

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 58 – VEHICLES AND TRAFFIC

[HISTORY: Adopted by the Council of the Borough of Northumberland: Article I, 1-6-48 as Ord. No. 146; Articles II through VI, upon adoption of Code; see Ch. 1, General Provisions. Amendments noted where applicable.]

ARTICLE I – PARKING METERS

[Adopted 1-6-48 as Ord. No. 146]

58.1.01 Streets Designated (58-1)

[Amended 10-5-54 by Ord. No. 163; 6-5-73 by Ord. No. 275; 9-10-91 by Ord. No. 430; 12-21-24 by Ord. No. 2004-6]

It shall be unlawful for any owner or operator of any motor vehicle or any other vehicle to park said vehicle between the hours of 9:00 a.m. and 5:00 p.m. on Monday through Friday, inclusive, in violation of the provisions of this Article, upon the portions of the streets herein described in the Borough of Northumberland, which portions of the streets are hereby established and designated as parking meter zones, to wit:

- A. Front Street, between Duke Street and King Street;
- B. Queen Street, between Second Street and Water Street; except spaces as are or shall hereafter be designated as bus and taxi spaces, unloading and loading spaces, entrances to hotels, theaters, fireplugs and other places where parking is now or may hereafter be prohibited or allowed.

58.1.02 Placement of Meters. (58-2)

Parking meters installed in the parking meter zones established as provided in 58.1.01 (58-1) hereof shall be placed upon the sidewalk and immediately adjacent to the individual parking spaces hereinafter described. Each parking meter shall be placed or set in such manner as to show that the parking space adjacent to such meter is or is not occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the borough, and when operated shall indicate on its dial the duration of the period of legal parking, and on expiration of such period shall indicate illegal parking or over parking.

58.1.03 Parking Spaces. (58-3)

There shall be lines or markings painted or placed on the curb, sidewalk or upon the streets adjacent to each parking meter, for the purpose of designating the parking space for which said meter is to be used. Parking shall be parallel with the curb, and meters shall be placed approximately twenty-two (22) feet apart. Each vehicle parked adjacent to or next to any parking meter shall be parked within the lines or markings so placed. It shall be unlawful and a violation of this Article to park any vehicle across such line or marking or to park such vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

58.1.04 Placement of Vehicles in Parking Space. (58-4)

Any vehicle parked in a parking space in any parking meter zone shall be parked so that the foremost or front of such vehicle shall be nearest to the parking meter.

58.1.05 Deposit of Coins. (58-5)

[Amended 12-6-2011 by Ord. No. 2011-5]

¹ Editor's Note: Adopted initially as Ord. No. 220 and continued as provided by Ord. No. 269, adopted 12-29-71.

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- A. When any vehicle shall be parked during the time of limited parking in any space adjacent to which a parking meter is located, the owner or operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited "U.S. legal tender" in such parking meter and operate the meter in accordance with the instructions thereon, and failure to do so shall constitute a violation of this Article. Upon the deposit of "U.S. legal tender" and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the particular amount deposited, to wit: thirty (30) minutes of parking for one nickel, one (1) hour of parking for one dime, and two (2) hours of parking per quarter. If such vehicle shall remain parked in any such parking space for such a length of time that the meter shall indicate by a proper signal that the lawful time has expired, such vehicle shall be considered as parking overtime, and the parking of a vehicle overtime shall be considered a violation of this Article.
- B. In lieu of depositing U.S. legal tender into a parking meter as stated in paragraph "A" above, a vehicle may be parked in a metered parking space with a permit purchased from the Borough. Permits can be purchased and used in accordance with the following provisions:
1. The Borough offers two classes of parking permits: 1) Business and 2) Residential. A business located on a block that has designated parking meters is eligible to purchase a Business Parking Permit. Each such business is eligible to purchase a maximum of two (2) parking permits per month. Residents living on a block that has designated parking meters are eligible to purchase a maximum of one (1) parking permit per household per month. The initial price for a permit is \$20.00 per month. Borough Council may, from time to time, change the rate of the permit by resolution.
 2. The permits shall be available for purchase at the Borough Office. The applicant for a permit shall submit all information requested by the Borough, including but not limited to name of applicant, address and a signed statement that the permit shall be used in accordance with this Ordinance. The applicant shall be reviewed by the Borough Office to verify the eligibility of the applicant. If the Borough Office determines the applicant is eligible, a permit shall be issued within five (5) days. If eligibility cannot be verified by the Borough Office, the permit shall be denied. An applicant may appeal such denial to the Borough Council solely on the basis that they meet the eligibility requirements.
 3. A Business Permit shall have the month and year of the permit and the name of the business. The Residential Permit shall list the month and the year of the permit and the permit holder's street address. Permits must be hung on the rearview mirror of the vehicle in plain view.
 4. A Business Permit can be used by a permit holder's employee or customer. The permits are not transferable to any other business or person.
 5. A Residential Permit can be used by anyone living in or visiting the permit holder's household.
 6. A Residential Permit can only be used on meters designated by the Borough with an "R". A residential permit shall not be valid for a meter not designated with an "R".
 7. Permits do not absolve the user of any other parking regulations such as no parking on certain days, snow emergencies, etc. that may be contained in any other Borough ordinance, state or federal law or regulation.
 8. Permits may be purchased in advance and shall be in force from the first of the month to the last day of the applicable month. If a permit is purchased for a current month, the permit is valid upon issuance by the Borough and expires on the last day of that month. The cost of a permit shall not be pro-rated due to it applying for a permit for only part of a month.

