

BOROUGH OF OAKMONT
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 018-78

AN ORDINANCE of the Borough of Oakmont, County of Allegheny, Commonwealth of Pennsylvania, amending, revising and re-enacting the Vehicle and Traffic Control, Use of Street and Public Highways Ordinances

BE IT ORDAINED AND ENACTED by the Council of the Borough of Oakmont, and it is hereby ordained and enacted by the authority of the same, that the Vehicle and Traffic Control, Use of Street and Public Highways Ordinances, are hereby amended, revised, and re-enacted to read as follows, viz:

AN ORDINANCE of the Borough of Oakmont, Allegheny County, Commonwealth of Pennsylvania, providing for and regulating Vehicle and Traffic Control, Use of Street and Public Highways; defining certain terms used herein; providing for enforcement and imposing fines and penalties for violations thereof and this Ordinance shall be known and may be cited as "The Oakmont Traffic Control Ordinance of 1978."

ARTICLE I

DEFINITIONS

80-1. DEFINITIONS OF WORDS AND PHRASES

Whenever in this ordinance certain words or phrases are used, they shall have the same meaning ascribed to such terms as found in the Pennsylvania "Vehicle Code," Act No. 81, June 17, P. L. 162, as amended, effective July 1, 1977, 75 P. S. 101 to 8122.

ARTICLE II

APPLICABILITY OF LAW

80-2. POWERS AND DUTIES OF ENFORCEMENT

- A. The provisions of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes - shall be applicable and uniform throughout the Commonwealth and in all political subdivision in the Commonwealth. The Borough of Oakmont shall not enact or enforce an ordinance on a matter covered by the provision of Title 75 unless expressly authorized.
- B. The Borough of Oakmont may exercise the powers granted in Title 75 only by duly enacted ordinances.
- C. The provisions of Title 75 (Vehicles) shall not be deemed to prevent the Borough of Oakmont from the reasonable exercise of such police power and action taken shall be by ordinance of the Borough of Oakmont.
 - (1) Regulating or prohibiting stopping, standing or parking.
 - (2) Regulating traffic by means of police officers or traffic control devices.
 - (3) Regulating or prohibiting processions or assemblages on highways.
 - (4) Designating particular highways or roadways for use by traffic in one direction.
 - (5) Establishing speed limits for vehicles in public parks.
 - (6) Designating any highways as a through highway or designating intersection or junction of roadways as a stop or yield intersection or junction.
 - (7) Prohibiting or restricting the use of highways at particular places or by particular classes of vehicles whenever the highways or portion thereof may be severely damaged by the use, or the movement of the vehicles would constitute a safety hazard.
 - (8) Regulating the operation of pedalcycles (bicycles) and requiring their registration and inspection and the payment of a reasonable registration fee.
 - (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles.
 - (10) Altering or establishing speed limits.
 - (11) Enforcement of speed restrictions.
 - (12) Designating no-passing zones.
 - (13) Prohibiting or regulating the use of designated streets by any class or kind of traffic.
 - (14) Establishing minimum speed limits.
 - (15) Regulating and temporarily prohibiting traffic on streets closed or restricted for construction, maintenance or special events.

- (16) Prohibiting pedestrians from crossing a roadway in a business district or a designated highway except in a crosswalk.
- (17) Restricting pedestrian crossings at unmarked crosswalks.
- (18) Regulating persons propelling push carts.
- (19) Regulating persons upon skates, coasters, sleds and other toy vehicles.
- (20) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special events.
- (21) Providing for and establishing procedures governing removal and impounding of any vehicle parked on highway or public property in violation of any local ordinance pursuant to provisions of Title 75 (Vehicles).
- (22) Adopting such other traffic regulations as are specifically authorized by Title 75 (Vehicles).

80-3. PROSECUTIONS UNDER LOCAL ORDINANCES

- A. Except for parking violations, when the same conduct is proscribed under the Pennsylvania Vehicle Code and the Borough Ordinances, the charge shall be brought under the State Vehicle Code and not under the Borough Ordinance. Prosecutions brought under any Borough Ordinance, Rule or Regulations which are based on a violation for which there is a specific penalty in the Vehicle Code, except for parking violations, shall be deemed as having been brought under the Code and the assessment disposition of fines and forfeitures shall be so governed. Borough Ordinances relating to parking shall proscribe fines for violations and may authorize the payment of penalties in lieu of fines and costs under proscribed conditions.
- B. Proceedings for minor traffic offenses and issuance of Traffic Citations for failure to pay fines for Violations of Borough Ordinances within five (5) days, shall be instituted within fifteen (15) days after commission of alleged offense or within fifteen (15) days after the discovery of the offense or the identity of the offender, whichever is later.
- C. Exception--Where proceedings are timely instituted against a person reasonably believed to have committed the offense charged and it subsequently appears that a person other than the person charged is the offender, proceedings may be instituted against the other person within 30 or 15 days, whichever is applicable, after the identity of the person is discovered and not thereafter.

ARTICLE III

ENFORCEMENT AND OBEDIENCE OF TRAFFIC REGULATIONS

80-4. APPLICABILITY OF ORDINANCE

The provisions of this ordinance shall apply to the operator of any vehicle publicly or privately owned or used. It shall be unlawful for such operator to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance.

