

Chapter 237

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Borough Council of the Borough of Newport **TBD**]

ARTICLE I

General Regulations

§ 237-1. Definitions and interpretation.

- A. Words and phrases, when used in this chapter, shall have the meanings ascribed in the Vehicle Code, 75 P.S. § 101 et seq. (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania, unless the context clearly indicates a different meaning.
- B. For the purposes of this ordinance, the directions north, south, east, and west will not reflect true compass directions. They will be defined as followed.
 - (1) Streets which are parallel to the Juniata River shall be defined as north or south direction of travel where north shall be in the upstream direction of the Juniata River and south shall be in the direction downstream of the Juniata River. The east side of the street shall

be the side closer to the Juniata River. The west side of the street shall be the side further from the Juniata River.

- (2) Streets which are perpendicular to the Juniata River shall be defined as east or west direction of travel where east shall be in the direction toward the Juniata River and west shall be in the direction away from the Juniata River. The north side of the street shall be the side in the upstream direction of the Juniata River. The south side of the street shall be the side in the downstream direction of the Juniata River.

§ 237-2. Manner of adopting permanent traffic and parking regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this chapter.

§ 237-3. Continuation of prior regulations.

The provisions of this chapter, so far as they are the same as those of ordinances in force immediately prior to the adoption of this chapter, are intended as a continuation of such ordinances and regulations and not as new enactments. The provisions of this chapter shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under any such ordinances or regulations as aforesaid.

§ 237-4. Temporary and emergency regulations.

- A. The Mayor shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

- (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations;
- (2) In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

- B. Such temporary and emergency regulations shall be enforced by the Code Enforcement Officer and/or Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this chapter, to a fine of not more than \$25 together with costs of prosecution and restitution.

§ 237-5. Experimental regulations.

The Borough Council may, from time to time by resolution, designate places upon and along the highways in the Borough where for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this chapter. No person shall operate or park a

vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who shall violate any provision of this section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature, and in case of a violation for which no specific penalty is set forth in the law or elsewhere in this chapter, to a fine of not more than \$25 together with costs of prosecution; provided, the purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

§ 237-6. Authority of police officers.

The police and/or code enforcement officers of the Borough are hereby given authority to direct traffic on the highways of the Borough and at intersections thereof. Editor's Note: Original Section 107, Authorization for use of speed timing devices, which followed this section, was repealed 1-8-2013 by Ord. No. 348.

**ARTICLE II
Traffic Regulations**

§ 237-7. Vehicles not to be driven, pushed, or parked on sidewalks. [Amended 10-6-15 by Ord. No. 363]

No person shall drive, push or park any vehicle; to include motorcycles, on any sidewalk area within the Borough of Newport with the exception of a human-powered vehicle. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

§ 237-8. Speed limits established.

- A. The speed limits throughout the Borough of Newport are 25 mph except in the following locations:

High School Area Streets	Speed
Sixth St. from the intersection at Oliver St. to the merger with Gantt St.	15
Gantt St. from the intersection at Fourth St. to the merger with Sixth St.	15
Caroline St. from the intersection at Fourth St. to the intersection at Sixth St.	15
Fifth St. from the intersection at Caroline St. to the intersection at Fickes Ln.	15
Elementary School Area Streets	15
Fickes Ln. from the intersection at Fourth St. to the intersection at Campbell St.	15
	15

- B. Any person who shall operate a vehicle at a speed in excess of that established therefor, upon any highway or portion thereof as specified in this section, shall, upon conviction thereof, be sentenced to pay a fine of \$35, or, in a school zone, a fine of not more than \$500 if the person exceeds the maximum speed limit by more than 11 miles per hour, and, for exceeding a

maximum speed limit by more than five miles per hour, shall pay an additional fine of \$2 for each mile per hour in excess of five miles per hour over the maximum speed limit.
[Amended 1-8-2013 by Ord. No. 348]

§ 237-9. Stop intersections.

[Amended 7-2-1985 by Ord. No. 240; 1-6-1987 by Ord. No. 247; 12-1-1987 by Ord. No. 248; 12-6-1988 by Ord. No. 253; 10-3-1989 by Ord. No. 258; 8-7-1990 by Ord. No. 262; 8-20-1991 by Ord. No. 266; 7-6-1993 by Ord. No. 274; 11-2-1993 by Ord. No. 276; 2-9-1999 by Ord. No. 305; 11-12-1999 by Ord. No. 308; 1-2-2001 by Ord. No. 309]

- A. The following intersections are hereby established as stop intersections, and official stop signs shall be erected (or are hereby ratified if heretofore erected) in such a position as to face traffic approaching the second-named street upon the first-named street, in the direction or directions hereby indicated. It shall be unlawful for all vehicles approaching any such intersection upon the first-named street, in the direction or directions hereby indicated, to not come to a full stop, within a reasonable distance, before entering any such intersection:

[Amended 1-8-2013 by Ord. No. 348]