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9. The permits do NOT guarantee parking in any particular parking space of the metered areas of the downtown. Parking is on a first come, first served basis and parking may not always be available for all permit holders.
10. Any business or resident in violation of the rules of the permit shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.

58.1.06 Unlawful Deposit of Coins. (58-6)

It shall be unlawful and a violation of this Article for any person to deposit or cause to be deposited in a parking meter any coins for the purpose of increasing or extending the parking time to be specified on the meter.

58.1.07 Parking Overtime. (58-7)

It shall be unlawful and a violation of the provisions of this Article for any person to permit a vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

58.1.08 Unlawful Substitute Coins. (58-8)

It shall be unlawful and a violation of the provisions of this Article to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute or any object except "U.S. legal tender".

58.1.09 Tampering With Meters. (58-9)

It shall be unlawful and a violation of the provisions of this Article for any person to deface, injure, tamper with, open or willfully break, destroy or impair any parking meter installed under this Article.

58.1.10 Reporting Violations; Notifying Violators. (58-10)

- A. It shall be the duty of the police officers of the Borough of Northumberland, acting in accordance with the instructions issued by the Chief of Police, to report to the proper designated officials:
 1. The number of each parking meter, which indicates that the vehicle occupying the parking space adjacent to such parking meter, is or has been parked in violation of any of the Provisions of this Article.
 2. The date and hour of such violation.
 3. The state license number of such vehicle.
 4. Any other facts, the knowledge of which is necessary to a thorough understanding of the circumstances of such violation.
- B. Each such police officer shall also attach to or place on such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this Article, and instructing such owner or operator to report to the place therein designated in regard to such violation. Each such owner or operator may, within twenty-four (24) hours of the time when such notice was attached to or placed on such vehicle, pay to the person therein designated, as a penalty for and in full satisfaction of such violation, the sum of **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution.]**
- C. The failure of such owner or operator to make such payment at the place designated within said twenty-four (24) hours of said violation shall render such owner or operator subject; to the penalties hereinafter provided for violation of the provisions of this Article.

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58.1.11 Use of Moneys Collected. (58-11)

The amount of the coins required to be deposited in the parking meters as provided in this Article are hereby levied and assessed as fees to cover a portion of the costs of installation, operation, maintenance, inspection, supervision, control and use of the parking meters and parking spaces, regulation of the parking of vehicles, street cleaning and maintenance in the parking zones created hereby, police supervision, and protection against potential Liability for negligence, for the maintenance of any traffic upon the streets in said borough and for general purposes in relief of taxes on real estate.

58.1.12 Violations and Penalties. (58-12)

[Amended 9-2-80 by Ord. No. 359; 7-1-86 by Ord. No. 391; 11-5-96 by Ord. No. 446]

- A. Any person violating any of the provisions of this Article, except for 58.1.09 (58-9) thereof, shall, be subject to penalties determined by resolution. **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution.]**
- B. A notice of any violation of the provision of this Article except 58.1.09 (58-9), shall be placed upon the vehicle parked, stopped or standing in violation thereof. Such notice shall provide that the violator can save himself from payment of the maximum fine and costs of prosecution if:
 1. Within twenty-four (24) hours after the time of said notice he shall:
 - a) Pay to the desk clerk of the Police Department of the Borough of Northumberland the sum designated on the notice;
 - b) Place such sum in any of the special boxes installed in various places in the Borough of Northumberland within twenty-four (24) hours after the time of such notice; or
 - c) Mail such sum to the Police Department of the Borough of Northumberland so that said Department within twenty-four (24) hours after the time of such notice receives it.

58.1.13 Authorization for Payment of Meters. (58-13)

The proper officers of the borough are hereby authorized and directed to enter into a contract for the purchase and installation of parking meters, the payment of such meters and the installation of parking meters, the payment of such meters and the installation of same to be provided for solely from the receipts, funds and revenue obtained by the borough from the operation of said parking meters without in any manner obligating the borough to pay for same from any other sources, and from time to time to enter into a contract or contracts for parts and maintenance exclusively from the receipts, funds and revenues received from the operation of said parking meters.

58.1.14 Collection of Coins from Meters. (58-14)

Council shall designate some person or persons who shall collect the coins deposited in such parking meters. In collecting such coins, the person or persons designated shall remove the sealed coin chamber or compartment from each parking meter and deliver the same with seals unbroken to such person who shall be designated by the Council of the Borough of Northumberland. The said person so designated shall open the sealed coin chambers or compartments, count the coins so delivered and deposit it to the credit of the Northumberland Borough in an account designated "Parking Meter Fund."

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ARTICLE II – GENERAL REGULATIONS

58.2.01 Definitions and Interpretation. (58-15)

[Amended 5-04-2010 by Ord. No. 2010-4]

- A. Words and phrases, when used in Articles II through VI, 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" shall mean and include: New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Primary Election Day, Memorial Day, Independence Day, Labor Day, Columbus Day, General Election Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day. No other dates shall be considered a "legal Holiday".
- C. In Article II through VI, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

58.2.02 Manner of Adopting Permanent Regulations. (58-16)

All traffic and parking regulation of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Borough of Northumberland.

