ORDINANCE NO. 569

AN ORDINANCE REGULATING PARKING WITHIN THE BOROUGH OF KENHORST, INCLUDING TEMPORARY AND ILLEGAL PARKING DEFINITIONS, WITHIN THE BOROUGH OF KENHORST AND THE ESTABLISHING OF PENALTIES AND ENFORCEMENT FOR SAID VIOLATIONS

WHEREAS, it is necessary for the general health, welfare and safety of the public and the citizens of the Borough of Kenhorst that parking be regulated within the Borough; and

WHEREAS, it is the desire of the Council of the Borough of Kenhorst to establish parking regulations and a schedule of fines for violation of those regulations; and

WHEREAS, based upon requests of various businesses, in addition to general parking regulations, the Council of the Borough of Kenhorst also adopts the ability to regulate temporary parking at certain qualified businesses within the Borough of Kenhorst; and

WHEREAS, the Borough Code vests in Council the authority to impose fines and penalties.

NOW, THEREFORE, be it resolved, that the Council of the Borough of Kenhorst establishes the following parking regulations and schedule of fees for violations (all fines are to be imposed on a per violation/per day basis):

Section 1. Parking Regulations. No motor vehicle of any kind shall be permitted to park at any time in the Borough of Kenhorst as follows:

A. In a space designated by the Borough of Kenhorst or its designee as a handicapped parking zone, unless the vehicle parked in that zone is the vehicle authorized to be parked in that handicapped parking zone, by permit, for handicap parking.

B. Within fifteen (15) feet of a fire hydrant or in a designated fire zone.

C. It shall be illegal to park a vehicle on a public street or on private property with a MISSING or EXPIRED INSPECTION or REGISTRATION STICKER.

D. In parking at a meter space longer than the designated time limit.

E. In parking outside of the delineated space provided by parking meters.

F. In parking in a zone designated for the use of motor buses or other means of public Transportation.

G. Within twenty (20) feet of any intersection.

H. Facing the wrong direction/Opposite the flow of traffic.

I. Parked in a lane used by moving traffic.

J. More than twelve (12) inches from the curb.

K. At an improper angle.

L. In a posted no-parking zone by signs and lines.

M. In a manner that obstructs a crosswalk or sidewalk.

N. In front of or in a private driveway without the owner's permission.

O. In a manner that constitutes double parking.

P. On a sidewalk or curb or planting strip located between a curb and sidewalk.

Q. In a manner that blocks entrance to or exit from a garage or driveway.

R. In a manner that obstructs or blocks vehicular or pedestrian traffic.

S. In an area designated as prohibited parking by temporary regulations, when signs are erected giving notice.

T. In a designated street sweeping area.

U. In a designated loading zone.

V. In an alley

W. On grass – parking allowed only on gravel or paved surfaces

X. In a designated temporary parking zone at any business or commercial establishment in excess of the time limit posted for the area.

Y. In violation of any other parking ordinance adopted by the Borough of Kenhorst from time to time.

Section 2. Temporary Parking for Business and Commercial Establishment. In order for a business to obtain an official, temporary parking sign for enforcement by the Borough, they shall make application to Borough Council for consideration of the placement and enforcement for such signage. Such signage shall be considered by the Borough Council on a case by case basis based upon the following factors, and if approved, the approval of such signage shall be by resolution which shall designate the

time for parking restriction, the location of signage, and any other special requirement the Borough Council may set forth based upon the application:

A. Applicants for temporary signage and enforcement shall submit an application with the appropriate application fee to the Borough and set forth:

1. The purpose and need for temporary parking; which may include, but need not be limited to: unique property shape, frontage limitations, use on the property and the ability for placement of clear signage;

2. The time limitations desired by the Applicant which shall not be less than 1 hour and not more than 2 hours.

3. Additional application information as needed by the Borough staff for processing such application;

4. Applicants shall allow the Borough public works department to inspect the area and location proposed for the signage to ensure that the location of the signage is appropriate for posting, parking and is in an enforceable location.

B. Only one on-street parking space may be designated for temporary parking on a public street per address.

C. Applicants shall also submit an application fee that shall be established by Resolution from time to time by the Borough Council which shall include all real costs associated with the posting of a business or commercial establishment, including administrative time and expense, the cost of posting, sign costs, and other costs associated with the processing of temporary sign requests.

Section 3. Penalties. Penalties, costs and procedures for the enforcement of parking violations shall be set forth in Part I, Chapter I, Article I, Section 1.3 of the Borough Code of Ordinances. Moreover, all criminal/civil penalties set forth in said ordinance shall apply, including ongoing fines for continuous violations of this or any other Parking Ordinance.

Section 4. Severability. Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict. Similarly, if any part or parts of this ordinance shall be deemed unconstitutional, any other provision or section shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall be effective on the earliest date permitted by law.

BE IT ORDAINED AND ENACTED, this 2ND day of July, 2015.

COUNCIL OF THE BOROUGH OF
KENHORST, BERKS COUNTY

David R. Roche, Council President

ATTEST:

Eileen D. Becker, Borough Secretary/Treasurer

Adopted on July 2, 2015

Nickolas J. Hatzas, Mayor

BOROUGH OF KENHORST

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TEMPORARY/RESTRICTED COMMERCIAL PARKING PERMIT APPLICATION/PERMIT

Application Date: _____ Rec'd by:_____

(Submit Fee: $150.00 with application)

Company Name: _____

Address: _____

Contact Name: _____

Contact Phone Number: _____

Description of Temporary/Restricted Parking Need: ***Sketch of property/existing conditions must be attached to this application – Attach additional pages as needed.***

_____

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Application/Permit Conditions:

1. The Borough requires receipt of the completed application and fee prior to adding the request to the next Borough Council meeting agenda. Applicant is required to attend the Council meeting in person to explain the need for a temporary/restricted parking sign and to answer Council questions that may arise.

2. Subsequent to Borough Council's approval by resolution, the Borough Public Works Department will determine an appropriate location for the parking space and order and install the applicable sign.

3. The applicant agrees to pay the Borough any and all costs over and above the initial $150 application fee including – signage and post, PA One Call, equipment rental, labor costs and any other expense that may be incurred by the Borough to install the temporary/restricted parking sign.

8. The Property Owner shall maintain the permit/resolution on the premises. A copy of the permit/resolution shall be maintained in the property file at Borough Hall.

Official Use Only

☐ **Approved by Kenhorst Borough Council by Resolution #____, adopted at a public meeting on _____, 20__.**

☐ **Denied by Kenhorst Borough Council at a public meeting conducted on _____, 20__ for the following reason:** _____

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