

**BOROUGH OF NORTH EAST  
ORDINANCE NO. 887**

**AN ORDINANCE REPEALING ORDINANCE NO. 403  
AND ALL OF THE SUBSEQUENT AMENDMENTS  
TO ORDINANCE NO. 403 INCLUDING BUT NOT LIMITED TO  
ORDINANCE NOS. 406, 441, 640, 646, 740, AND 770,  
AND RESTATING IN ITS ENTIRETY AN ORDINANCE  
PROVIDING FOR THE ACQUISITION, INSTALLATION,  
AND REGULATION OF PARKING METERS;  
PROVIDING FOR THE PARKING ON CERTAIN STREETS;  
AUTHORIZING THE USE OF PARKING METERS THEREUPON  
AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF**

**PREAMBLE**

**WHEREAS**, on August 20, 1956, the Borough of North East enacted Ordinance No. 403 entitled "AN ORDINANCE PROVIDING FOR THE ACQUISITION, INSTALLATION, AND REGULATION OF PARKING METERS: PROVIDING FOR THE PARKING ON CERTAIN STREETS: AUTHORIZING THE USE OF PARKING METERS THEREUPON AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF";

**WHEREAS**, Ordinance No. 403 has been amended over the years by various Ordinances including but not limited to Ordinance Nos. 406, 441, 640, 646, 740, and 770;

**WHEREAS**, the Borough of North East desires to repeal Ordinance Nos. 403, 406, 441, 640, 646, 740, 770, and any other Ordinance relating to the regulation of parking meters and to restate all of such Ordinances in this Ordinance.

**THEREFORE, BE IT ORDAINED AND ENACTED**, by the corporate authorities of the Borough of North East, Erie County, Pennsylvania, and it is hereby enacted by the Authority of the same that Ordinance Nos. 403, 406, 441, 640, 646, 740, 770, and all other Ordinances pertaining to the acquisition, installation, and regulation of parking meters are hereby repealed and restated in their entirety as follows:

**SECTION 1: Installation of Meters; Operation.**

A. In said parking meter zones, parking meters shall be installed upon the curb, sidewalk or pavement immediately adjacent to the parking spaces provided in Section 8 of this Ordinance.

B. Each device shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin, for the period of time hereinafter prescribed. Each device shall be so arranged that upon the expiration of the lawful time limit it will indicate by a proper, visible signal that the lawful parking period has expired, and in such case the right of such vehicle to occupy such space shall cease and the operator, owner, possessor or manager thereof shall be subject to the penalties hereinafter provided.

## **SECTION 2: Manner of Parking**

When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter; provided, however, that where double parking meters are installed upon one standard so as to serve two parking spaces, any vehicle parked in the space just beyond the parking meters shall be parked so that the rear bumper of such vehicle shall be nearest to the parking meters. When a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

## **SECTION 3: Deposit of Coins**

When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this article, the operator shall, upon entering the said parking space, immediately deposit or cause to be deposited such coin or coins of the United States as is required for such parking meter and as is designated by proper instructions on the parking meter, and failure to deposit such coin or coins shall constitute a breach of this article and shall subject each person to the penalty prescribed hereafter. Upon the deposit of such coin, or coins and placing said meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the zone in which said parking space is located, and for which a coin or coins is or are deposited, as indicated on the parking meter. If said vehicle shall remain parked in any such parking space beyond the parking time limit so fixed for such parking space, the parking meter shall, by its violation signal, dial or pointer, indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time. The parking of a vehicle overtime or beyond the period of legal parking time in any such space where any such parking meter is located shall be a violation of this Ordinance and punishable as hereinafter set forth.

**SECTION 4: Violations.**

It shall be unlawful and a violation of the provisions of this Ordinance for any person to:

- A. cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.
- B. permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.
- C. park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.
- D. deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.
- E. deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.
- F. park or permit the parking of any vehicle in any parking meter space where the meter does not register lawful parking.

**SECTION 5: Report of Violations; Citations.**

It shall be the duty of the police officers of the Borough of North East and such other persons as may be designated and authorized by the Chief of Police, acting in accordance with instructions issued by the Chief of Police, to report:

- A. The number of each parking meter which indicates that the vehicle occupying the parking space and adjacent to such parking meter is or has been parked in violation of any of the provisions of this article.
- B. The state license number of such vehicle.

C. The length of time during which such vehicle is parked in violation of any of the provisions of this Ordinance at the time of his inspection, if known.

D. Any other facts, knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

E. Both Borough of North East police officers and Borough of North East meter enforcement personnel are hereby authorized to enforce this Ordinance and are granted the authority to issue citations to violators.

