

ORDINANCE NO. 2 of 2008

An Ordinance of Newport Township Regulating Parking of Commercial Vehicles Within the Township of Newport and prescribing penalties for violation thereof.

Be it enacted and ordained by the Township of Newport, Luzerne County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. AUTHORITY

Newport Township as a First Class Township has the power to make Ordinances pursuant to 53 P.S. sec. 56502 and the power to regulate parking pursuant to 53 P.S. 56549.

SECTION 2. DEFINITION

Commercial Vehicle: Any self - propelled or towed motor vehicle used on a highway, roadway or alleyway to transport passengers or property when the vehicle:

(1) Has a gross vehicle weight rating or gross combination weight rating, of 4,536 kg (10,001 pounds) or more, whichever is greater, or

(2.) Is designed or used to transport more than 8 passengers(including the driver) for compensation; or

(3.) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

(4.) Any vehicle type with a refrigerated body where the refrigerated unit is operated by a gasoline or diesel engine, regardless of the gross vehicle weight rating.

SECTION 3. **VIOLATIONS:**

It shall be unlawful for any person to stop, stand or park a commercial vehicle within any area of Newport Township that is zoned residential.

SECTION 4. **EXEMPTIONS**

The provisions of this Ordinance shall not apply to any commercial vehicle when taking or discharging passengers or when temporarily parked pursuant to the performance of work.

SECTION 5. **PENALTIES**

(A.) Whoever violates any of the provisions of this Article shall pay a fine of not less than Twenty-Five (\$25.00) Dollars for the first offense nor more than Three Hundred (\$300.00) Dollars plus costs of prosecution for the second and each subsequent violation.

(B.) The continuation of such violation for each successive day (24 hour period) shall constitute a separate offense and the violator may be punished as provided herein in Section 5 subsection A.

SECTION 6. **SEVERABILITY**

If any provision, paragraph, word, section or Article of this Ordinance is invalidated by any Court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

SECTION 7. **REPEALER**

All other previous Ordinances and/or parts of Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 8.

EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption.

Enacted and ordained at a meeting of the Newport Township Board of Commissioners held on the 30th day of September 2008.


President

Attest: 
Secretary