80-5. AUTHORIZED EMERGENCY VEHICLES

The provisions of this ordinance regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles while the driver of such vehicle is operating the same in an emergency in the necessary performance of his duties. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

80-6. AUTHORITY OF POLICE

It shall be the duty of the police of the borough to enforce the provisions of this ordinance and the applicable provisions of the Vehicle Code. Such police are hereby authorized to direct all traffic either in person or by means of visible or audible signals in conformance with the provisions of this ordinance; provided, that in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, police, auxiliary police, or firemen may direct traffic as conditions may require, notwithstanding the provisions of this ordinance. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer, auxiliary police, fire department official, school crossing guards, or any appropriately attired person authorized to direct, control or regulate traffic.

80-7. MAYOR AND/OR BOROUGH MANAGER OR THEIR DULY AUTHORIZED REPRESENTATIVES EMPOWERED TO ADOPT EMERGENCY REGULATIONS

The Mayor and/or Borough Manager or their duly authorized representatives, are hereby empowered to make and enforce temporary regulations necessary to cover emergencies or special conditions. The failure to obey the same shall constitute a violation of this ordinance.

80-8. AUTHORITY TO MAKE NINETY-DAY TRIAL OF REGULATIONS

- A. The Mayor, by and with the consent of the Borough Council, is hereby empowered to make a ninety-day trial of any traffic regulations; provided, that in advance of its becoming effective, that notice of such regulation by signs shall be given to the public in advance of its enforcement.
- B. After the day such regulation shall become effective, it shall govern traffic for a period of one hundred twenty (120) days thereafter, within which time there shall be introduced in meeting of the Borough Council an ordinance embodying such regulations or such part thereof as it may be desired to have continued in force. Such regulation as is embodied in such ordinance shall continue in force during such time as such ordinance shall be pending.
- C. If no ordinance embodying such regulation or any part thereof shall have been introduced in meeting of the Borough Council within such period of one hundred twenty (120) days or if any such ordinance shall fail of final enactment, then such regulation shall no longer be in force.
- D. The Borough Council may at any time rescind any such trial regulation by a written resolution presented after adoption to the Mayor. Upon receipt of such resolution, the Mayor shall immediately cause such regulation to be withdrawn and the regulation which applied prior to it again enforced.

80-9. PERSONS PROPELLING PUSH CARTS OR RIDING ANIMALS TO OBEY TRAFFIC REGULATIONS

Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

ARTICLE IV

AUTHORITY TO DESIGNATE TRAFFIC DEVICES, MARKS, ET CETERA

80-10. PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS

The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this state, county or borough, and it shall be unlawful for any said driver to violate any of the provisions of this ordinance except as otherwise permitted in this ordinance or by state statute.

80-11. AUTHORITY TO DESIGNATE CROSSWALKS

The Borough Council is authorized to establish and have maintained, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections and other places where it may deem them necessary for the protection of pedestrians. Before any such regulation is adopted, a written recommendation from the Mayor will be submitted.

80-12. AUTHORITY TO DESIGNATE LANES FOR TRAFFIC

The Mayor is authorized to have lanes for traffic marked upon any street and to designate lanes for traffic moving in a particular direction or at designated speeds upon the approval of the Borough Manager and by and with the consent of the Borough Council. Before any such regulation is adopted, a written recommendation from the Mayor will be submitted.

80-13. AUTHORITY TO ESTABLISH SAFETY ZONES

The Mayor is empowered to establish safe zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians; provided, that whenever any new design of safety zone is proposed, the approval of the Borough Manager and the consent of the Borough Council shall be obtained. Before any such regulation is adopted, a written recommendation from the Mayor will be submitted.

80-14. AUTHORITY TO PROHIBIT TURNS

The Mayor is empowered to determine those intersections at which operators of vehicles shall not make a left turn, right turn or any turn and shall place proper signs at such intersections to that effect, with the approval of the Borough Manager and the Borough Council. Before any such regulation is adopted, a written recommendation from the Mayor will be submitted.

80-15. AUTHORITY TO DESIGNATE STOP SIGNS AND SIGNALS

The Mayor is authorized to erect and have maintained the necessary official traffic stop signs or signals as required by law, upon the approval of the Borough Manager and by and with the consent of the Borough Council. Before any such regulation is adopted, a written recommendation from the Mayor will be submitted.

80-16. AUTHORITY TO ESTABLISH PLAY STREETS

The Mayor and/or Borough Manager shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

80-17. PLAY STREETS

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

ARTICLE V

SPEED REGULATIONS

80-18. STATE SPEED LAWS APPLICABLE

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this borough, except as this ordinance, as authorized by state law, hereby declares and determines that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this ordinance when signs are in place giving notice thereof.

80-19. DECREASE OF STATE SPEED LIMITS AT CERTAIN INTERSECTIONS

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law at all street intersections in the Borough of Oakmont is greater than is reasonable or safe under the conditions found to exist at such intersections and it is hereby declared that the maximum speed limit within one hundred (100) feet upon every designated approach to and within those intersections shall be twenty (20) miles per hour, which speeds so declared shall be effective at the times specified herein when signs are erected upon every approach to every such intersection giving notice of the maximum speed limit so declared thereat.