Stop Street	Through Street (<i>Number of stop signs</i>)	Direction of Travel
Brick Ave.	Peach St. (1)	East
Caroline St.	Fifth St. (1)	East and west
	Fourth St. (2)	East and west
	Sixth St. (1)	East and west
Catherine St.	Fifth St. (2)	East and west
	Fourth St. (2)	East and west
	Locust St. (1)	West
	Penn Ave. (1)	East
	Peach St. (1)	East and west
	Pine St. (2)	East and west
	Second St. (2)	East and west
	Third St. (2)	East and west
Dock St.	Fifth St. (2)	East and west
	Fourth St. (2)	East and west
	Shrub St. (1)	West
	Second St. (2)	East and west
	Sixth St. (1)	West
	Spruce St. (2)	East and west
	Third St. (2)	East and west
	Front St. (1)	East
	Locust St. (2)	East and west
Fickes Ln.	Fifth St. (1)	East
	Fourth St. (2)	East and west
	Front St. (1)	East
Fifth St.	Caroline St. (2)	North and south
	Fickes Ln. (1)	North

	Gantt St. (2)	North and south
	Market St. (1)	South
	Mulberry St. (2)	North and south
	Oliver St. (1)	South
	Walnut St. (1)	South
Fleisher St.	Fifth St. (1)	West
	Pine St. (1)	East
Fourth St.	Market St. (2)	North and south
Front St.	Market St. (1)	South
	Mulberry St. (2)	North and south
	Oliver St. (2)	North and south
Gantt St.	Fifth St. (1)	East and west
	Fourth St. (2)	East and west
	Third St. (1)	West
Locust St.	Dock St. (1)	North
	Market St. (2)	North and south
	Marsh St. (2)	North and south
	Oliver St. (1)	South
	Walnut St. (2)	North and south
	Catherine St. (2)	North and south
Market St.	Fourth St. (2)	East and west
Marsh St.	Fifth St. (2)	East and west
	Fourth St. (2)	East and west
	Front St. (1)	East
	Shrub St. (1)	West
	Sixth St. (1)	West
	Spruce St. (2)	East and west
	Second St. (2)	East and west
Mulberry St.	Fourth St. (2)	East and west
	Second St. (2)	East and west
Oliver St.	Fifth St. (1)	East
	Fourth St. (2)	East and west
	Front St. (1)	East
	Second St. (2)	East and west
	Sixth St. (2)	East and west
Municipal parking lot entrance ramp	Front St.(1)	East
Peach St.	Caroline St. (2)	North and south
	Catherine St. (2)	North and south
	Dock St. (1)	North
	Fickes Lane (1)	North
	Gantt St. (2)	North and south
	Market St. (1)	North
	Mulberry St. (1)	South
	Walnut St. (1)	North

Penn Ave.	Market St. (1)	North
Pine St.	Caroline St. (2)	North and south
	Catherine St. (2)	North and south
	Dock St. (2)	North and south
	Fickes Lane (1)	North
	Gantt St. (2)	North and south
	Market St. (2)	North and south
	Marsh St. (2)	North and South
	Mulberry St. (2)	North and south
	Oliver St. (2)	North and south
	Spotts St. (2)	North and south
	Walnut St. (2)	North and south
Second Street	Market St. (2)	North and south
	Mulberry St. (2)	North and south
	Oliver St. (1)	North
	Walnut St. (2)	North and south
Shrub Street	Catherine St. (2)	North and south
	Dock St. (2)	North and south
	Fickes St. (1)	North
	Market St. (2)	North and south
	Marsh St. (2)	North and south
	Mulberry St. (2)	North and south
	Walnut St. (2)	North and south
Sixth St.	Caroline St. (2)	North and south
	Oliver St. (2)	North and south
	Middle Ridge Rd. (1)	South
Spotts St.	Fourth St. (2)	East and west
	Third St. (1)	East
Spruce St.	Catherine Street (1)	North
	Dock St. (2)	North and south
	Market St. (1)	South
	Marsh St. (2)	North and south
	Mulberry St. (2)	North and south
	Oliver St. (1)	North
	Walnut St. (2)	North and south
Third St.	Gantt St. (1)	West
	Market St. (2)	North and south
	Mulberry St. (1)	South
	Walnut St. (1)	North
	Fickes Ln. (1)	North
Walnut St.	Fourth St. (2)	East and west
	Front St. (1)	East
	Second St. (2)	East and west
	Sixth St. (1)	West

B. Any driver of a vehicle who shall violate any provision of this section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

§ 237-10. One-way streets. [Amended 3-4-1995 by Ord. No. 286]

A. The following are hereby established as one-way streets with operation of vehicles thereupon to be in the direction hereby indicated: [Amended 1-8-2013 by Ord. No. 348]

Street	From	To	Direction of Travel
Brick Ave.	Fourth St.	Peach St.	East
Fifth St.	Oliver St.	Mulberry St.	South
Locust St.	Oliver St.	Caroline St.	South
Peach St.	Market St.	Walnut St.	North

A. Any person who shall violate a provision of this section, shall, upon conviction thereof, be sentenced to pay a fine of \$25 and costs of prosecution.