58.2.03 Temporary and Emergency Regulations. (58-17)

- A. The Mayor 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 seventy-two (72) hours.
- B. The Mayor and the Police Department shall enforce such temporary and emergency regulations in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulation, 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 Articles II through VI for a violation of such nature, or, in case of a violation for which no specific penalty is set forth in the law or elsewhere in Articles II through VI to a penalty as determined by Resolution. **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]**

58.2.04 Experimental Regulations. (58-18)

The Borough Council may, from time to time, designate places upon and along the highway 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 Articles II through VI. 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 Articles II through VI for a

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violation of such nature, or in case of a violation for which no specific penalty is set forth in the law or elsewhere in Articles II through VI, to a fine of **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]** 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.

58.2.05 Authority of Peace Officers. (58-19)

The peace officers of the borough are hereby given authority to direct traffic on the highways of the borough and at intersections thereof.

ARTICLE III – TRAFFIC REGULATIONS

58.3.01 Driving on Sidewalks. (58-20)

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, **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]**

58.3.02 Speed Limits Established. (58-21)

[Amended on 12-15-2008 by Ord. No. 2008-5; Amended on 9-6-2016 by Ord. No. 2016-3]

A. The following speed limits are hereby established:

Name of Street	Location	Speed Limit (mph)	Times
Hanover Street	5 th Street to Permastone Drive	15 mph (School Zone)	Monday – Friday 7:15 am to 8:15 am 2:45 pm to 3:45 pm
Fifth Street	King Street to Orange Street	15 mph (School Zone)	Monday – Friday 7:15 am to 9:00 am 10:45 am to 12:30 pm 2:15 pm to 3:30 pm
Prince Street	from 150 feet west of the center of Fifth Street to 60 feet east of the center of Permastone Dr.	15 mph (School Zone)	Monday – Friday 6:50 am to 7:40 am 2:50 pm to 3:35 pm
Strawbridge Rd	from 345 feet north of Prince Street to Prince Street	15 mph (School Zone)	Monday – Friday 6:50 am to 7:40 am 2:50 pm to 3:35 pm
Fifth Street	beginning 180 feet north of Prince Street to 40 feet south of the center of Hanover St.	15 mph (School Zone)	Monday – Friday 6:50 am to 7:40 am 2:50 pm to 3:35 pm
Hanover Street	from 50 feet west of the center of Fifth Street to 40	15 mph (School Zone)	Monday – Friday 6:50 am to 7:40 am 2:50 pm to 3:35 pm

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	feet east of the center of Permastone Drive.		
Fourth Street	beginning 250 feet south of the center of Hanover Street to Hanover Street	15 mph (School Zone)	Monday – Friday 6:50 am to 7:40 am 2:50 pm to 3:35 pm

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 sentenced to **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]**

58.3.03 Stop Intersections Established. (58-22)

[Amended 6-7-83 by Ord. No. 383; Amended 12-19-96 by Ord. No. 448; Amended 1-7-97 by Ord. No. 449; Amended 2-21-97 by Ord. No. 450; Amended 9-19-00 by Ord. No. 2000-2; Amended 5-22-02 by Ord. No. 2002-7; Amended 8-20-02 by Ord. No. 2002-9; Amended 6-17-03 by Ord. No. 2003-3; Amended 8-2-05 by Ord. No. 2005-3; Amended 11-6-2017 by Ord. No. 2017-5;]

A. 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. All vehicles and tractors approaching any such intersection upon the first-named highway shall come to a full stop, within a reasonable distance, before entering any such intersection.

<u>Name of Street</u>	<u>Intersection</u>	<u>Ord. No.</u>
Brickyard Alley	Duke Street	383
Brickyard Alley	Sheetz Avenue	383
Buchanan Avenue	Susquehanna Road	449
Church Avenue	Duke Street	383
Church Avenue	Hanover Street	383
Church Avenue	Sheetz Avenue	383
Church Avenue	Wheatley Avenue	2002-9
Depot Avenue	Duke Street	383
Depot Avenue	King Street	383
Duke Street	Eighth Street	383
Duke Street	Route 147	383
Elliott Drive	Fifth Street (northern)	2017-5
Elliott Drive	Fifth Street (southern)	2017-5
Fifth Street	Duke Street	383
Fifth Street	Hanover Street	383
Fifth Street	King Street	
Fifth Street	Orange Street	

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<u>Name of Street</u>	<u>Intersection</u>	<u>Ord. No.</u>
Fifth Street	Prince Street	2023-B
Fifth Street	Queen Street	
Fifth Street	Strawbridge Road	383
Fourth Street	Duke Street	383
Fourth Street	Hanover Street	383
Fourth Street	King Street	383
Fourth Street	Orange Street	
Fourth Street	Queen Street	
Front Street	Duke Street	383
Hanover Street	Fifth Street	383
Hanover Street	Front Street	383
Hanover Street	Priestley Avenue	383
Hanover Street	Second Street	2000-2
Hanover Street	Seventh Street	383
Hanover Street	Sixth Street	383
Hanover Street	Third Street	
Hanover Street	Water Street	383
Honey Locust Lane	Susquehanna Road	383
Horizon Avenue	Strawbridge Road	383
Jefferson Street	Strawbridge Road	383
Jefferson Street	Buchanan Avenue	449
Jefferson Street	Madison Avenue	2005-3
King Street	Eighth Street	383
King Street	Fifth Street	448
King Street	Fourth Street	383
King Street	Front Street	383
King Street	Second Street	
King Street	Sixth Street	383
King Street	Seventh Street	448
Leighow Avenue	Strawbridge Road	383
Madison Avenue	Woodrow Avenue	383
North Street	Pond Avenue	383
North Street	Seventh Street	383
North Street	Sixth Street	383
Old Danville Highway	Front Street	383
Orange Street	Eighth Street	383

