

**BOROUGH OF BELL ACRES
ALLEGHENY COUNTY, PENNSYLVANIA
ORDINANCE NO. 321**

**AN ORDINANCE OF THE BOROUGH OF BELL ACRES,
COUNTY OF ALLEGHENY, COMMONWEALTH OF
PENNSYLVANIA, AMENDING CHAPTER 159 IN THE
CODE OF THE BOROUGH OF BELL ACRES, “VEHICLES
AND TRAFFIC” TO PROVIDE FOR NO PARKING AREAS**

WHEREAS, the Borough of Bell Acres (“Borough”) is concerned about the public safety hazards caused by parked vehicles on Borough streets; and

WHEREAS, parking restrictions consistent with 67 Pa.Code § 212.114 throughout the Borough will address streets that are not wide enough to sustain on-street parking, allow snow removal vehicles to maneuver safely, and permit public safety vehicles to quickly maneuver in accordance with the engineering and traffic study conducted by the Borough Police Department presented to Borough Council on October 10, 2022; and

WHEREAS, Section 6301 of the Vehicle Code, 75 Pa.C.S. § 6301, provides that local parking violations are not superseded by the Vehicle Code and that “(l)ocal ordinances relating to parking shall prescribe fines for violations and may authorize the payment of penalties in lieu of fines and costs under prescribed conditions”; and

WHEREAS, the designation of No Parking areas consistent with the engineering and traffic study conducted by the Borough Police Department is warranted.

NOW, THEREFORE, be it ordained and enacted by the Borough Council of the Borough of Bell Acres, and it is hereby ordained and enacted by and with the authority of the same, incorporating the above recitals by reference:

Section 1. A new Section 159-1.1 of Chapter 159 in the Code of the Borough of Bell Acres is added as follows:

§159-1.1 No Parking

A. No person shall park a vehicle at any time upon any of the following-described streets or parts thereof as posted with appropriate signage by the Borough:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Bower Drive	Both	From the intersection with Hamilton Drive to the end of Bower Drive within the Hawthorne Acres Plan.
Hamilton Drive	Both	From the intersection with Camp Meeting Road to the end of Hamilton Drive within the Hawthorne Acres Plan.
Kennelly Street	Both	From the intersection with Sands Avenue to the end of Kennelly Street in the Sands Plan.
Lewis Street	Both	The entire length of Lewis Street in the Sands Plan.
Sands Avenue	Both	From the intersection with Ambridge Avenue to the intersection with Lewis Street in the Sands Plan.
Summerlawn Drive	Southwestern turning to Southern	One side parking only with No Parking either side within 20 feet of the island and No Parking within the cul de sac in the Summerlawn Plan.

B. No person shall park a vehicle upon any Borough street during snow removal from November 1 through April 15.

C. Abandoned, junked, unregistered, uninspected and derelict vehicles or equipment shall not be parked on any Borough street at any time.

D. The Borough may post "Tow Away Zone" signage and tow away vehicles in any area subject to the parking restrictions in this section.

E. *Limited Parking Permits.* The Chief of Police or his designee shall have the authority to permit on-street parking on Borough streets in limited areas and for limited time periods upon the advance request of a Borough resident for the purposes of providing on-street parking for special events or gatherings. In no event shall such on-street parking create a hazard to pedestrian or vehicular safety as determined in the sole discretion of the Chief of Police or his designee. The Chief of Police shall establish the necessary forms and/or procedure to process a request for limited on-street parking.

F. Any person who violates any provision of the parking regulations in this section shall be subject to a fine of not more than \$50 and costs; provided, however, that it shall be the duty of the Borough police officers to report all violations of any parking provision of this section, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this section. Parking violation penalties shall be \$20 if paid within 48 hours of the issuance of the notice; between 48 hours and 168 hours, the penalty shall be \$25. Failure to pay the penalty shall result in a summary offense charge filed with the District Magistrate, and upon conviction the person shall pay a fine up to the amount set forth herein.

Section 2. Should any part or section of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held to be invalid.

Section 3. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and ENACTED by Borough Council of the Borough of Bell Acres, Allegheny County, Pennsylvania, at its regular meeting held on 10th day of April, 2023.

ATTEST:

BOROUGH OF BELL ACRES

Jewell A. Palcko
Secretary

By: David W. Lindgren
President

Approved by me this 10th day of April, 2023.

Ernest / Chernie
Mayor