**SECTION 6: Collection of Coins From Meters.**

It shall be the duty of the Borough Manager to designate some proper person or persons to make regular collections of the moneys deposited in said meters.

**SECTION 7: General Provisions.**

A. Temporary suspension of provisions. The provisions of this Ordinance may be temporarily suspended by the Borough Manager and he may prescribe temporarily such other rules and regulations as traffic conditions may require.

B. Suspension of provisions on designated holidays. The use of parking meters throughout the Borough of North East is and the same is hereby dispensed with on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

C. Erection of signs. The Borough Manager is authorized to erect or cause to be erected appropriate signs notifying the operators of motor vehicles of the provisions of this Ordinance.

D. Tokens. Where the deposit of any coin or coins is required under the provisions of this Ordinance, it shall be permissible to use such token or tokens for that deposit as shall be designated and approved by the Borough Manager.

**SECTION 8: Parking Meter Zones Established.**

A. On-street parking Zone 1. Parking meter zones are hereby established upon the street or parts of streets described below with

maximum parking time periods as indicated on all days, except Sundays and holidays, during the hours of 8:00 AM to 6:00 PM. Parking at any meter in Zone 1 is prohibited between the hours of 3:00 AM and 6:00 AM.

1. West Main Street from Lake Street to Pearl Street.
2. East Main Street from Lake Street to a point 1000 feet east of Vine Street.
3. North Lake Street from Main Street to Gibson Street.
4. South Lake Street from Main Street to Grant Street.
5. Gibson Street from North Lake Street to Park Street.
6. Park Street from Main Street to Gibson Street.
7. Vine Street from East Main Street to Grant Street.

B. On-street parking Zone 2. Parking meter zones are hereby established upon the street or parts of streets described below with maximum parking time periods as indicated on all days, except Sundays and holidays, during the hours of 8:00 a.m. to 6:00 p.m.

1. Clinton Street from South Lake Street to South Pearl Street.
2. South Pearl Street from Wall Street to Clinton Street.
3. South Pearl Street (east side) from Clinton Street to a point approximately 65 feet south of Clinton Street.

C. Off-highway parking zone. Off-highway parking meter areas are hereby established in the North East Borough Municipal Parking Lot on Vine Street with maximum parking time periods as indicated on all days, except Sundays and holidays, during the hours of 8:00 a.m. to 6:00 p.m., except those parking spaces designated as permit parking only. The use of meters in such parking meter areas shall be subject to the provisions of this Ordinance governing the use of meters generally.

#### **SECTION 9: Parking Meter Rates.**

A. The charge will be \$0.25 per one half hour for all parking meter spaces.

B. A person placing a dumpster so that it blocks any parking meter space shall pay \$10 per day for each blocked parking meter space.

**SECTION 10: Severability**

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this chapter. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

**SECTION 11: Repealer; Effect.**

A. All previous Ordinances of the Borough of North East pertaining to the regulation of parking meters, including but not limited to Ordinance Nos. 403, 406, 441, 640, 646, 740, and 770, are hereby repealed.

B. The repeal of Ordinances provided for in Subsection A above shall not affect or prevent the prosecution or punishment of any person for any act done or liability incurred in violation of any ordinance or regulation in force immediately prior to the taking effect of this Ordinance.

C. The provisions of this Ordinance insofar as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments.

**SECTION 12: Enforcement**


Any person who shall violate any provision of this Ordinance shall, upon conviction, be sentenced to pay a fine of not more than \$50 and costs of prosecution and, in the event of nonpayment of such fine and costs of prosecution, such person shall be subject to imprisonment for a period not exceeding 10 days except that, if he shall report to the Police Department of the Borough of North East and pay the \$10.00 penalty imposed for such violation within the time prescribed on such notice, or if he shall place such sum within the envelope provided in any of the special parking fine boxes installed in various places in the Borough of North East within such time limit, the same shall save the violator from prosecution and from payment of the fine and costs above prescribed.

**SECTION 13: Effective Date.**

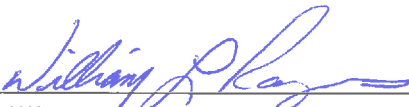
The within Ordinance shall take effect immediately upon passage.

ENACTED INTO AN ORDINANCE THIS 5<sup>TH</sup> DAY OF JULY, 2016.

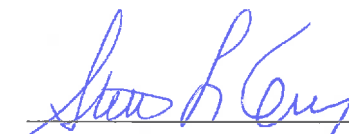
THE BOROUGH OF NORTH EAST

  
\_\_\_\_\_  
James Schmidt, President of Borough Council

ATTEST:

  
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William L. Rogers, Borough Manager

APPROVED THIS 5<sup>TH</sup> DAY OF JULY, 2016.

  
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Steven L. Gregory, Mayor

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