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<u>Name of Street</u>	<u>Intersection</u>	<u>Ord. No.</u>
Orange Street	Front Street	383
Orange Street	Priestley Avenue	383
Orange Street	Second Street	
Orange Street	Seventh Street	383
Orange Street	Sixth Street	383
Orange Street	Water Street	
Park Avenue	Duke Street	383
Park Avenue	Hanover Street	383
Park Avenue	King Street	383
Park Avenue	Orange Street	383
Park Avenue	Prince Street	383
Park Avenue	Sheetz Avenue	383
Park Avenue	Wallace Street	383
Park Avenue	Wheatley Avenue	383
Permastone Drive	Hanover Street	383
Permastone Drive	Prince Street	383
Pond Alley	Duke Street	383
Pond Alley	Prince Street	383
Pond Alley	Wallace Street	383
Priestley Avenue	Hanover Street	383
Priestley Avenue	King Street	383
	Right turn ONLY at stop, either northbound or southbound; both left turns and straight across traffic is prohibited.	450
Priestley Avenue	Orange Street	2002-7
Priestley Avenue	Queen Street	383
Prince Street	Front Street	383
Prince Street	Third Street	383
Prince Street	Fifth Street	383
Prince Street	Sixth Street	383
Prince Street	Strawbridge Road	2002-9
	(Right turn onto Strawbridge Road from Prince Street is still permitted.)	
Prince Street	Seventh Street	2005-3
Queen Street	Eighth Street	383
Queen Street	Front Street	383
Queen Street	Seventh Street	383
Queen Street	Sixth Street	383
Queen Street	Third Street	383

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<u>Names of Street</u>	<u>Intersection</u>	<u>Ord. No.</u>
Queen Street	Water Street	383
	Right turn ONLY at stop sign on east and west sides of Queen Street at Water Street. East bound traffic on Queen Street may only turn right to travel south on Route 11 and westbound traffic on Queen Street may only turn right to travel north on Route 11.	2003-3
Riverview Drive	Prince Street	383
Ropewalk Avenue	Duke Street	383
Ropewalk Avenue	Wheatley Avenue	2002-7
Second Street	Duke Street	383
Second Street	Hanover Street	383
Second Street	King Street	
Second Street	Orange Street	
Second Street	Prince Street	383
Second Street	Queen Street	
Seventh Street	Duke Street	383
Seventh Street	King Street	383
Seventh Street	Queen Street	383
Sheetz Avenue	Church Avenue	383
Sheetz Avenue	Front Street	383
Sheetz Avenue	Park Avenue	2002-7
Sheetz Avenue	Ropewalk Avenue	383
Sheetz Avenue	Second Street	383
Sheetz Avenue	Sixth Street	383
Sheetz Avenue	Water Street	383
Sixth Street	Duke Street	383
Sixth Street	King Street	383
Sixth Street	Orange Street	383
Sixth Street	Queen Street	383
Strawbridge Road	Prince Street	383
Susquehanna Road	Strawbridge Road	383
Third Street	Duke Street	383
Third Street	King Street	
Third Street	Orange Street	
Third Street	Queen Street	383
Third Street	Prince Street	2000-2
Wallace Street	Front Street	383

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<u>Names of Street</u>	<u>Intersection</u>	<u>Ord. No.</u>
Wallace Street	Second Street	383
Wallace Street	Seventh Street	383
Wallace Street	Sixth Street	383
Wallace Street	Water Street	383
Washington Avenue	Prince Street	383
Water Street	Hanover Street	
Westway	Fourth Street	2005-3
Westway	Fifth Street	2017-5
Westway	Sixth Street	2017-5
Westway	Seventh Street	2017-5
Wheatley Avenue	Church Avenue	383
Wheatley Avenue	Depot Avenue	
Wheatley Avenue	Front Street	383
Wheatley Avenue	Park Avenue	2002-7
Wheatley Avenue	Ropewalk Avenue	2002-7
Wheatley Avenue	Second Street	383
Wheatley Avenue	Seventh Street	383
Wheatley Avenue	Sixth Street	383
Wheatley Avenue	Water Street	383
Wild Cherry Lane	Honey Locust Lane	383
Woodrow Avenue	Jefferson Street	383

- 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, commits a summary offense under Pennsylvania Vehicle Code and shall, upon conviction, pay a fine and any other costs as set forth in said Vehicle Code.

58.3.04 One-Way Street Established. (58-23)

[Added 12-21-04 by Ord. No. 2004-5]

Due to dangerous situations regarding traffic flow, it has been determined that the most effective way to ameliorate the dangerous situation is to create a one-way street. The following street(s) have been designated as one-way:

- A. Seventh Street from the intersection of Duke Street to the intersection of Westway shall be a one-way street for all traffic proceeding in a southerly direction. No traffic shall be permitted to proceed in a northerly direction on said section of Seventh Street.

58.3.05 Operation on Closed Highways. (58-24)

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, [**As passed**

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12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution.]