§ 237-11. Traffic to keep right of certain structures and barriers.

A. All vehicular traffic shall keep to the right of the following structures or barriers located in the center of the specified intersections:

Intersection	Structure
Center Square at Market St. and Second St.	Flag pole/flower bed island (2)

B. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

§ 237-12. Turning at certain intersections prohibited or restricted.

[Amended 5-2-1995 by Ord. No. 287]

A. It shall be unlawful for the driver of any vehicle of the type indicated, traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make a left turn and/or a right turn into the second-named street, as indicated, at any time when such a turn is prohibited by this section:

Vehicles Traveling on	Direction of Travel	Not to Make	Onto	When	Type of Vehicle Applicable to
Lane/drive leading from property at 142 S 4 th Steet	East	Right-hand turn	Fourth St.	All times	Any vehicle
Sixth St.	South	Right-hand turn	Middle Ridge Rd.	All times	Any vehicle

Fourth St.	North	Left-hand turn	Entrance to property at 142 S 4 th St.	All times	Any vehicle
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- B. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution. [Added 1-8-2013 by Ord. No. 348]

§ 237-13. Gross weight limits and signage established.

- A. The following weight limits are hereby established, and it shall be unlawful for any person to drive any vehicle having a gross weight in excess of that herein prescribed, upon any of the following streets or portions thereof where such streets or portions thereof have been posted with notice of such maximum weight:

Street	Between	Maximum Gross Weight	Signage
Second St.	Bridge over the Little Buffalo Creek	Six tons	At Bridge and intersection of Second St. and Mulberry St.

- B. Any person who shall violate any provision of this section is guilty of a summary offense and shall, upon conviction thereof, be sentenced to pay a fine of \$75, except that any person convicted of operating a vehicle with a gross weight in excess of a posted weight shall, upon conviction, be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight limit, together with costs of prosecution.[Amended 1-8-2013 by Ord. No. 348]

§ 237-14. Unlawful to operate vehicles on streets closed for construction or repair.

It shall be unlawful for any person to operate any vehicle upon any street that is under construction, resurfacing or repair, in disregard of any official sign, barricade or notice that the same is closed to vehicular traffic. Any person who shall violate any provision of this section shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution.

ARTICLE III General Parking Regulations

§ 237-15. Parking without lights authorized.

The boundary limits of the Borough are hereby established as a zone in which vehicles may remain standing without lights, and all highways within such boundary limits are hereby designated as highways where vehicles may remain standing without lights.

§ 237-16. Loading and unloading.

The loading and unloading of goods, wares and merchandise is hereby restricted to such length of time as is necessary for the purpose of loading or unloading of such goods, wares and merchandise. For the purpose of enforcement of this section, such loading or unloading of any

vehicle shall not be considered as parking; provided, without having first obtained permission from the Code Enforcement Officer and/or Chief of Police to do so, no person shall load or unload a vehicle from any place upon any street or alley in the Borough where parking is prohibited; or shall allow a vehicle to remain, for loading or unloading, in any place upon any street or alley where parking is limited as to time, for longer than the time for which parking is permitted; or shall load or unload upon any street or alley in such a way that one lane for vehicular traffic shall not be kept open at all times. Where such permission is granted by the Code Enforcement Officer and/or Chief of Police, they may, at their discretion, block off the portion of the street or alley affected by such loading or unloading.

§ 237-17. Vehicles to be parked within marked spaces; parking prohibited in certain marked areas. [Amended 4-2-13 by Ord. No. 350]

- A. Wherever a particular parking space shall be lined or marked off on any street or alley or upon the adjacent curb, every vehicle parked shall be parked within the lines marking such parking space. All vehicles parked on streets or alleys, whether parking spaces are marked or not, shall be parked only in the direction of the permitted traffic flow.
- B. Parking shall be prohibited at all times by any vehicle which in any way will block the intersection of any street or alley or the entrance or exit of any street or alley. Parking shall at all times be prohibited within the painted line area adjacent to any fire hydrant; within the painted line area marking the permissible distance to park from any intersection; in any area where erected signs or painted lines indicate a “No Parking” area; in any manner so as to block any private or public driveway or access way to a parking lot or parking facility or other facility of the Borough.
- C. Borough Council may from time to time designate temporary or emergency parking regulations and temporary no parking areas within the Borough to accommodate public or other events, to facilitate public works, or, in the case of emergencies including but not limited to fire, flood, storm, accident, public health, safety, welfare or other emergency. Except in the event of an emergency, temporary “no parking” signs shall be installed and placed in designated temporary no parking areas a minimum of twenty-four (24) hours in advance of the event and designated period of prohibited parking. Any person who shall operate or park a vehicle in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject to the penalties set forth by law, this chapter and the Code of Ordinances. Temporary and emergency regulations shall be enforced in the same manner as permanent regulations.

§ 237-18. Parking prohibited at all times in certain locations.

