and unloading and delivering goods or merchandise for a period of time not in excess of one (1) hour.

Section VII.- Temporary and permissive use of restricted parking areas. Borough Police personnel may direct and permit parking temporarily on any Borough street or part thereof where otherwise prohibited; Provided, however, that the owner or operator of said vehicle shall first obtain the express written authorization of Borough Police personnel, or any of them, dated and signed and setting forth the location of the restricted zone as well as the length of time it may be used.

Section VIII. - Protection of Borough signs, standards, lights and markings. No person shall erect, damage, deface, mutilate or change the location of any traffic sign, standard, light or marking, except as expressly authorized by Council.

Section IX. - Littering Borough Streets. No person shall throw or place, or cause to be thrown or placed upon any Borough Street, any glass, metal, wood, plastic, paper, clothing or other substance or material of any kind or nature whatsoever.

Section XII. Penalty for violation. Any person, firm, partnership or corporation violating any of the provisions of this Ordinance or regulations promulgated hereunder shall be guilty of a summary offense and upon conviction thereof before a District Justice or Magistrate, shall be sentenced to pay a fine of not less than Ten and no/100 ($10.00) Dollars nor more than Three Hundred ($300.00) Dollars or undergo imprisonment for a period of time not in excess of ninety (90) days or both.

Section XIII. - Savings Clause. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason declared invalid, such decision shall not affect the validity of the remaining portions hereof.

Section XIV. - All Ordinances or parts thereof inconsistent herewith be and the same are hereby repealed.

Adopted by Council, this 6th day of October, 1975.

BOROUGH OF BERLIN

ATTEST:

President of Council

Secretary

(SEAL)

Approved, this 13th day of October, 1975.

Mayor

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