58.3.06 Accident Reports Required. (58-25)

The operator of any motor vehicle involved in an accident in the borough 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, shall at the time of making such report to the commonwealth, make a written report to the Chief of Police of the borough, 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 and costs of prosecution or to undergo imprisonment. [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]

58.3.07 Use of Engine Retarders/ "Jake Brakes" Prohibited. (58-26)

[Added 12-7-04 by Ord. No. 2004-4]

It shall be unlawful for any person to use brake retarders, "jake brakes" or similar devices within the Borough limits at all times.

- A. Fire Protection Equipment or other emergency vehicles are exempt from this regulation.
- B. All major routes and streets generally utilized by trucks equipped with brake retarders/ "jake brakes" or similar devices shall be posted with appropriate signs as required by the relevant PENNDOT rules and regulations.
- C. Any person who shall violate any provision of this section shall be subject to a fine. [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]

ARTICLE IV – PARKING REGULATIONS

58.4.01 Parking without Lights Authorized. (58-27)

The boundary limits of the Borough of Northumberland 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.

58.4.02 Vehicles Parked within Marked Spaces. (58-28)

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.

58.4.03 Prohibited Parking. (58-29)

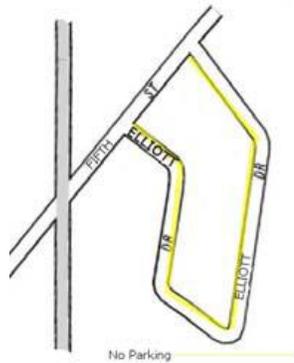
[Amended 9-13-94 by Ord. No. 433, 12-06-2011 by Ord. No. 2011-4, 11-06-2019 by Ord. No. 2017-4]

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

<u>Highway</u>	<u>Side</u>	<u>Location</u>
Depot Avenue	Both	Between Duke Street and King Street

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Duke Street	Both	Where posted "No Parking, This Side"
Fourth Street	North	Posted loading Zone (approximately 30 feet) between Duke Street and Queen Street
Front Street	Both	From the eastern curb lines of all intersecting side streets between King Street and the eastern Borough line to a point of 100 feet east of said curb lines.
Front Street	Both	From the eastern curb lines of all intersecting alleys/avenues between King Street and the eastern Borough line to a point 50 feet east of said curb lines.
Duke Street	Both	Between Seventh Street and Eighth Street
Elliot Drive	North	From 5 th Street (south intersection) to Jacobs Lane
Elliot Drive	South	From 5 th Street (north intersection) to Jacobs Lane



Orange Street	North	45 feet from stop sign at 5 th Street
Park Avenue	Both	Between Duke Street and Wheatley Avenue Between Hanover Street and North Avenue
Pond Avenue	Both	Hanover Street to Prince Street
Queen Street	Both	Where posted "No Parking, This Side"
Water Street	Both	Where posted "No Parking, This Side"
Water Street	Both	From the western curb lines of all intersecting side streets between King Street and the eastern Borough line to a point 100 feet west of said curb lines
Water Street	Both	From the western curb lines of all intersecting alleys/avenues between King Street and the eastern Borough line to a point 50 feet west of said curb lines.
Water Street	Both	Between Penn Central underpass and King Street

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Wheatley Avenue	Both	Between Depot Avenue and Park avenue
Wheatley Avenue	Both	Between Ropewalk Avenue and Fourth Street
Medical doctors' offices		In front of where posted "No Parking"

- B. The delivery of merchandise, the loading or unloading of vehicles or the reasonable use of highways for these purposes shall be permitted.
- C. The Chief of Police may, with the assistance of borough police or other employees, for special, temporary purposes, restrict or prohibit all traffic and parking on particular highways or parts thereof where otherwise it would be permitted, or may permit traffic on particular highways where otherwise it would be prohibited. Such temporary, special occasions shall include time allowed for painting of lines, parades, exhibitions, demonstrations, celebrations and similar uses, and like permission or prohibition may be imposed or granted where temporary uses are being made of premises immediately adjoining the highway in connection with which unusual of the highway may be deemed necessary. No traffic shall interfere with the provisions of this section.
- D. Parking of certain vehicles prohibited.

[Added 7-6-82 by Ord. No. 375. Amended 8-8-96 by Ord. No. 442]

1. Definitions. The following words and phrases as used in this Subsection D shall have the following meanings:

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

Truck Tractor A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight by a towing tractor.

Truck Tractor Semitrailer A trailer so constructed that some part of its weight rests upon or is carried by a towing tractor.

Truck Tractor Trailer A vehicle designed to be towed by a towing tractor.

Camping or Travel Trailer A vehicle designed to be towed by a motor vehicle and designed or adapted for use as a mobile dwelling or sleeping place.

Motor Home A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck camper.

Motor Vehicle A vehicle that is self-propelled except one, which is propelled solely by human power or by electric power obtained from overhead trolley wires, but not operated upon rails.

Recreational Vehicle A vehicle designed or adapted and used exclusively for recreational purposes.

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

Truck-Camper A structure designed, used or maintained primarily to be loaded or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space.

