

**BOROUGH OF WEST NEWTON
WESTMORELAND COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2023 - 2

AN ORDINANCE OF THE BOROUGH OF WEST NEWTON REGULATING TRAFFIC ON CERTAIN STREETS, ALLEYS, AND PARKING LOTS IN THE BOROUGH OF WEST NEWTON BY ESTABLISHING INDIVIDUALIZED METER PARKING, MONTHLY/YEARLY PARKING PERMITS, AND THE USE OF PARKING METERS; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; AND FURTHER PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Council for the Borough of West Newton is desirous of regulating traffic on certain streets, alleys and parking lots within the Borough of West Newton for the benefit of the health, safety, and welfare of the Borough residents and visitors;

BE IT ORDAINED AND ENACTED by the Council for the Borough of West Newton, Westmoreland County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. Congested Traffic Areas.

Borough Council may, from time to time by Resolution, declare various streets, alleys, and parking lots, or portions thereof, in the Borough of West Newton, to be congested traffic areas needing regulated, and by such Resolution, authorize and fix individual parking spaces and install parking meters in the sidewalks or curbs adjacent thereto.

Section 2. Individual Metered Spot.

This shall cover all individual metered spots on streets, alleys and parking lots within the Borough as resolved by the Borough Council.

- A. Wherever an individual parking spot has been installed and a parking meter has been installed, the person parking said vehicle shall deposit therein such coins (and/or other forms of accepted payment) as are designated on the said meter for the time they desire to park. All parking is prohibited in any individual parking space where a parking meter is installed unless a coin (or other form of accepted payment) is deposited as required by the notice on the parking meter.
- B. The Borough Council shall establish by Resolution the permissible length of time parking is permitted in an individual parking space and the amount of money to be deposited therein for such time.

- C. It shall be unlawful to remain parked in the individual parking spot beyond the permitted parking time.
- D. The provisions of this Ordinance shall apply between the hours of 9:00am until 6:00pm each day from Monday at 9:00am through Saturday at 6:00pm. The provisions of this Ordinance shall NOT apply on any legal holiday.
 - (i) Section 2(E) does not apply to Borough Parking Lot No. 1 or Borough Parking Lot No 2., where individual meter parking shall be enforced on a twenty-four (24) hour basis, except on legal holidays.

Section 4. Borough Parking Lots.

- A. The Borough has two parking lots subject to the provisions of this Ordinance, Borough Parking Lot No. 1 (adjacent to Borough Building on South Water Street) and Borough Parking Lot No. 2. (adjacent to Borough Library on North Water Street).
- B. The individual metered parking spots located within the Borough Parking Lots are subject to the provisions of this Ordinance unless the driver of the vehicle holds a validly issued Borough Parking Permit.
- C. Any person desirous of utilizing any parking spot within the Borough Parking Lots may purchase from the Borough a Monthly Parking Permit. Such a permit would allow for a drive to utilize an individual parking spot without having to continually supply payment to the parking meter. The cost of a Borough Monthly Parking Permit shall be set by Resolution of Council.

Section 5. Penalties.

- A. Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than Fifty Dollars (\$50) and costs; provided, however, that it shall be the duty of the police officers and of any designated agent of the Borough to report to the appropriate official all violations of any provision of this article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this article. The notice shall contain instructions to the owner or driver of the vehicle that if he or she will report to the office of the Chief of Police and pay the sum of not more than \$15 within five days after the time of the notice, or if he or she will place the sum of not more than \$15, enclosed within the envelope provided, in the mailbox inside the front door of the Borough Building, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.
- B. The following is a list of parking violations subject to enforcement. The corresponding fines shall be set by Resolution.

Sidewalk	All fines set by Resolution of Council
Crosswalk	
Fire Hydrant	

Driveway
Overtime Parking
Yellow Line
Facing Wrong Way
Official Signs
Private Property
Illegal Parking
Parking Prohibited
Intersection
Double Parking
Restricted Zone
Not within 12in of curb
Occupying 2 individual parking spots
Street Sweeping

All Fines
Set by Resolution of
Council

- C. It shall be unlawful under the provisions of this Ordinance to deposit or cause to be deposited in any parking meter, any slug or substitute for United States Coins (and/or substitutes for other accepted payment), and any person violating this provision shall be guilty of a summary offense, and upon conviction thereof before the appropriate Magisterial District Judge, shall be sentenced to a fine of not less than Three Hundred (\$300.00) Dollars and not more than Five Hundred (\$500.00) Dollars for each offense, plus the costs of prosecution.
- (i) In default of payment of the fine and costs as assessed, such person shall be liable to imprisonment for a period not to exceed thirty (30) days.
- D. It shall be unlawful under the provisions of this Ordinance to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Ordinance and any person violating this provision shall be guilty of a summary offense, and upon conviction thereof before the appropriate Magisterial District Judge, shall be sentenced to a fine of not less than Three Hundred (\$300.00) Dollars and not more than Five Hundred (\$500.00) Dollars for each offense, plus the costs to replace/fix the parking meter and the costs of prosecution.

Section 6. Constitutionality.

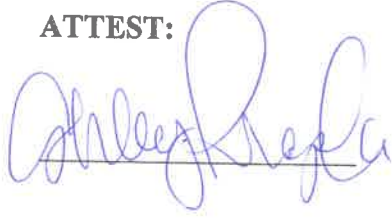
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections or parts of this Ordinance. It is hereby declared as the intent of the Borough of West Newton that this Ordinance would have been adopted and such unconstitutional, illegal or invalid sentence, clause, section or part thereof, **not been included herein.**

Section 7. Repealer.

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

ORDAINED AND ENACTED, this 11th day of September, 2023.

ATTEST:



A handwritten signature in blue ink, appearing to read "Ashley K. [unclear]", written over a horizontal line.

BOROUGH OF WEST NEWTON



A handwritten signature in blue ink, appearing to be initials "B. [unclear]", written over a horizontal line.