80-20. DECREASE OF STATE LAW MAXIMUM SPEED

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the maximum speed limit shall be fifteen (15) miles per hour as herein set forth on those streets or parts of streets when signs are erected giving notice thereof.

ARTICLE VI

MISCELLANEOUS DRIVING RULES

80-21. VEHICLE USE

- A. Any person, firm or corporation causing damage to be done to any traffic light or traffic standard or other construction of the borough shall pay the damages caused and be deemed guilty of having violated this ordinance.
- B. Driving through funeral or other procession. No driver of a vehicle or motorcoach shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.
- C. Drivers in a procession. Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadways as practicable and shall follow the vehicle ahead as close as is practicable and safe.
- D. Funeral processions to be identified. A funeral composed of a procession of vehicles shall be identified as such as the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the Chief of Police.
- E. Driving through barricades. No driver of a vehicle shall remove a barricade or drive through, around, or under barricades which have been authorized to be erected by the Chief of Police or Borough Manager.
- F. Operator of a motor vehicle, when traveling upon a downgrade upon any highway, shall not coast, with the gears in neutral or clutch disengaged.

80-22. OBSTRUCTION OF SIDEWALKS WHILE UNLOADING OR LOADING VEHICLES

In loading or unloading vehicles, sidewalks shall not be obstructed in an unreasonable way nor for an unreasonable length of time. Sidewalks are to be protected against damage caused by vehicles loading or unloading.

80-23. PERMITS REQUIRED FOR PARADES AND PROCESSINGS

No procession or parade except the forces of the United States Army or Navy, military forces of this state and the forces of the Police and Fire Department, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police and such other regulations as are set forth herein which may apply.

80-24. PENALTIES

Any person violating the provisions of this Article shall be subject to the following fines, together with the costs of prosecution.

- A. Paragraph 80-21. Vehicle Use. Up to fifteen dollars (\$15).
- B. Paragraph 80-22. Obstruction of sidewalk. Not less than five dollars (\$5) nor more than ten dollars (\$10).
- C. Paragraph 80-23. Parade permits. Not less than five dollars (\$5) nor more than ten dollars (\$10).

ARTICLE VII

OPERATION OF TRUCKS AND OTHER HEAVY EQUIPMENT

80-25. MAXIMUM WEIGHTS PERMISSIBLE ON STREETS

It shall be unlawful to operate or cause to be operated upon any of the highways of the borough, except upon designated truck routes, any motor vehicle having a gross weight, including chassis, body and load, of more than ten thousand (10,000) pounds - GVW rating. The Borough Manager or the Chief of Police may issue permits for excessive weights as authorized by the Pennsylvania Vehicle Code, 75 P. S., Section 4961, upon good cause shown and upon application as therein provided, subject to payment of fees for hauling permits as provided by said Vehicle Code, 75 P. S., Section 4942. The provisions of this section shall not exclude from such highways the use and operation of hook and ladder trucks and other fire-fighting apparatus.

80-26. DESIGNATION OF ROUTES FOR THROUGH TRUCKS

For the purposes of this Article, through truck traffic is hereby defined as being the operation in the borough of all trucks upon trips which do not originate in or end in the borough. It shall be unlawful to operate or cause to be operated upon any of the highways of the borough, except Allegheny Avenue, Hulton Road and Plum Street, any motor truck engaged in through truck traffic as defined above, provided, that the provisions of this section shall not exclude from such highways the use and operation of hook and ladder trucks and other fire-fighting apparatus; provided, further that vehicles may be operated on any borough street for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

80-27. PERMIT REQUIRED TO MOVE CERTAIN HEAVY EQUIPMENT ON STREETS

It shall be unlawful for any person to move steam or gasoline shovels and other such pieces of machinery on the streets of the borough unless a permit is obtained for this. At the time of application for permit, the route and time should be given.

80-28. PERMIT REQUIRED TO OPERATE ON STREETS, VEHICLES HAVING CLEATS, FLANGES, ET CETERA, ON WHEELS

It shall be unlawful for any person, without first having secured a permit therefore, to:

- A. Operate any vehicle or equipment upon the roads and streets of the borough when such vehicle or equipment has attached to the periphery of its wheels or the traction of such vehicle any metal or metalclad cleat, block, stud, flange or other similar protuberance, including metal wheels or metal treads.
- B. Move any such vehicle or equipment to or from a job site or from one job site to another where such movement would require passage over easements or right-of-way having underground utility installations located therein.

80-29. APPLICATION: APPROVAL BY CHIEF OF POLICE AND BOROUGH MANAGER

Applications for a permit to operate any vehicle or equipment, as specified in Paragraph 80-28, shall be made to the Borough Manager and a permit shall be granted only after such application shall have been referred to and approved by the Chief of Police and the Borough Manager.

80-30. FEES: PERMITTEE LIABLE FOR DAMAGE TO STREET AND UNDERGROUND UTILITIES

The fee for a permit required by Paragraph 30-28 shall be five dollars (\$5). It shall be a condition for the issuance of such permit that the person applying therefore shall agree in writing to repair and restore any damage caused by the movement of such vehicle or equipment to the surface of any road or street or any underground utility installation.