Special Mobile Equipment A vehicles not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, well boring apparatus; earth moving and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, snowplows, ditchers, graders, finishing machines, road rollers, scarifiers, earth moving carryalls, carpers, power shovels and drag lines; and self-propelled cranes and tractors, other than truck

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tractors. The term does not include house trailers; dump trucks; truck mounted transit mixers, cranes or shovels; or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Vehicle Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

2. No person shall park a truck tractor or a truck tractor trailer or a truck tractor semi-trailer or a combination truck tractor and truck tractor trailer or a combination truck tractor and truck tractor semi-trailer or a truck classified by the Pennsylvania Vehicle Code as Class 4 or higher on any public street, public alley or public way in any district in the Borough of Northumberland designated Residential-1, Residential-2, Residential-3 or OS-Conservation.
3. Except as provided herein, it shall be unlawful for any person to park a vehicle of the class or type listed below, or the owner or any such class or type of vehicle to allow the vehicle to remain parked, on any highway, street, avenue, way or alley within the Borough of Northumberland:
 - a) Any truck, truck tractor, truck tractor semi-trailer, or any combination thereof, having a height greater than nine (9) feet, or a length greater than thirty (30) feet, or a weight in excess of twenty thousand (20,000) pounds.
 - b) Any trailer.
 - c) Any special mobile equipment.
 - d) Any dumpster, collection bin, or other such non-motorized containers or equipment that does not have a permit from the borough and that does not have adequate reflectors or safety devices placed around or upon it to prevent a vehicle from colliding therewith.
 - e) Exceptions:
 - 1) Vehicles of the class or type described in (a) above may be parked between sunrise and sunset for the purposes of loading or unloading property for a period not to exceed one (1) hour if parking is not otherwise prohibited.
 - 2) Vehicles of the class or type described in (c) above may be parked between sunrise and sunset when being used for their intended purpose if parking is not otherwise prohibited.
4. It shall be unlawful for any person to park a vehicle of the class or type listed below, or for the owner or any such class or type of vehicle to allow the vehicle to remain parked, on any highway, street, avenue, way or alley within the Borough of Northumberland for more than twenty-four (24) continuous hours:
 - a) Any vehicle with a register gross weight in excess of ten thousand (10,000) pounds.
 - b) Any motor home, truck-camper, recreational vehicle, or camping or travel trailer.
 - c) Any trailer or special mobile equipment without being attached to a power unit or motor vehicle enabling said trailer or equipment to be readily removed.
 - d) Exemptions: Borough Council, if appropriate, upon request, may grant special exemptions of a temporary nature.
5. Any person violating any of the provisions of this Subsection D shall, **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution].**

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58.4.04 *Parking Prohibited between Certain Hours. (58-30)*

[Amended 5-6-75 by Ord. No. 295, 9-6-94 by Ord. No. 432; 12-21-04 by Ord. No. 2004-6; 8-02-05 by Ord. No. 2005-2, 12-6-2011 by Ord. No. 2011-5]

- A. Parking is hereby prohibited during the entire year from January 1 to December 31 between the hours of 8:00 a.m. and 4:00 p.m. at the locations herein set forth. This parking prohibition is unconditional, that is, parking is prohibited during the entire time between 8:00 a.m. and 4:00 p.m. no matter if said streets, alleys or highways are or are not being, or have or have not been, swept or cleared of leaves or snow:
1. On Mondays:
 - a) the odd numbered side (the southwestern side) of King Street, Hanover Street, Wallace Street, and North Avenue
 - b) the even numbered side (the northeastern side) of Queen Street, Orange Street, and Prince Street
 - c) the odd numbered side (the northwestern side) of Priestley Avenue, Water Street, Front Street, Second Street, Fourth Street, and Sixth Street
 - d) the even numbered side (the southeastern side) of Third Street, Fifth Street, and Seventh Street
 - e) the sides of King Street next to the King Street park except metered areas of said streets
 2. On Tuesdays:
 - a) the even numbered side (the northeastern side) of King Street, Hanover Street, Wallace Street, and North Avenue
 - b) the odd numbered side (the southwestern side) of Queen Street, Orange Street, and Prince Street
 - c) the even numbered side (the southeastern side) of Priestley Avenue, Water Street, Front Street, Second Street, Fourth Street, and Sixth Street and Eighth Street
 - d) the odd numbered side (the northwestern side) of Third Street, Fifth Street, and Seventh Street
 - e) the sides of King Street across from the King Street park except metered areas of said streets
- B. Parking is hereby prohibited on Wednesdays between the hours of 8:00 a.m. and 4:00 p.m. in the Sunnyhill, Villa Vista and Hilltop view sections of the Borough of Northumberland.
- C. Parking is hereby prohibited on Wednesday mornings between the hours of 7:00 a.m. and 8:00 a.m. on all streets metered for parking areas in the Borough of Northumberland.
- D. Parking Restricted Between Certain Business Hours to Customers of a Business (58-301.1)
- E. Parking is hereby restricted in areas designated by Borough Council during business hours to customers of the designated businesses in accordance with the following provisions:
1. Any business may request to have a sign posted in front of their business restricting parking to their customers during their business hours.
 2. To qualify for restricted parking, a business must demonstrate that the business does not have off-street parking available for its business. If a business can demonstrate that it has no off-street parking, the Borough shall approve up to two (2) parking spaces to be restricted for the use of the business customers during normal business hours. A business must request a set, continuous

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period of time, not to exceed a maximum of ten (10) hours, to be considered their normal business hours.

3. If approved, the business must purchase a sign through the Borough Street Department Supervisor designating the name of the business and the established business hours. The business shall be required to pay for the sign.
4. The Borough shall install all approved signs according to federal, state and Borough regulations.
5. The Borough shall paint lines designating the restricted parking spaces. The business shall be responsible for the cost of painting the lines.
6. Individuals may only park in the restricted parking spaces during the designated business hours while patronizing the designated business. An individual must remove their vehicle from the restricted parking space within fifteen (15) minutes of leaving the designated business.
7. All other applicable provisions of Chapter 58 still apply for the restricted parking spaces. Any individual in violation of this section shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.

