

**BOROUGH OF JESSUP**

**ORDINANCE NO. 3-2021**

**AN ORDINANCE REGULATING THE PARKING OF MOTOR VEHICLES ON THE STREETS OF THE BOROUGH OF JESSUP DURING SNOW EVENTS: PROVIDING A PROCEDURE FOR PARKING AND SNOW REMOVAL; SETTING FORTH PROHIBITIONS ON PLACING SNOW INTO THE STREET; AND SETTING PROCEDURES OF ENFORCEMENT AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF**

**BE IT ENACTED AND ORDAINED** by the Council of the Borough of Jessup and it is hereby **ENACTED AND ORDAINED** by the authority of the same as follows:

**SECTION ONE**

Definitions:

- a. SNOW – Any precipitation depositing any accumulation on the streets of the Borough, including snow, sleet, hail, ice or freezing rain.
- b. MOTOR VEHICLE – As defined under the Motor Vehicle Code of the Commonwealth of Pennsylvania.

**SECTION TWO**

On any day when there is a forecasted snowfall event of three (3) inches or more, it will be unlawful for any person to park a motor vehicle as defined under the Motor Vehicle Code of the Commonwealth of Pennsylvania, contrary to the regulations herein after specified:

- a. On the first day when a snowfall event is forecast of three (3) inches or more, the Borough of Jessup (“Borough”) may restrict parking between the hours of 7:00 A.M. and 5:00 P.M. or other hours as deemed appropriate by the Mayor or the Borough Manager.
- b. On the first day, no motor vehicle shall be parked on the even-numbered side of the street between the hours of 7:00 A.M. and 5:00 P.M. or other hours as deemed appropriate by the Mayor or the Borough Manager. This area will be designated as a “No Parking Zone” for the purpose of cleaning snow.
- c. The following day, parking shall be prohibited on the odd-numbered side of the street which will be designated as a “No Parking Zone” for the purpose of cleaning snow.

- d. Vehicles not removed on designated days for snow removal as stated in this Ordinance will be ticketed and/or towed at owner's expense.
- e. Notice of snow event parking restrictions is deemed accomplished when posted on the Jessup Borough Facebook Page and/or communicated by local print, radio, or television media.

### **SECTION THREE**

Any person who shall violate any provision of this article shall be fined as follows:

- a. First offense of the winter snow season - \$25.00
- b. Second offense of the winter snow season - \$50.00
- c. Third or more offense of the winter snow season - \$100.00.

The "winter snow season" for the purpose of this Ordinance shall commence with the first snow event subject to the parking regulations under this Ordinance.

All such fines not paid within ten (10) days from the issuance of the notice of violation shall result in the issuance of a citation therefore. Such citation shall be a summary offense and, upon conviction, the offender shall be sentenced to pay a fine of not less than \$100.00 and not more than \$300.00.

### **SECTION FOUR**

No person shall throw, shovel, cast or otherwise move, place, pile, deposit or dump snow or ice removed from sidewalks, driveways, or other areas into the street, public highway, cartway or passageway.

Any owner, agent, or tenant of premises violating the provisions of this Section shall, upon conviction, be fined twenty-five dollars (\$25.00) and be responsible for the costs of prosecution.

### **SECTION FIVE**

The Borough or its agents shall not be responsible for snow which, through the process of plowing, has been pushed into the entrance of driveways and sidewalks. Each owner, occupant, or tenant of every property fronting upon any street shall be responsible for removing such accumulated snow from the entranceway to such property, subject, however, to Section Four hereof.

**SECTION SIX**

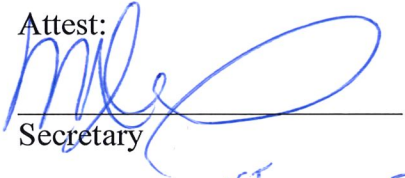
All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not effect of impair any remaining provision, section, sentence, clause or part of this Ordinance. It is the intent of this Borough that such remainder shall be and shall remain in full force and effect.

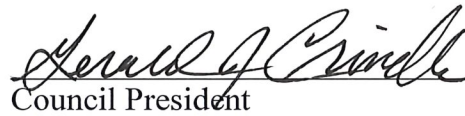
**SECTION SEVEN**

This ordinance shall become effective immediately upon its being enacted and ordained.

Duly enacted and ordained this 1<sup>ST</sup> day of FEBRUARY, 2021 by the Borough of Jessup, Lackawanna County, in lawful session duly assembled.

Attest:

  
Secretary

  
Council President

Approved this 1<sup>ST</sup> day of FEBRUARY, 2021

  
Mayor