[Amended 7-1-1986 by Ord. No. 244; 11-2-1993 by Ord. No. 276] Parking shall be prohibited at all times in the following locations:

Caroline St.	From intersection of Caroline St. and Fourth St. to intersection of Caroline St. and Sixth St. on south side of street. [Amended 1-8-2013 by Ord. No. 348]
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	From intersection of Locust St. and Caroline St. to intersection of Caroline St. and Sixth St. on the North side of the street (next to Newport High School), no parking from 8:00 a.m. to 5:00 p.m. Monday through Friday.
Fickes Ln.	From intersection of Fickes Ln. and Pine St. to intersection of Fickes Ln. and Fifth St. on south side of street.
	From entrance to Crest View Plaza to railroad tracks on south side of street.
Fifth St.	From intersection of Fifth St. and Oliver St. to intersection of Fifth St. and Mulberry St. on north side of street.
	From corner at intersection of Fifth St. and Mulberry St. to 133 S. Fifth St. No parking on East side of street, 7:00 a.m. to 5:00 p.m. Parking allowed on weekends.
	From intersection of Fifth St. and Gantt St. to intersection of Fifth St. and Caroline St. on the west side of Fifth St. [Added 12-5-2006 by Ord. No. 326]
Fourth St.	From Borough line at 142 S Fourth St. to opposite end of Borough at Fickes Ln. on East side of street only.
	Exception: From intersection of Fourth St. and Market St. to intersection of Fourth St. and Walnut St., parking is available from 8:00 a.m. to 12:00 p.m. Sundays.
	Exception: West side of Fourth St. between Caroline St. and Oliver St. parking is available from 6:30 p.m. to 8:30 p.m.
Front St.	On grass below tennis and basketball courts of playground from intersection of Front St. and Oliver St. to 239 Front St.
	Between signs located across from Front St. and Walnut St. intersection.
	Five feet from the north of the subway and five feet from the south of the subway on the east side.
Gantt St.	From intersection of Gantt St. and Fourth St. to merger with Sixth St. on east side of street.
	From intersection of Gantt St. and Locust St. to ticket booth in front of athletic field.
Market St.	From River Bridge to intersection of Market St. and Fourth St. on North side of street.
Mulberry St.	From 310 Mulberry St. to intersection of Mulberry St. and Third St. (for fire station use), both sides of street.
Oliver St.	From intersection of Oliver St. and Sixth St. to intersection of Oliver St. and Fifth St. on west side of street.
Penn Ave.	Entire length of road between steps going up to railroad and warehouse at other end of Mulberry St.
	West side of street from Market St. to Catherine St.
	South side of street from Spruce St. to Front St.
Second St.	From 118 South Second St. to Borough line (center of bridge).
Sixth St.	From merger with Market St. to Ridge Rd., no parking on south side of street.

	From Ridge Rd. to-250 N Sixth St., no parking on east side of street. [Amended 1-8-2013 by Ord. No. 348]
	From intersection with Caroline St. to merger with Gantt St. on north side of street.
	From Market St. north for 34 feet on east side of street. [Added 1-8-2013 by Ord. No. 348]
Third St.	Entire length of road in front of 50 S Third St. on the west side of the street.
Walnut St.	From Sixth St. to Fifth St. on north side of street. [Amended 1-8-2013 by Ord. No. 348]

§ 237-19. Parking time limited in certain locations.

[Amended 7-1-1986 by Ord. No. 244; 12-1-1987 by Ord. No. 248; 7-5-1994 by Ord. No. 281; 1-8-2013 by Ord. No. 348] It shall be unlawful to park any vehicle or allow the same to remain parked, for more than the indicated length of time in any of the following locations between the hours of 8:00 a.m. and 8:00 p.m., Monday through Saturday:

Street	Between	Side	Time Limit
Center Square	All parking spaces		2 hrs.
Market St.	Penn Ave. and Peach St.	East	2 hrs.
Mulberry St.	Shrub St. and 32 ft. east of the intersection of Mulberry St. and Shrub St.	South	2 hrs.
Penn Ave.		East	2 hrs. between 8:00 a.m. and 6:00 p.m.
Penn Ave.		West	2 hrs. between 8:00 a.m. and 6:00 p.m.
Second St.	Catherine St. and Dock St.	Both	2 hrs.
Second St.	Mulberry St. and Walnut St.	East	2 hrs.
Second St.	1 space	East	30 mins.
Walnut St.	Spaces in front of Post Office		10 mins.

§ 237-20. 2 hr. parking limit for certain types of vehicles.

No person shall park any truck of the weight classification of the Commonwealth of Pennsylvania of V-plate capacity or heavier, or any tractor or trailer, or tractor-trailer combination, or allow the same to remain parked, on any street or alley in the Borough, for a period longer than two hours.

§ 237-21. Special purpose parking zones established; parking otherwise prohibited.