58.4.05 Violations and Penalties. (58-31)

[Amended 7-6-82 by Ord. No. 375, 7-1-86 by Ord. No. 391, 5-04-2010 by Ord. No. 2010-4]

- A. Any person who shall violate 58.4.02 (58-28) and Subsections A, B and C of 58.4.03 (58-29), shall... [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]
- B. Any person who shall violate 58.4.04 (58-30), shall, upon conviction thereof, [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution] A notice of said violation shall be placed upon the vehicle parked, stopped or standing in violation thereof. Such notice shall provide that the violator can save himself from payment of the maximum fine and the costs of prosecution if within twenty-four (24) hours after the time of said notice he shall:
 1. Pay to the desk clerk of the Police Department of the Borough of Northumberland the sum of. [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]
 2. Place such sum in any of the special boxes installed in various places in the Borough of Northumberland within twenty-four (24) hours after the time of such notice; or
 3. Mail such sum to the Police Department of the Borough of Northumberland so that said Department within twenty-four (24) hours after the time of such notice receives it.
- C. The prohibitions on parking contained in 58.01.5 (58-5) and 58.4.04 (58-30 A through C) shall not apply or be in effect on legal Holidays, as defined in 58.2.01 B (58-15 B). All other restrictions contained in Chapter 58 shall remain in effect on legal Holidays.

Commented [AA2]: Added "not" per intent of Ordinance

ARTICLE V – SNOW AND ICE EMERGENCY

58.5.01 Declaration of Emergency. (58-32)

[Amended 9-6-94 by Ord. No. 432]

In order to facilitate the movement of traffic and to combat the hazards of excessive snow and ice on the streets, alleys and highways of the Borough, the Mayor or President of Council may declare a snow emergency. In conjunction with the snow emergency, the Mayor or President of Council may, among other

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things, direct that the parking prohibitions set forth in paragraphs B, C and D of 58.4.04 (58-30) shall be in effect on designated days other than Monday, Tuesday, or Wednesday.

58.5.02 Parking Prohibition. (58-33)

[Amended 9-6-94 by Ord. No. 432]

- A. When a snow emergency has been declared, it shall be unlawful during the period of the emergency for any person to:
1. Park a motor vehicle or truck tractor with or without trailer, or to allow the same to be parked or remain parked upon any street, alley or highway named in paragraph A of 58.5.03 (58-34).
 2. Operate any motor vehicle, or truck tractor with or without trailer, upon or over any street, alley or highway named in paragraph A of 58.5.03 (58-34).

58.5.03 Placement of Signs. (58-34)

- A. In order to assist the operators of motor vehicles and tractors in determining the highways affected by this Article, the Mayor or the Chief of Police shall place around the utility poles on the highways or portions thereof designated in 58.5.04 A (58-35A) of this Article, signs reading as follows:

**SNOW EMERGENCY ROUTE
SNOW TIRES OR CHAINS REQUIRED,
NO PARKING DURING EMERGENCY,
VEHICLES TOWED AWAY**

- B. The Mayor or the Chief of Police shall also, through radio, newspaper or other available media, disseminate information as to the existence of such an emergency.

58.5.04 Highways Affected. (58-35)

[Amended 9-6-94 by Ord. No. 432]

- A. The highways or portions thereof to which the provisions of this Article shall be applicable during all periods of emergency declared as provided in 58.5.01 (58-32) of this Article are as follows:
1. Queen Street;
 2. Hanover Street;
 3. Prince Street from Front Street to Strawbridge Road;
 4. Strawbridge Road;
 5. Second Street from Duke Street to Prince Street;
 6. Third Street from Hanover Street to Prince Street;
 7. Fifth Street from Duke Street to Strawbridge Road;
 8. Sixth Street from Duke Street to King Street.
- B. At any time during a period of emergency declared as provided in 58.5.01 (58-32) of this Article, any person who shall park a motor vehicle or tractor anywhere upon or along any of the highways or portions thereof listed in Subsection A of this section shall be guilty of a violation of this Article and, upon conviction thereof, shall be **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]**.
- C. Any person who shall operate a vehicle or tractor upon any highway or portion thereof listed in Subsection A of this section, if such vehicle or tractor shall become stalled upon any of such streets

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during a period of emergency declared as provided in 58.5.01 (58-32) of this Article and if such stalling shall have been by reason of the failure to have such vehicle or tractor equipped with the equipment hereinabove prescribed, shall be guilty of a violation of this Article, and upon conviction thereof such person shall be sentenced to pay a fine of . **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]**

ARTICLE VI – REMOVAL AND IMPOUNDING OF ILLEGALLY PARKED VEHICLES

58.6.01 Authority to Remove and Impound. (58-36)

The Chief of Police of the borough is hereby authorized to remove and impound or to order the removal and impounding of any vehicle parked on any of the streets, highways or public property in the borough in violation of any provision of the law or of any ordinance of the borough; provided, no such vehicle shall be removed or impounded except in strict adherence to the provisions of this Article.

58.6.02 Designation of Storage Garages; Bonding. (58-37)

- A. A garage or garages located in the borough shall be designated from time to time by resolution of the Borough Council as approved storage garages or pounds for the storage of impounded vehicles.
- B. Every such approved storage garage or pound shall be bonded in an adequate amount, to be determined by the Borough Council, for the indemnifying of the owner of every impounded vehicle against the loss thereof or injury or damage thereto while in the custody of the pound keeper.