80-31. ROUTE TO BE DESIGNATED; MANNER OF MOVING GENERALLY

The permit required by Paragraph 80-28 shall specify the route to be followed in the movement of such vehicle or equipment and it shall be unlawful to deviate from the specified route. In the case of movement of such vehicle or equipment on the streets or roads of the borough, the moving shall be done either by means of a conveyance equipped with pneumatic rubber tires or, if deemed satisfactory, wood planks or other sufficient protection for the streets or roads shall be provided and placed upon the street or road and the vehicle or equipment shall be run upon such planks or other protective material when this method of movement is approved.

80-32. PARAGRAPHS 80-28 THROUGH 80-31 NOT TO PROHIBIT USE OF TIRE CHAINS IN SNOW, ICE, ET CETERA

The provisions of Paragraphs 80-28 through 80-31 shall not apply to vehicles equipped with pneumatic rubber tires using tire chains or metalclad cleat, block, stud, flange or other similar protuberance when required for safety because of snow, ice or other conditions tending to cause a vehicle to slide or skid.

80-33. PENALTIES

Any person violating the provisions of this Article shall be subject to the following fines, together with the costs of prosecution:

A. 80-25 Maximum weights permissible. Summary Offense, fine of seventy-five dollars (\$75) plus seventy-five dollars (\$75) for each 500 pounds in excess.

B. 80-26 Truck route. Not less than ten dollars (\$10) nor more than twenty-five dollars (\$25).

80-27 Heavy equipment on streets. Not less than ten dollars (\$10) nor more than twenty-five dollars (\$25).

80-28 and

80-31 Permits for vehicles having cleats, etc. Not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) and the cost of any damage done to the streets, roads, or underground utility installations and upon default of payment of such fine, costs or damages, may be committed to the county jail for a period not exceeding thirty (30) days.

ARTICLE VIII

PUBLIC CONVEYANCES

80-34. MOTOR COACHES TO TAKE ON AND DISCHARGE PASSENGERS ONLY AT APPROVED STOPS

Motor coaches shall stop to take on and discharge passengers only at such points as are approved by the Borough Council.

80-35. DESIGNATION OF BUS OR COACH STOPS

The Borough Council is authorized to establish bus or coach stops on such public streets in such places and in such number as they will determine to be of the greatest benefit and convenience to the public. In no event, shall any stop be made except where authorized in writing by the Borough Manager or in obedience to a traffic officer or a traffic-control signal, sign or marking or to avoid an accident. Every such bus or coach stop shall be designated by appropriate signs. Buses loading or unloading passengers are to pull in to curb as close as possible.

80-36. BOARDING OR ALIGHTING FROM MOTOR COACHES OR VEHICLES

No person shall board or alight from any motor coaches or vehicle while such motor coach or vehicle is in motion.

80-37. RAILROAD TRAINS AND MOTOR COACHES NOT TO BLOCK STREETS

A. It shall be unlawful for the directing officer or the operator of any railroad train or motor coach to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

B. It shall be unlawful for any motor coach to stop within an intersection or on a cross walk for the purpose of receiving or discharging passengers.

80-38. STANDING AND OPERATION OF TAXICABS GENERALLY

A. The Borough Manager may grant stands to the operators of taxicabs only at location on streets where and when parking is permitted; provided, that such operators file with the Borough Manager a certified copy of the approval of the person owning the building in front of which application is made for a stand.

B. Any future prohibition of parking on any street or any location on any street shall forthwith cancel any previous permit for a taxicab stand on such street or location.

C. Taxicabs, except when stopped by a traffic officer, traffic-control signal, to avoid an accident or to receive or discharge passengers, are prohibited from standing or parking on any street, except at designated stands.

80-39. OTHER VEHICLES NOT TO PARK IN BUS OR COACH STOPS OR TAXICAB STANDS

It shall be unlawful for the operator of any vehicle other than a bus or coach to stand or park in an officially designated bus or coach stop or for any vehicle other than a taxicab to stand or park in any officially designated taxicab stand; except, that the operator of any vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or unloading of persons.

80-40. PENALTIES

Any person violating the provisions of this article shall be subject to the following fines, together with costs of prosecution:

A. 80-34 Motor coaches stop at approved stops. Not less than five dollars (\$5) nor more than ten dollars (\$10).

B. 80-36 Boarding vehicles. Not less than two dollars (\$2) nor more than five dollars (\$5).

C. 80-37 Blocking streets. Not less than ten dollars (\$10) nor more than twenty-five dollars (\$25).

D. 80-39 No parking at coach or taxicab stands. Not less than two dollars (\$2) nor more than five dollars (\$5).

ARTICLE IX

STOPPING, STANDING AND PARKING

80-41. PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB

- A. The Chief of Police or Borough Manager are authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or leasee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- B. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.
- C. Cost of permit - ten dollars (\$10).

80-42. BOAT TRAILER RESTRICTIONS

No person shall permit or allow to stand or park (1) any vehicle to which a boat trailer is attached, or (2) a boat trailer unattached, for a period of time longer than is necessary for expeditious loading or unloading of a boat, or for a period of time not to exceed one (1) hour, whichever period of time is of the shorter duration, on a borough street, highway, lane or alley.