[Amended 8-7-1990 by Ord. No. 262; 7-5-1994 by Ord. No. 281; 1-8-2013 by Ord. No. 348] (Amended 8-05-14 by Ord. No. 353) The following are hereby established as special purpose parking zones, and it shall be unlawful for any person to park any vehicle or tractor or to allow the same to remain parked, in any such zone, except as specifically provided for such zone:

Street	Between	Side	Purpose
Center Square	1 space at	Northeast corner	Handicapped parking only
Center Square	1 space at	Southwest corner	Handicapped parking only
Fourth St.	1 space at	Newport Public Library	Handicapped parking only
Fourth St. and Walnut St.	1 space at	East side at intersection	Handicapped parking only

§ 237-22. Parking for repairs.

The parking of any vehicle upon streets and highways of the Borough for repairs, whether upon the traveled or untraveled portion thereof, shall be temporary only and limited to times for emergency repairs. This section shall not be construed to permit parking for repairs at locations where parking is otherwise prohibited.

§ 237-23. Trailer parking restricted.

It shall be unlawful for any person to park a trailer (which shall mean a vehicle without motive power, designed to carry property of passengers or designed and used exclusively for living quarters wholly on its own structure, and to be drawn by a vehicle and including, but not limited to, house trailers, boat trailers, and rental handling trailers), upon any street or highway in the Borough, without having attached to such trailer a means of mechanical traction constructed or designed for the purpose of drawing such trailer.

§ 237-24. Parking of boats, truck tractors, trailers and trucks prohibited on streets in residential zones.

The parking of boats, motor homes, truck tractors, trailers, and trucks except those not exceeding 3/4 ton capacity, shall be prohibited on all streets in the Borough; provided, trucks, truck tractors and trailers shall be permitted upon any street for the purpose of making deliveries to or picking up goods, wares, merchandise or materials from premises situated upon any such street or alley.

§ 237-25. Unlawful to park vehicle on street for more than 4 days. (Amended 7-7-15 by Ord. No. 359)

It shall be unlawful for the owner, lessee, bailee or custodian of any vehicle, trailer, wagon, boat or any material or object that may block the parking area provided for the streets and/or alleys of the Borough, to park the same on the streets or alleys of the Borough for a period of more than four days without moving same or obtaining permission from Newport Borough to extend the period for valid cause. The word "moving" is defined to mean a bona fide removal from the street or alley and not a relocation of the same vehicle on another street or alley or the same street or alley, the purpose of this Article III being to promote available parking space and orderly movement of traffic throughout the Borough.

§ 237-26. Violations and penalties.

[Amended 10-7-2003 by Ord. No. 10-7-2003]

- A. Any persons who shall violate any provision in this article, excepting violations of § 237-25 (special parking zone) shall, upon conviction thereof, be sentenced to pay a fine of \$15 together with the costs of prosecution.
- B. Any person who shall violate § 237-25 shall, upon conviction thereof, be sentenced to pay a fine of \$25 together with costs of prosecution; however, a person violating the handicapped parking restrictions is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$200. If a person is convicted in the absence of a sign stating the penalty amount, the fine imposed may not exceed \$50. [Amended 1-8-2013 by Ord. No. 348]

ARTICLE IV
Removal and Impoundment of Illegally Parked Vehicles

§ 237-27. Applicability and scope.

This article is enacted under authority of Section 6109(a-22) of the Vehicle Code, and gives authority to the Borough of Newport to remove and impound those vehicles which have been abandoned or are not legally entitled to operate or park on the streets and highways of the commonwealth under authority of the Vehicle Code.

§ 237-28. Abandoned vehicle defined.

- A. A vehicle (other than a pedalcycle) shall be presumed to be abandoned under any of the following circumstances, but the presumption is rebuttable by a preponderance of the evidence:
 - (1) The vehicle is physically inoperable and is left unattended on a highway or other public property for more than 48 hours;
 - (2) The vehicle has remained illegally on a highway or other public property for a period of more than 48 hours;
 - (3) The vehicle is left unattended on or along a highway or other public property for more than 48 hours and does not bear all of the following:
 - (a) A valid registration plate.
 - (b) A certificate of inspection that is not expired.
 - (c) An ascertainable vehicle identification number.
- B. The vehicle has remained on private property without the consent of the owner or person in control of the property for more than 48 hours. Vehicles and equipment used or to be used in construction or in the operation or maintenance of highways or public utility facilities, which are left in a manner which does not interfere with the normal movement of traffic, shall not be considered to be abandoned.

§ 237-29. Removal of vehicle by or at the direction of Code Enforcement Officer and/or the Police.

(Amended 7-7-15 by Ord. No. 359)

