

ORDINANCE NO. 3 OF 2024

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 enact Ordinances pursuant to 53 P.S. §56502 and the power to regulate parking pursuant to 53 P.S. §56549.

SECTION 2. DEFINITIONS

As used in this Ordinance, unless otherwise stated, the following terms have the meanings indicated:

COMMERCIAL VEHICLE

Any vehicle for which it is required to possess a Class A or Class B driver's license to operate as defined in 75 Pa. C.S.A. SS 1504 (d)(1) and 1504 (d)(2) and/or any vehicle which it is required to possess a Pennsylvania Utility Commission number and/or a United States Department of Transportation number.

MOTOR HOME

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

PASSENGER CAR

A motor vehicle designed for carrying 10 passengers or less and primarily used for the transportation of persons.

SCHOOL BUS

Any vehicle used either on a full-time or part-time basis for the transportation of students to or from school or a school-related activity, except such vehicles as fall within the definition of "passenger car," as defined herein.

TRACTOR-TRAILER

A motor vehicle designed and used primarily for drawing of vehicles and not so constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

SECTION 3. VIOLATIONS

A. It shall be unlawful for any person to park a commercial vehicle, passenger car, school bus, motor home or tractor-trailer or to permit such vehicle to stand, whether attended or unattended, upon a highway or in any of the following places:

- (1) Within an intersection;
- (2) On a crosswalk;
- (3) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone;
- (4) Within 25 feet from the intersection of curb lines or, if none, within 15 feet of the intersection of property lines at an intersection of streets or highways;
- (5) Within 30 feet upon the approach to an official flashing signal, stop sign or traffic signal located at the side of the roadway;
- (6) Within 15 feet of the driveway entrance to any fire station;
- (7) Within 15 feet to a fire hydrant;
- (8) On a sidewalk;
- (9) In front of a private driveway or alongside of any street or highway excavation or obstruction, nor opposite the same, unless a clear and unobstructed width of not less than 20 feet upon the main travel portion of said street or highway shall be left free for passage of other vehicles;
- (10) On the roadway side of any vehicle stopped or parked at the curb or edge of the street or highway;
- (11) At any place where official signs have been erected prohibiting standing or parking;
- (12) Within 50 feet of the nearest rail of a stream or interurban railway crossing;
- (13) Where such stopped or parked vehicle would prevent free movement of a motor bus; or
- (14) Except where necessary for obedience to signal regulations or traffic signs or signals or where angle parking is permitted, the operator of such vehicle shall not stop, stand or park such vehicle on a street or highway within a business or

residence district other than parallel with the edge of the street or the highway, headed in the direction of traffic, and with the curbside of the vehicle within six inches of the edge of the street, highway or curb. Vehicles which, because of type of construction, cannot load or unload parallel to the curb shall be exempt, during loading or unloading, from the requirement of standing parallel to the curb.

B. No person shall park a commercial vehicle, as defined in this article, on any public street in the Township of Newport.

C. The restrictions set forth in Subsection B above shall not apply to the following:

- (1) Vehicles of the municipality of the Township of Newport;
- (2) Commercial vehicles actively being used in the course of construction, repair of streets or sidewalks, moving to or from a residential or commercial structure or while actively engaged in making deliveries in or upon any public street in the Township of Newport;
- (3) Any school bus actually engaged in picking up or discharging students but only for a period of time necessary to safely pick up and discharge students;
- (4) Any commercial vehicle when taking or discharging passengers or when temporarily parked pursuant to the performance of work.

D. In addition to the restrictions set forth hereinabove, no school bus shall be parked on any street within the Township of Newport at any time except as is necessary to safely pick up or discharge passengers.

E. No commercial vehicle with a gross weight exceeding 10,000 pounds, or with more than two axles, or any truck, tractor, or school bus, as defined hereinabove, shall be stored, parked, or otherwise kept in an area defined in Section 304(Classses of Zoning Districts)(SR,R-1,R-2,R-A) of Luzerne County Zoning Ordinance in effect within the Township of Newport.

F. No person shall park a motor home, as defined in this Ordinance, on any public street in the Township of Newport.

SECTION 4. PLACEMENT OF PARKING VIOLATION NOTICES

Any police officer or duly authorized Township employee shall place upon vehicles parked in violation of the provisions set forth in this Ordinance a notice for the owner or operator to report to the Newport Township Police Station regarding the violation.

SECTION 5. PAYMENT OF PARKING FINE

For the violation of this Ordinance, the owner or operator of any vehicle shall, within 72 hours of the time when such notice was attached to his vehicle, pay a fine of \$25 in full satisfaction of the violation. If the fine is paid after 72 hours, the fine will be \$35. Failure to pay according to the above schedule will result in a traffic citation being filed and further prosecution before the Magisterial District Court, including the imposition of Court costs. 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.

SECTION 6. SEVERABILITY

If any provision, paragraph, word, section or chapter 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 3rd day of June 2024.

NEWPORT TOWNSHIP



Secretary



President of Commissioners