80-43. PARKING FOR CERTAIN PURPOSE PROHIBITED

No person shall park a vehicle upon any roadway for the principal purpose of:

- A. Displaying such vehicle for sale, rent or lease.
- B. Painting, greasing or repairing such vehicle except repairs necessitated by an emergency, and in no case shall a vehicle be left on jacks or blocks longer than is necessary to accomplish immediate repairs.

80-44. PROHIBITION OF SPECIFIC VEHICLES

The parking or storing of any motor vehicle not in running condition, or of any trailer, boat, mobile home, camper unit or mechanized machinery or equipment of any kind for a period in excess of twenty-four (24) hours, upon any public highway, street, alley or public property of the Borough of Oakmont, shall be and the same is hereby forbidden.

80-45. STOPPING, ET CETERA, IN PASSENGER ZONES

It shall be unlawful for the operator of a vehicle to stop, stand or park such vehicle in any place marked as a passenger zone for a period of time longer than necessary for expeditious loading or unloading.

80-46. LOADING OR UNLOADING TRUCKS PROHIBITED BETWEEN 4:00 P. M. AND 6:00 P. M. IN CERTAIN AREAS

No loading or unloading of trucks shall be permitted upon Allegheny River Boulevard, Allegheny Avenue and Delaware Avenue between the hours of 4:00 p.m. and 6:00 p.m.

80-47. PARKING OF VEHICLE FOR PURPOSE OF DISPLAYING, ADVERTISING OR DEMONSTRATING MERCHANDISE PROHIBITED; USE OF SOUND PRODUCING DEVICES FOR ADVERTISING PURPOSES PROHIBITED

It shall be unlawful to operate or to park on any street any vehicle for the primary purpose of displaying, advertising or demonstrating merchandise. It shall be unlawful to operate or to park on any street any vehicle equipped with and using sound-producing devices to attract the public's attention for advertising and political campaigning purposes, except upon the issuance of a permit by the Mayor or the Chief of Police.

80-48. NO PARKING OF A COMMERCIAL VEHICLE

No commercial vehicle, mobile home or camper unit rated over ten thousand (10,000) pounds, GW, nor any trailer, boat, mobile home or mechanized machinery or equipment shall park on or in any highway of the Borough of Oakmont between the hours of 10:00 p.m. and 6:00 a.m., Monday through Saturday, and from 10:00 p.m. Saturday to 6:00 a.m. Monday, except that any such vehicle may park said hours for such reasonable period as may be required for the prompt loading or unloading thereof.

80-49. EMERGENCY PARKING REGULATIONS

- A. The Mayor or Chief of Police is hereby authorized to prohibit parking on highways or parts thereof, which are being constructed, repaired or improved, for a period not to exceed the duration of said construction, repair or improvement. When, in the opinion of the Mayor or Chief of Police, the public safety does not require the prohibition of parking at all times on such highway or part thereof being constructed, repaired or improved, the Mayor or the Chief of Police is authorized to permit parking for such periods as will not endanger the public safety. In cases where parking is so prohibited or regulated by said borough officials, proper signs shall be erected, or caused to be erected, by the Borough Council, which signs shall be erected in accordance with the provisions of the Motor Vehicle Code of the Commonwealth of Pennsylvania, giving notice of such prohibition or regulation.
- B. The Mayor or Chief of Police is also hereby authorized to prohibit parking on any highway, or part thereof, entirely or for certain hours to be designated by the Mayor or Chief of Police for periods not exceeding sixty (60) days as trial periods to study the effect of parking or the movement of traffic within the Borough of Oakmont. While such trial periods are in effect, proper signs shall be erected or caused to be erected by the Borough Council hereinbefore referred to, to evidence the prohibition or regulation of traffic thereon.

80-50. PROHIBITIONS IN SPECIFIED PLACES

Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

A. Stop, Stand or Park a Vehicle:

- (1) Double parked on the roadway side of any vehicle stopped or parked at the edge or curb of a highway
- (2) On a sidewalk
- (3) Within an intersection
- (4) On a crosswalk
- (5) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic
- (6) Upon any bridge or other elevated structure upon a highway or within a highway tunnel
- (7) On any railroad track
- (8) At any place where official signs prohibit stopping

B. Stand or Park a Vehicle:

- (1) In front of a public or private driveway
- (2) Within twenty (20) feet of a crosswalk at an intersection
- (3) Within fifteen (15) feet of a fire hydrant

- (4) Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the site of a roadway
- (5) Within twenty (20) feet of the driveway entrance to any fire station or when properly posted on the side of the street opposite the entrance to a fire station within seventy-five (75) feet of the entrance.
- (6) at any place where official signs prohibit standing

C. Park a Vehicle:

- (1) Within fifty (50) feet of the nearest railroad crossing
- (2) At any place where official signs prohibit parking
- (3) Upon any street or alley in such a manner to leave available less than ten (10) feet of the width of the street or alley for the free movement of vehicular traffic

80-51. CURB PARKING

- A. Except as otherwise provided in this Chapter, every vehicle standing or parked upon any two-way highway shall be positioned parallel to within twelve (12) inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder.
- B. Except as otherwise provided in this Chapter, every vehicle standing or parked upon a one-way highway shall be positioned parallel to and within twelve (12) inches of either the right or left-hand curb, or in the absence of a curb, as close as practicable to either the right or left edge of the shoulder.
- C. When angle parking is permitted, every vehicle standing or parked shall be positioned at an angle to the curb or edge of the highway.