- A. Outside business and residence districts. Whenever any police and/or code enforcement officer finds a vehicle in violation of any of the provisions of Section 3351 of the Vehicle Code (relating to stopping, standing and parking outside business and residence districts), Editor's Note: See 75 Pa.C.S.A. § 3351. the Code Enforcement Officer and/or the Police may move the vehicle, or cause the vehicle to be moved, or require the driver or other person in charge of the vehicle to move the vehicle, to a position off the roadway where the vehicle will not interfere unduly with the normal movement of traffic or constitute a safety hazard.
- B. Unattended vehicle obstructing traffic. The Code Enforcement Officer and/or the Police may remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any highway, bridge, causeway or in any tunnel, in such position or under such circumstances as to interfere unduly with the normal movement of traffic or constitute a safety hazard.
- C. Removal to garage or place of safety. The Code Enforcement Officer and/or the Police may remove or cause to be removed to the place of business of the operator of a wrecker or to a nearby garage or other place of safety any vehicle found upon a highway under any of the following circumstances:
 - (1) Report has been made that the vehicle has been stolen or taken without the consent of its owner.
 - (2) The person or persons in charge of the vehicle are physically unable to provide for the custody or removal of the vehicle.
 - (3) The person driving or in control of the vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before an issuing authority without unnecessary delay.
 - (4) The vehicle is in violation of Section 3353 of the Vehicle Code (relating to prohibitions in specified places) Editor's Note: See 75 Pa.C.S.A. § 3353. except for overtime parking.
 - (5) The vehicle has been abandoned as defined herein. The Code Enforcement Officer shall comply with the provisions of Subsection D and Chapter 73 (relating to abandoned vehicles and cargos) of the Vehicle Code.
- D. Notice to owner prior to removal.
 - (1) Prior to removal of an abandoned vehicle bearing a registration plate, certificate of inspection or vehicle identification number plate by which the last registered owner of the vehicle can be determined, the Code enforcement Officer and/or the Police shall send a notice by certified mail to the last registered owner of the vehicle informing the owner that unless the vehicle is moved to a suitable location within seven days of the date notice

is mailed, the vehicle will be removed under this section and held at a suitable facility where it may be reclaimed by the owner in accordance with the provisions of Section 7306 (relating to payment of costs upon reclaiming vehicle). Editor's Note: See 75 Pa.C.S.A. § 7306. If the abandoned motor vehicle does not bear an identifiable registration plate, certificate of inspection or vehicle identification number plate, the notice may be secured to the vehicle.

- (2) If, within the seven-day period, the owner so requests, the owner shall be given an opportunity to explain to the Code enforcement Officer and/or the Police why the owner believes the vehicle should not be removed. If the Code enforcement Officer and/or the Police determines that the vehicle shall, nonetheless, be removed, the owner shall be given an additional 48 hours to remove the vehicle, have it removed or demand a hearing, which shall conform to the requirements of 2 Pa.C.S. Ch. 5, Subch. B (relating to practice and procedure of local agencies). The Code enforcement Officer and/or the Police shall inform the owner of the right to a hearing by delivering to the owner a notice warning the owner that, unless the vehicle is removed or a hearing is demanded, the owner shall be subject to the provisions of Section 7306. Editor's Note: See 75 Pa.C.S.A. § 7306. If, as a result of the hearing, it is determined that the vehicle will be removed, the owner shall be given an additional 48 hours to remove the vehicle or have it removed. The hearing shall be before a civilian officer or employee of the municipality in which the vehicle is located.
- (3) The provision for notice set forth in this subsection is applicable only if the vehicle is abandoned upon a highway and is not in violation of Section 3351(a) or Sections 3353(a) and (b) of the Vehicle Code. Editor's Note: See 75 Pa.C.S.A. § 3351(a) or 3353(a) and (b). Notice under this subsection is in addition to any other notice requirements provided in the Vehicle Code.

§ 237-30. Designation of approved storage garages; bonding; towing and storage.

[Amended 1-8-2013 by Ord. No. 348] (Amended 7-7-15 by Ord. No. 359)

The Code Enforcement Officer and/or the Police may remove or cause the removal and impounding of vehicles under this chapter. Such removal and impounding shall be done only by "approved storage garages" that shall be designated from time to time by Borough Council. Every such garage shall submit evidence to Borough Council that it is bonded or has acquired liability insurance in an amount satisfactory to Borough Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to Borough Council its schedule of charges for towing and storage of vehicles under this chapter, and, when the schedule is approved by Borough Council, those charges shall be adhered to by the approved storage garage; no different schedule of charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this chapter by any approved storage garage. Borough Council shall delete from its list of approved storage garages any garage that makes any unapproved charge in connection with any vehicle removed or impounded under this chapter.

§ 237-31. Effect of payment of towing and storage charges.

The payment of any towing and storage charges authorized by this chapter shall, unless payment is made "under protest," be final and conclusive, and shall constitute a waiver of any right to recover the money so paid. If payment of any towing or storage charges is made under protest, the offender shall be entitled to a hearing before a Magisterial District Judge. Payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this chapter for which the vehicle was removed or impounded.

§ 237-32. Reclamation costs.

[Amended 1-8-2013 by Ord. No. 348]

In order to reclaim his vehicle, the owner shall pay towing and storage costs, plus a fee as set forth in the Vehicles Code, 75 Pa.C.S.A. § 7306.

§ 237-33. Records of vehicles removed and impounded.

The Borough of Newport shall cause a record to be kept of all vehicles impounded under this article and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

§ 237-34. Restrictions upon removal of vehicles.

No vehicle shall be removed under the authority of this article or the Vehicle Code if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

§ 237-35. Violations and penalties.

Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of \$50 together with all costs of disposing of the vehicle under provisions of the Vehicle Code, 75 Pa.C.S.A. § 7301 et seq. (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

ARTICLE V
Off-Street Unmetered Parking

[Added 2-7-1989 by Ord. No. 256]

§ 237-36. Parking of private passenger vehicles.

The Borough-owned parking lot with entrance on Front St. is hereby declared to be for use of private passenger vehicles only, and it shall be unlawful for any person to park in such lot any bus, any truck, tractor, trailer, tractor trailer, or commercial vehicle of any kind or nature or class

of vehicle; provided, however, that passenger cars shall also be deemed to include a passenger van and pickup truck.

§ 237-37. Unlawful to park in unmetered lot.

- A. It shall be unlawful for any person to park a vehicle or to allow a vehicle to remain parked in any unmetered parking lot for longer than a ninety-six-hour period (four days). The word “moving” is defined to mean a bona fide removal from the lot and not a relocation of the same vehicle elsewhere on the lot, the purpose of this section being to promote availability of parking space.
- B. It shall be unlawful for any person to park a vehicle, or to allow a vehicle to remain parked in any unmetered parking lot, for longer than the maximum parking time hereinbefore set forth, or at any time when the lot is not in operation and is closed for public use.

§ 237-38. Parking of vehicles.

All vehicles permitted to be parked on said lot must be parked in a position which is perpendicular to Front St., and in addition, in the event lines and or markings are noted on the lot, vehicles must be parked wholly within said marked spaces, and it shall be unlawful and a violation of this article for any person: to park a vehicle across any such line or marking; or to park a vehicle in such a position that the vehicle should not be within the area so delineated by the lines or markings.

§ 237-39. Reserved parking spaces.

In the event an individual reserved parking space or spaces are designated for handicapped and the spaces appropriately designated by sign, it shall be unlawful and a violation of this article for any person to park in any such reserved parking space, unless the vehicle bears or displays either a handicapped registration plate, handicapped parking placard, disabled veteran registration plate, or a disabled veteran placard; provided, however, that all provisions, requirements, and restrictions contained in all other sections of this article shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

§ 237-40. Violations and penalties.

[Amended 1-8-2013 by Ord. No. 348] Any person who violates any provision of this article shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 per violation plus costs, and/or 30 days' imprisonment, with each twenty-four-period additional violation being deemed a separate offense.

**ARTICLE VI
Residential Handicapped Parking**

[Added 7-18-1995 by Ord. No. 288]

§ 237-41. Restricting handicapped residential parking.

Any Borough taxpayer who has been issued by the Commonwealth of Pennsylvania a handicapped license plate, or on whose behalf said license plate has been issued, pursuant to § 1338 of the Motor Vehicle Code, Editor's Note: See 75 Pa.C.S.A. § 1338. may be eligible for a restricted handicapped parking space. A permit shall be issued for each restricted parking space. A sign shall be erected at the restricted space by the Borough and shall indicate that the parking space is restricted to those vehicles bearing handicapped license plates and the permit associated with that space. Application for such restricted parking sign shall be made to the Mayor, as hereinafter specified.

§ 237-42. Application form and content and regulations.

- A. Application for a restricted handicapped parking space shall be made on a form provided by the Borough. The application information shall include the identity of the handicapped person, place of residence, age, and other data requested by the Borough. It shall be accompanied by documentation evidencing issuance of a handicapped plate or placard by the Commonwealth of Pennsylvania.
- B. The Borough shall observe the following criteria, terms and conditions:
 - (1) No more than one handicapped parking space shall be issued to any one household within the corporate limits of the Borough of Newport.
 - (2) No handicapped parking space shall be provided if there exists a reasonably accessible and practicable off-street parking space to serve such location, or such an off-street space would be possible on the applicant's property by a reasonable modification or alteration thereof.
 - (3) A handicapped parking space may be denied for any location not in a residential neighborhood or area, or for any other reason deemed appropriate by the Borough.

§ 237-43. Recertification.

[Amended 2-16-16 by Ord. No. 366]

- A. Each renewal period shall be 12 months.
- B. Application for renewal must be filed with the Mayor no later than 30 days before the date the prior eligibility is due to expire.
- C. No application for renewal shall be considered unless it is also accompanied by a sworn document containing the following averments:
 - (1) The applicant has a valid permanent handicapped placard or license plate issued by the State of Pennsylvania.

- (2) The applicant continues to drive an automobile or is being driven by another identified individual because of the applicant's disability.
- (3) The applicant resides at the same address.
- (4) Any other verification required by the Borough.

§ 237-44. Temporary handicapped parking.

- A. Notwithstanding anything to the contrary in this article, any Borough resident, who is a taxpayer, who is temporarily disabled because of surgery, treatment or injury, may be eligible for the installation of a sign for a temporary or limited special parking status and a temporary handicapped parking space in an area deemed appropriate and designated by the Borough, provided the applicant submits all affidavits, the application, a doctor's report and affidavit justifying the same and includes a statement as to the expected duration of temporary disability. The temporary parking status shall never be longer than six months, but the duration shall be that as deemed appropriate by the issuing authority. This temporary status may be terminated immediately upon determination that disability has ceased.
- B. All other provisions of this article shall be applicable to this section unless inconsistent with the foregoing subsection.
- C. Newport Borough may use a temporary handicapped parking sign for space which has been temporarily designated for handicapped parking.

