

**ORDINANCE NO. 2015-2**

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF NESQUEHONING, CARBON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF NESQUEHONING, CHAPTER 15 AND KNOWN AS MOTOR VEHICLES AND TRAFFIC.

BE IT ORDAINED and Enacted by the Council of the Borough of Nesquehoning as follows:

The following section is hereby being added to Chapter 15 known as "Motor Vehicles and Traffic"

**Section 15-412 MAXIMUM TIME LIMIT PARKING.**

A. No person shall park a vehicle or allow the same to remain parked, whether attended or unattended, upon any of the streets or parts of streets of the Borough of Nesquehoning for a continuous period of time in excess of forty-eight (48) hours. In order to prevent a violation of this section, any vehicle will have to be moved a minimum distance of twenty-five (25) feet within the forty-eight hour period.

B. Any member of the Police Department of the Borough of Nesquehoning shall have authority to remove, direct removal, of any vehicle, parked in violation of this section, from any street to the nearest point where such vehicle will not interfere with the convenience and protection of the public, property users or property owners.

The following section hereby amends or modifies Section 15-404 to read as follows:

**Section 15-404 PARKING OF TRUCKS, BUSES AND CERTAIN OTHER VEHICLES PROHIBITED IN CERTAIN LOCATIONS**

A. It shall be unlawful for any person to park or to allow to remain parked on any of the streets or parts of streets any vehicle other than a passenger car, motorcycle or regular size van or pickup truck (which shall not include any bus, motor home or passenger car attached to any trailer of any kind) except as otherwise provided hereunder.

B. Any temporary (no more than 48 hours) parking of large trucks, trailers, etc. may be permitted only on such locations as do not affect the regular parking of residents.

C. The Borough police shall have the authority to remove and impound or to order the removal and impounding of any vehicle parked illegally hereunder, provided that no such vehicle shall be removed or impounded except in strict adherence to the provisions hereof.

1. Removal and impounding of vehicles under this article shall be done only by approved storage garages that shall be designated from time to time by the

Council. Every such garage shall submit evidence to the Council that it is bonded or has acquired liability insurance in an amount satisfactory to the Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garagekeeper for the purpose of towing or storage. Each approved storage garage shall submit to the Council its schedule of charges of towing and storage of vehicles for approval by Council, and no different charges shall be charged to any person whose vehicle is removed or impounded than that approved by Council.

2. Within seventy-two (72) hours from the time of removal of any vehicle under authority granted by this Article, notice of the fact that the vehicle was removed shall be sent by the Borough to the owner or record of the vehicle. The notice shall designate the place from which the vehicle was removed, the reason for its removal and impounding and the garage in which it was impounded.

3. The Borough shall cause a record to be kept of all vehicles impounded under this Article and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

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

As to all other matters Chapter 15 of the Borough Code is hereby ratified and this Amendment shall be effective immediately upon adoption.

**ORDERED AND ENACTED** this 25<sup>th</sup> day of March, 2015.

**BOROUGH OF NESQUEHONING**

BY: 

ATTEST: 

Secretary

Examined and Approved this 25<sup>th</sup> day of March, 2015.

  
Mayor