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TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 9 OF 1994

AN ORDINANCE PROHIBITING THE PARKING OF
VEHICLES ON BOTH SIDES OF ROADWAY DRIVE,
PROVIDING FOR THE ERECTION OF SIGNS, AND
ESTABLISHING PENALTIES FOR VIOLATION THEREOF

WHEREAS, the Township of Middlesex is a Local Authority under the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81, as amended [75 Pa. C.S.A. 101 et seq.]) having certain roads or highways under its jurisdiction; and

WHEREAS, said Township of Middlesex has conducted all necessary engineering and traffic investigation incidental to its exercise of authority hereunder; and

WHEREAS, the Township of Middlesex deems it in the best interest of its residents and the users of Roadway Drive within said Township to prohibit the parking (including standing and stopping) of vehicles on Roadway Drive;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: PREAMBLE AND POLICY

The foregoing paragraphs or preamble are incorporated herein as the background and policy of this Ordinance.

SECTION 2: DEFINITIONS AND INTERPRETATION

Words and phrases used in this Ordinance shall have the

meanings ascribed to them in the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, Ho. 81), as amended, except that in this Ordinance the word "road" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

SECTION 3: PARKING PROHIBITED ALONG OR ON ROADWAY DRIVE AND PENALTIES THEREFOR

(a) It shall be unlawful for any person at any time to park a vehicle on Roadway Drive and the sides, berms or shoulders thereof, said prohibition to extend throughout the entire length and width of said Roadway Drive.

(b) Appropriate signs shall be posted at the areas where parking is prohibited.

(c) The term "park" shall be construed to include the terms "park" or "parking", "stand" or "standing" and "stop" or "stopping".

(d) The Middlesex Township Police Department is authorized and empowered to physically remove any vehicle which is parked, stopped or standing in violation of this ordinance and to impound the same in the custody of the Township of Middlesex. Any costs of removal shall be paid by the owner of the vehicle, which costs shall be a lien on the vehicle during its impoundment.

(f) Any person who violates any provision of this

Section shall upon conviction before a District Justice, be sentenced to pay a fine of Fifteen (\$15.00) Dollars.

SECTION 4: 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, that decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is declared to be the legislative intention that this Ordinance would have been enacted had the unconstitutional, illegal or otherwise invalid provisions not been included in the Ordinance.

SECTION 5: CONTINUATION OF EXISTING REGULATIONS

The provisions of this Ordinance insofar as they are the same as those of ordinances and regulations in force immediately before the enactment of this Ordinance are intended as a continuation of those earlier ordinances and regulations. Nothing in this Ordinance shall affect any act done or any suit or prosecution pending or to be instituted under any earlier ordinances or regulations repealed or superseded hereby.

SECTION 6: REPEAL OF CERTAIN PRIOR ORDINANCES

All prior ordinances of this Township insofar as they deal with the precise subject matter of this ordinance are repealed and declared to be unenforceable insofar as they are inconsistent with any provisions of this ordinance.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect in accordance with existing law.

ENACTED AND ORDAINED this 5th day of October, 1994.

TOWNSHIP OF MIDDLESEX

By Robert M. Eppley
Chairman, Board of Township
Supervisors

ATTEST:

Gail Jensen
Township Secretary

(Township Seal)