80-52. PARKING ON PRIVATE PROPERTY

- A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property except in the case of emergency or disablement of the vehicle, in which case the operator shall arrange for the removal of the vehicle as soon as possible.
- B. Property owner may remove vehicle. The owner or other person in charge or possession of any property on which a vehicle is parked or left unattended in violation of the provisions of subsection (A) may remove or have removed the vehicle at the reasonable expense of the owner of the vehicle.

80-70. PARKING PROHIBITED FOR STREET SWEEPING AND SNOW PLOWING

No vehicle shall park on or in any highway, street or alley of the Borough of Oakmont between the hours designated by signs for the purpose of sweeping, cleaning or plowing the streets.

80-71. PARKING TIME LIMITATIONS

Signs shall be erected and maintained in each block designating the provisions of this section.

- A. Two-hour parking, 9:00 a.m. to 5:00 p.m. No vehicle shall be parked more than two (2) consecutive hours (more than two (2) hours within any eight-hour period) between the hours of 9:00 a.m. and 5:00 p.m. on any of the streets or parts of streets designated in this section, Sundays or legal holidays excepted:
 - (1) Allegheny River Boulevard. East side, from 142 Allegheny River Boulevard to Washington Avenue.

- (2) Allegheny River Boulevard. West side, from College Avenue to Washington Avenue.
- (3) Allegheny Avenue. West side, from College Avenue to West Woodland Avenue.
- (4) Allegheny Avenue. East side, from College Avenue to Washington Avenue.
- (5) Pennsylvania Avenue. North side, from Allegheny River to Third Street.
- (6) Isabella Street. East and west sides, from Washington Avenue to Delaware Avenue.
- (7) College Avenue. South side, from Allegheny River Boulevard to Fourth Street.
- (8) College Avenue. North side, from Allegheny Avenue to Cedar Way.

AA. Two-hour parking, 9:00 a.m. to 7:00 p.m. No vehicle shall be parked more than two (2) consecutive hours (more than two (2) hours within any ten-hour period) between the hours of 9:00 a.m. and 7:00 p.m. on any of the streets or parts of streets designated in this section, Sundays or legal holidays excepted:

- (1) Allegheny Avenue. West side, from College Avenue to California Avenue.
- (2) Allegheny Avenue. East side, from College Avenue to California Avenue.
- (3) College Avenue. South side, from Allegheny River Boulevard to Fourth Street.

B. No parking at any time. It shall be unlawful for the driver or operator of any vehicle to park or leave standing any such vehicle, either attended or unattended, on any of the streets or parts of streets designated in this section, at any time:

- (1) Pennsylvania Avenue. South side, from Allegheny River Boulevard to Tenth Street.
- (2) Washington Avenue. South side, from Allegheny River Boulevard to Tenth Street.
- (3) Washington Avenue. North side, from Allegheny River Boulevard to Isabella Street.
- (4) Porte Street. South side, from Allegheny River Boulevard to Fourth Street.
- (5) Hulton Road. South side, from Hulton Bridge to easterly borough line.
- (6) Pennsylvania Avenue. North side, from Allegheny River Boulevard to a point one hundred sixty-three (163) feet east on Pennsylvania Avenue.
- (7) Hulton Road. North side, from Hulton Bridge to Allegheny Avenue.
- (8) Hulton Road. North side, from Fifth Street to easterly borough line.
- (9) Ann Street. South side, from Allegheny River to Allegheny Avenue.
- (10) Willows Drive. East side, from Washington Avenue to California Avenue.

- (11) California Avenue. South side, from Allegheny River to Cedar Alley.
- (12) College Avenue. South side, from Cedar Way to Allegheny Avenue.
- (13) Cedar Way. East side and west side, from College Avenue to Archie Street.
- (14) Isabella Street. East side, from California Avenue to College Avenue.
- (15) Allegheny River Boulevard. East side, from a point two hundred seventy (270) feet from Plum Street, extended on this side of curve to a point one hundred forty-two (142) feet east on Plum Street.
- (16) Elm Alley. East side, from Virginia Avenue to Washington Avenue, and California Avenue to College Avenue.
- (17) Campbell Way. North and south sides, from Hunter Alley to end of Campbell Way.
- (18) Ash Alley. East side, from Delaware Avenue to ten-foot alley.
- (19) Washington Avenue. East and west, from Willows Drive to Allegheny River.
- (20) Cedar Alley. East side, from College Avenue north to dead end.
- (21) Allegheny Avenue. East side, from Benjamin Moore Company plant to northerly property of U. S. Gypsum Company.
- (22) Hulton Lane. North and south.
- (23) Hunter Alley. East and west, from Hulton Road to Porte Street.
- (24) Greer Way. East and west, from College Avenue to California Avenue.
- (25) Woodmont Way. North and south, from Seventh Street to dead end.
- (26) Gum Alley. East to west, from College Avenue to California Avenue.
- (27) Hickory Alley. East and west, from Delaware Avenue to Washington Avenue.
- (28) High Street. East and west, from Delaware Avenue to Washington Avenue.
- (29) Juniper Alley. East and west, from Maryland Avenue to Washington Avenue.
- (30) Ironwood Alley. East side, from Pennsylvania Avenue to Maryland Avenue.
- (31) Hickory Avenue. East side, from Virginia Avenue to Pennsylvania Avenue.
- (32) Gum Alley. East and west, from Pennsylvania Avenue North, to dead end.
- (33) Fir Alley. East side, from Virginia Avenue to Maryland Avenue.
- (34) Dogwood Alley. East side, from Virginia Avenue to Washington Avenue.