58.6.03 Towing, Storage Charges. (58-38)

The towing charge to be collected by every pound keeper and the storage charge shall be set by council resolution. **[As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution.]**

58.6.04 Notification of Removal and Impounding. (58-39)

Within twelve (12) hours from the time of removal of any vehicle under authority granted by this Article, the Chief of Police of the borough shall send notice of the fact that such vehicle has been impounded to the owner of record of such vehicle. Such notice shall designate the place from which such vehicle was removed, the reason for its removal and impounding and the pound in which it shall have been impounded.

58.6.05 Effect of Payment without Protest. (58-40)

The payment of any towing and impounding charges authorized by this Article shall, unless such payment shall have been made under protest, be final and conclusive, and shall constitute a waiver of any right to recover the money so paid.

58.6.06 Effect of Payment under Protest. (58-41)

In the event that any towing and impounding charges, so imposed, shall be paid under protest, the offender shall be entitled to a hearing before a magistrate or court of record having jurisdiction, in which case such defendant shall be proceeded against and shall receive such notice as is provided in The Vehicle Code in other cases of summary offenses and shall have the same rights as to appeal and waiver of hearing.

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58.6.07 Records. (58-42)

The Chief of Police shall keep a record of all vehicles impounded and shall be able at all reasonable times to furnish the owners or the agents of the owners thereof with information as to the place of storage of such vehicles.

58.6.08 Liability. (58-43)

The payment of towing and storage charges authorized by this Article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded.

58.6.09 Restrictions. (58-44)

No vehicle shall be removed under the authority of this Article if, at the time of the intended removal thereof, the owner or person for the time being in charge of such vehicle is present and expresses a willingness and intention to remove such vehicle immediately.

ARTICLE VII – RULES & REGULATIONS FOR ROADWAYS UNDER CONSTRUCTION

[Added 5-2-00 by Ord. No. 1-2000]

58.7.01 Legislative Intent. (58-45)

The Borough Council finds that:

- A. The construction and repair of roadways within the Borough of Northumberland cause a disruption of the normal flow of traffic and create the potential for traffic jams and increased risk of harm to persons and property; and
- B. The orderly diversion of traffic from roadways under construction or repair promotes the public welfare and safety.

58.7.02 Declaration of Construction Zone. (58-46)

- A. The Borough Council of Northumberland may by resolution vote declare a "road construction area" within the Borough. The resolution shall state with particularity:
 1. the physical description of the area;
 2. the dates during which the area is in effect; and
 3. the special rules and regulations applicable to the area.
- B. The resolution shall be advertised one (1) time in a newspaper of general circulation and posted at Borough Hall.

58.7.03 Rules and Regulations. (58-47)

The Council may set reasonable rules and regulations applicable to a road construction area including but not limited to:

- A. Closing a portion of roadway to all traffic;
- B. Closing a portion of roadway to all traffic over a certain weight or number of axles;
- C. Closing a portion of roadway for certain times during the day;
- D. Establishing a detour path for through traffic through the Borough; and

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E. Establishing a lower speed limit applicable to the road construction area.

58.7.04 Penalties. (58-48)

Any person who shall violate any provision of this section shall be subject to a fine. [As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution]

ARTICLE VIII – RULES & REGULATIONS LIMITING THE USE OF CERTAIN COMMERCIAL VEHICLES IN DESIGNATED AREAS

[Added 12-21-04 by Ord. No. 2004-7]

58.8.01 Definitions. (58-49)

Commercial Vehicle Any vehicle licenses as a commercial vehicle.

Truck Any vehicle with a gross weight equal to or exceeding ten thousand (10,000) pounds, including, but not limited to, twin axle or multiple axle trucks, vans, or tractor-trailers of any configuration.

58.8.02 Rules and Regulations. (58-50)

[Amended 5-6-2008 by Ord. No. 2008-2]

A. It shall be unlawful for any person to operate a commercial vehicle or truck upon any street, alley or other public roadway or portion thereof in the Borough of Northumberland, except as follows:

<u>Name of Street</u>	<u>Limits</u>
Duke Street	From Water Street to west Borough line
Water Street	From the entrance on US Route 11 at the Bridge to the North Borough line on US Route 11
King Street	From the entrance on State Route 147 at the Bridge to Front Street
Front Street	From the North Borough line to King Street
Eighth Street	From Duke Street to Orange Street
Strawbridge Road	From Borough line south to Prince Street
Prince Street	From Strawbridge Road to Front Street

B. Commercial vehicles and trucks shall be permitted upon any street, avenue, alley or other public roadway not mentioned in this section for the purpose of making deliveries or picking up goods, wares, merchandise or other material from premises situate upon any such street, avenue, alley or other public roadway.

58.8.03 Exclusions. (58-51)

The provisions contained herein shall not apply to fire prevention apparatus, garbage removal equipment, snow removal equipment, emergency equipment, or other vehicles destined to make repairs of any type within the Borough.

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58.8.04 Penalties. (58-52)

Any individual, business or legal entity which violates the terms and conditions of this Ordinance shall, upon conviction, be fined the sum of [All penalties for this section of the Borough Code shall be determined by Council Resolution.][**As passed 12/18/2001 as part of Ordinance 2001-13, all penalties for this and subsequent parts of borough code are determined by council resolution.**]