

**ORDINANCE NUMBER 2019-28**

**CALLERY BOROUGH, BUTLER COUNTY, PENNSYLVANIA**

**AN ORDINANCE RESTRICTING PARKING ON PUBLIC STREETS  
AND ROADWAYS DURING SNOW AND ICE EMERGENCIES,  
FACILITATING PLOWING, SNOW REMOVAL AND TRAFFIC  
MOVEMENT AND ESTABLISHING PENALTIES FOR VIOLATIONS.**

**BE IT ENACTED AND ORDAINED**, and it is hereby enacted and ordained, by Callery Borough council, that Chapter 73, Streets and Sidewalks, of the Code of the Borough of Callery is hereby revised by the addition of Article II, Streets – Snow and Ice Emergencies, as follows:

**CHAPTER 73  
STREETS AND SIDEWALKS**

**ARTICLE II  
STREETS - SNOW AND ICE EMERGENCIES**

**§ 73-201. INTENT AND PURPOSE.**

A. Council has determined that it is necessary for the general health, welfare and safety of the public and residents of the Borough that parking be regulated within the Borough following the declaration of a snow and/or ice emergency (designated in this Article as a "snow emergency") to facilitate snow plowing, ice removal and the movement of traffic.

B. It is the desire of council that residents of the Borough who have parked their vehicles on Borough streets will cooperate and remove such vehicles when a snow emergency has been announced.

C. It is not the intention of this Article to be punitive in nature but is enacted to assure the continued safe passage of pedestrians, vehicular traffic, food and fuel supplies, medical care, fire and police protection and other vital services and facilities of the Borough during and immediately following a snow emergency.

**§ 73-202. DECLARATION OF SNOW AND ICE EMERGENCIES.**

A. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on designated snow emergency routes and snow removal streets, the Mayor, in his/her discretion, may declare a snow emergency

B. Information on the existence of a snow emergency shall be given by the Borough through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

**§ 73-203. PARKING PROHIBITED ON SNOW EMERGENCY ROUTES AND SNOW REMOVAL STREETS DURING SNOW EMERGENCIES.**

A. After a snow emergency is declared, it shall be unlawful at any time during the continuance of the emergency for any person:

- (1) To park a vehicle, RV, boat or trailer or to allow such vehicle to remain parked anywhere on any snow emergency route designated in § 73-204 B. of this Article.
- (2) To park a vehicle, RV, boat or trailer or to allow such vehicle to remain parked anywhere on any snow removal street designated in § 73-204 C. of this Article.

**§ 73-204. DESIGNATED SNOW EMERGENCY ROUTES AND SNOW REMOVAL STREETS.**

A. No person shall park or cause to be parked any vehicle, RV, boat or trailer on designated snow emergency routes or snow removal streets during a snow emergency.

B. Designated Snow Emergency Routes:

- (1) Main Street – the entire length.
- (2) Kline Avenue – the entire length.
- (3) Center Street – the entire length.

C. Designated Snow Removal Streets:

- (1) Breakneck Street, between Center Street and the Borough line.
- (2) Railroad Street, between Center Street and Kline Avenue.
- (3) Elgin's Lane and Elgin's Court – the entire length.
- (4) Melrose Street – the entire length.
- (5) Euclid Street – the entire length.
- (6) Main Street Extension, between Kline Avenue and the Borough line.

**§ 73-205. UNLAWFUL TO LEAVE SNOWBOUND VEHICLES ON ANY STREET.**

It shall be unlawful for the owner of a vehicle, RV, boat or trailer to allow such vehicle to remain standing upon any Borough street for longer than 48 consecutive hours after such vehicle has become snowbound. All such vehicles shall be presumed to be abandoned. Abandoned vehicles shall be subject to removal and impoundment and shall be subject to the penalties and fines set forth herein.

**§ 73-206. UNLAWFUL TO LEAVE STRANDED VEHICLES ON ANY STREET.**

It shall be unlawful for the owner of a stalled vehicle or a vehicle incapable of moving under its own power to remain standing upon any Borough street for longer than 48 consecutive hours after

a snow emergency has been declared. All such vehicles shall be presumed to be abandoned. Abandoned vehicles shall be subject to removal and impoundment and shall be subject to the penalties and fines set forth herein.

**§ 73-207. VIOLATIONS AND PENALTIES.**

A. Police may tow any and all vehicles, RVs, boats and trailers parked on a designated snow emergency route or snow removal street during a declared snow emergency. The owner of the towed vehicle shall be required to pay the fines for violation of this Article, as well as all costs of towing, including storage fees, if any.

B. Police may tow any and all snowbound vehicles, RVs, boats and trailers parked on any public street after the declaration of a snow emergency. The owner of the towed vehicle shall be required to pay the fines for violation of this Article, as well as all costs of towing, including storage fees, if any.

C. Police may tow any and all vehicles stranded on any public street after the declaration of a snow emergency. The owner of the towed vehicle shall be required to pay the fines for violation of this Article, as well as all costs of towing, including storage fees, if any.

D. Any person or registered owner of any vehicle who or which violates any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of \$25 for a first offense, \$50 for a second offense, and \$100 for each offense thereafter, plus costs of prosecution (including attorneys' fees and costs) and costs for the towing and storage of vehicles as applicable.

**§ 73-208. AMENDMENTS.**

From time to time, council may adopt additional specifications and/or requirements, or revise, supplement or modify the specifications and requirements set forth in this Article.

**§ 73-209. SEVERABILITY.**

A. If any sentence, clause, phrase or section of this Article is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining sentences, clauses, phrases or sections of this Article.

B. It is hereby declared as the intention of council that this Article would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase or section thereof not been included therein.

**§ 73-210. REPEALER.** This Article is not intended to repeal any other ordinance or parts of ordinances now existing which pertain to the maintenance, use or regulation of the various streets, roads or alleys of the Borough, except to the extent that this Article is deemed to be in specific conflict with the provisions of any such other ordinance.

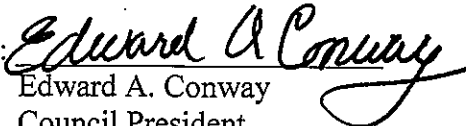
§ 73-211. **EFFECTIVE DATE.** This Article shall become effective five (5) days after adoption and shall remain in force until modified, amended or rescinded by Borough council.

**DULY ENACTED AND ORDAINED,** this the 9<sup>th</sup> day of September 2019, by Callery Borough council in public session duly assembled.

**CALLERY BOROUGH**

ATTEST:

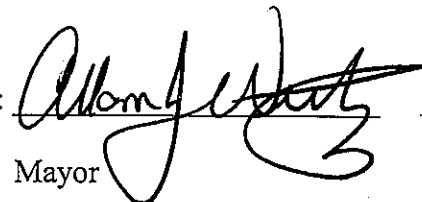
  
Linda Mae Wearing  
Borough Secretary

By:   
Edward A. Conway  
Council President

(SEAL)



APPROVED:

By:   
Mayor

Date: Sept. 9, 2019