(35) Dalzell Way.

(36) Allegheny River Boulevard. East and west, from Pennsylvania Avenue to southerly property line of Kroger Company.

(37) Third Street. Both sides, from Hulton Road to Archie Street.

(38) Third Street. West side, from Archie Street to Pennsylvania Avenue.

C. No parking of commercial vehicles, trailers, etc., at any time.

(1) Oakmont Avenue. West side, from Hulton Road to Woodland Avenue.

D. No parking 8:00 a.m. to 5:00 p.m. except Sundays and holidays.

(1) Isabella Street. West side, from Maryland Avenue to Delaware Avenue.

(2) View Street. West side, from College Avenue to dead end.

E. One-hour parking, 9:00 a.m. to 5:00 p.m.

No vehicle shall be parked more than one (1) hour (more than one (1) hour within any eight-hour period) between the hours of 9:00 a.m. and 5:00 p.m. on any of the streets or parts of streets designated in this section, Sundays or legal holidays excepted:

(1) Allegheny River Boulevard. East side, from Virginia Avenue to Hulton Road.

(2) Delaware Avenue. North and south sides, from Allegheny River Boulevard to Isabella Street.

F. Two-hour parking, 9:00 a.m. to 7:00 p.m.

No vehicle shall be parked more than two (2) consecutive hours (more than two (2) hours within any eight-hour period) between the hours of 9:00 a.m. and 7:00 p.m. on any of the streets or parts of streets designated in this section, Sundays or legal holidays excepted:

(1) Allegheny River Boulevard. East and west sides from Washington Avenue to southerly property line of Grubbs Row (644 Allegheny River Boulevard).

(2) Allegheny River Boulevard. West side, from College Avenue to Washington Avenue.

80-72. PENALTIES

A. Any person violating the provisions of Article IX - Stopping, Standing and Parking, of the Borough Vehicle and Traffic Ordinances, shall be cited under the applicable section of the Borough Ordinance and shall be subject to those fines stated therein. Whenever the operator or owner is not present to personally receive the citation, Parking Ticket will be placed on the windshield of the vehicle. If there is no applicable section under the Borough Ordinance, then an informational notice will be placed on the windshield of the vehicle advising them that they will receive a Traffic Citation in the mail for violating a provision of the Vehicle Code.

B. If said fine indicated on the Parking Ticket is paid within five (5) days of issuance, the violator will be subject to the following penalties. If the fine is not paid within the specified time, a Traffic Citation will be filed under the provision of the Borough Ordinance and the following fines plus costs will apply:

	PAID WITHIN 5 DAYS	FINE UNDER TRAFFIC CITATION
(1) 80-42 Boat Trailer Restrictions	\$ 5	Up to \$ 15
(2) 80-43 Parking for Certain Purposes	5	"
(3) 80-44 Prohibition of Certain Vehicles	5	"
(4) 80-45 Stopping in Passenger Zones	5	"
(5) 80-46 Loading or Unloading in Certain Areas	5	"
(6) 80-47 Prohibited Use of Vehicles	5	"
(7) 80-48 No Parking of Commercial Vehicles	5	"
(8) 80-50 Prohibitions in Specified Places		
a. Stop, Stand or Park a Vehicle	5	"
b. Stand or Park a Vehicle <u>except:</u>	5	"
(1) Driveway	Citation to be Issued	"
(3) Fire Hydrant	"	"
(5) Fire House	"	"
c. Park a Vehicle	5	"
(9) 80-51 Curb Parking	5	"
(10) 80-52 Parking on Private Property	5	"
(11) 80-70 No Parking for Sweeping and Plowing	2	"
(12) 80-71 Limitations on Parking	3	"

ARTICLE X

TRAFFIC FLOW

80-73. THROUGH TRAFFIC STREETS

The streets and parts of streets designated in this Article are hereby declared to constitute through traffic streets for the purpose of enforcing the Pennsylvania Vehicle Code 75 P. S., Section 3323. The following named streets are hereby designated as "through traffic streets," and all vehicles approaching must come to a full stop before entering:

- A. Hulton Road
- B. All other streets which have been properly posted with official state regulation signs and all other streets that have been properly posted.

80-74. ONE-WAY STREETS

Upon the streets designated in this section, vehicular traffic shall move only in the direction specified. A sign indicating the direction of traffic shall be erected and maintained at every intersection where movement in the opposite direction is prohibited:

- A. Tenth Street, northerly direction, from Washington Avenue to Hulton Road.

- B. Maryland Avenue, westerly direction, from Allegheny Avenue to Cedar Way.
- C. All other streets which have been properly posted with official state regulation signs and all other streets that have been properly posted.

80-75. TEMPORARY STREET CLOSING

The Mayor or the Chief of Police is hereby given authority to temporarily close the whole or part of any street or public highway to vehicular or human traffic thereon when, in his judgment, the public safety requires such closing.

ARTICLE XI

REMOVAL AND STORAGE OF VEHICLES

80-76. AUTHORIZATION FOR REMOVAL AND STORAGE

Any police officer may remove or cause to be removed to a nearby garage or other place of safety any vehicle found on a highway under any circumstance listed in Title 75 - Vehicle Code, 75 P.S., Section 3352.

80-77. ALL PUBLIC GARAGES DESIGNATED AS APPROVED STORAGE GARAGES

All public garages now or hereafter in actual operation as such within the confines of the County of Allegheny shall be and the same are hereby designated as approved storage garages for the storage of such impounded vehicles.

80-78. BOND REQUIRED TO ACT AS AN OFFICIAL POUND

Before any such public garage shall be utilized by the Borough of Oakmont as an official approved pound for the storage of such impounded vehicles, the owner of such garage shall furnish to the Borough of Oakmont, his, her or its bond in the amount of five thousand dollars (\$5,000), with approved corporate surety, naming the Borough of Oakmont as obligee and conditioned upon full and complete indemnification of Borough of Oakmont and the owner of such impounded vehicle against the loss thereof or injury or damage thereto, while in the custody of such poundkeeper.

80-79. TOWING AND STORAGE CHARGES; CHARGES ARE NOT PENALTIES.

- A. A towing charge is hereby fixed for the classes of vehicles hereinafter described in the following amounts:
 - (1) Passenger car, fifteen to twenty dollars (\$15-20)
 - (2) Single unit truck under twelve thousand (12,000) pounds and tractor-trailer rig, twenty dollars (\$20)
 - (3) Single unit truck over twelve thousand (12,000) pounds and tractor-trailer rig, thirty-five dollars (\$35)
- B. A storage charge is hereby fixed for vehicles at the rate of two dollars (\$2) for each twenty-four (24) hours or fraction thereof.
- C. The payment of towing and storage charges as set forth herein shall not operate to relieve the owner of any vehicle from liability for any fines or penalties for violation of the ordinance or ordinances on account of which the vehicle was impounded.

ARTICLE XII

OPERATION OF PEDALCYCLES

80-80. APPLICABILITY OF LAW

Every person riding a pedalcycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle according to Title 75 - Vehicle Code. Any person violating such provisions shall be subject, upon conviction, to a fine of ten dollars (\$10).

80-81. RESPONSIBILITY OF PARENT OR GUARDIAN

The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of the Vehicle Code relating to Operation of a Pedalcycle.

80-82. APPLICATION FOR REGISTRATION

Application for the registration of a bicycle shall be made annually in the office of the Chief of Police upon forms furnished by the Chief of Police. The application shall contain the full name and address of the owner, the names and address of the parents where the applicant is a minor, the serial or identifying number on said bicycle and such other statement of facts as shall be determined by the Chief of Police. In the case of a minor, the application shall be signed by the parent of such minor.

80-83. REGISTRATION REQUIRED

No bicycle shall be operated upon any street or sidewalk in the Borough of Oakmont until such bicycle shall have been properly registered in the office of the Chief of Police of the Borough of Oakmont, and until the registration plate or tag issued for such bicycle for the current year is received and displayed as required by this ordinance. Violators of this section, upon conviction, shall pay a fine not exceeding ten dollars (\$10) plus cost.

80-84. REGISTRATION PLATE OR TAG

The Chief of Police, upon registering a bicycle, shall issue to the owner a registration plate or tag which shall contain the registration number assigned to said bicycle, the year for which said registration plate or tag is issued and such other information as may be determined by the Chief of Police.

80-85. PEDALCYCLE REGULATION

The Vehicle Code prohibits the riding of pedalcycles on sidewalks in business districts. In the Borough of Oakmont, this includes the following:

- A. Allegheny River Boulevard, from Hulton Road to Plum Street
- B. Allegheny Avenue, from Hulton Road to College Avenue

ARTICLE XIII

The provisions of this ordinance, so far as they are the same as those of existing ordinances, are intended as a continuation of such laws and not as new enactments and all ordinances or parts of ordinances inconsistent herewith be and the same are hereby rescinded insofar as they conflict with the provisions of this ordinance.

ORDAINED AND ENACTED this 12th day of June, A. D., 1978.

ATTEST:

Frederick A. J. ...
President of Council

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary

EXAMINED AND APPROVED this 12th day of June, A. D., 1978.

ATTEST:

Donald Heaton
Mayor

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary

DULY RECORDED in Ordinance Book Volume 20, Page 60, this 12th day of June, A. D., 1978.

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary

NOTICE

NOTICE is hereby given that on May 8, 1978, at a meeting of the Council of said Borough of Oakmont, the foregoing Ordinance was introduced before Council, has passed on first reading; and the 12th day of June, 1978, at 7:30 o'clock P. M., at the Council Chambers in the said Borough's Municipal Building, Fifth Street at Virginia Avenue, Oakmont, Allegheny County, Pennsylvania, has been fixed as the time for final enactment.

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary

Public Hearing held June 12, 1978, and Ordinance passed on Second Reading.

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary

Ordinance passed on Third and Final Reading on July 10, 1978.

Adeline Braun
Borough Manager and
Ex-Officio Borough Secretary