§ 237-45. Fees.

[Amended 1-8-2013 by Ord. No. 348, 2-16-16 by Ord. No. 366]

There shall be a nonrefundable fee for the initial special parking status and installation, annual nonrefundable renewal fee, and a nonrefundable fee for a temporary handicapped parking for each occasion the same is required, each in such amounts as shall be set from time to time by resolution of the Borough Council. No refund shall be granted if an application is denied or the special status withdrawn.

§ 237-46. Failure to file completed application.

Failure to file a completed initial application or a timely application for renewal shall result in such application being denied and the eligibility for the special status space forfeited. In the event an individual fails to file a completed application for recertification within the time allowed, prior to expiration of the individual's time eligibility, the right to such a sign and space shall be forfeited, and the sign shall be removed by the Borough.

§ 237-47. Current signs.

All residents currently having restricted handicapped parking signs in front of the premises shall apply to the Borough within 30 days of the effective date of this article for renewal of their

handicapped status. Failure to do so will result in the removal of the sign and forfeiture of the special status.

§ 237-48. Removal of sign.

In addition to removal of the sign for failure to properly apply for renewal, a handicapped parking restriction sign may be removed after notice to the applicant if, upon investigation, the Borough determines either that the person's handicapped license plate or placard has been revoked, expired, or otherwise invalidated by the State of Pennsylvania, that the applicant has moved or that the privilege is being abused in a manner inconsistent with its intent. The notice to the individual shall state the reason or reason(s) for the anticipated removal of the sign and shall give the handicapped individual 20 days in which to request a hearing before the Mayor or Mayor's designee.

§ 237-49. Installation.

Upon approval of the application, the Mayor shall refer to the appropriate Borough employee for installation of a restricted handicapped parking sign all applications for handicapped restricted parking which meet the requirements of this article.

§ 237-50. Discretionary.

The decision to grant or withdraw and terminate a handicapped location is absolutely discretionary with the Borough. No past practice, custom or determination shall in any way be controlling or have any significance as precedence, or otherwise.

§ 237-51. Violations and penalties.

[Amended 1-8-2013 by Ord. No. 348. Amended 7-7-15 by Ord. No. 359]

- A. Any individual who submits a false application or violates any provision of this article shall, upon conviction thereof, be fined not to exceed \$600 and costs, or imprisonment of not more than 30 days or both. Each false application submitted shall constitute a separate offense.
- B. Any individual who parks in a restricted residential handicapped parking space shall have a current permit. Any individual parking in a restricted residential handicapped parking space without a permit associated with that space shall be subject to the Handicapped parking fine of \$25.00 and/or towing with fees if deemed necessary by the Code Enforcement Officer and/or the Police.

ARTICLE VII
Off-Street Parking Spaces

[Added 3-3-1998 by Ord. No. 300]

§ 237-52. Authorization.

This article and the objectives leading to its enactment are authorized by the following provisions of the Borough Code, to wit: the specific powers granted the Borough by the Commonwealth as set forth in 53 P.S. § 46202, which provides that the Borough has the power to make and adopt all ordinances, rules and regulations necessary for the care, control, safety and welfare of the Borough, as part of the police powers of the Borough as well as any other authorization granted by the commonwealth.

§ 237-53. General requirements.

Any lot, residence, dwelling, building or structure hereafter erected, altered, used or occupied for more than a single dwelling unit or any owner-occupied dwelling hereafter altered, changed or used other than as an owner-occupied residence shall be provided with minimum off-street parking spaces, together with adequate accessways, driveways, loading and unloading facilities, or other means of circulation and access to and from a public or private street as set forth below.

§ 237-54. Definitions.

As used in this article, unless the context clearly and specifically indicates otherwise, the following terms or phrases have the meaning herein defined.

DOUBLE DWELLING - A dwelling, house or residence containing or used for or as two dwelling units.

DWELLING UNIT - A room, groups of rooms or combination of rooms where one person lives, or more than one person live together, or used or suitable for occupancy as a living quarters; a residential unit maintained as or for a household or family; a room or rooms consisting generally, but not in all cases, of kitchen, bathroom, living and bedroom, typically said unit served by a separate utility service such as electric, water, sewer or being a separately insurable unit for purposes of a renter or homeowner insurance policy. A single unit may consist of a single person or of two or more persons, whether or not related by blood, marriage or adoption and may also include domestic servants and gratuitous guests.

ELDERLY HOUSING

A. A multifamily development devoted entirely for the provision of housing for a family whose head or spouse (or sole member) is:

- (1) An elderly person, which is a person who is at least 62 years of age.
- (2) A disabled person, which is a person who is under a disability as defined in § 223 of the Social Security Act (42 U.S.C. § 423), or who has a developmental disability as defined in § 102(8) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. § 15002).

(3) A handicapped person, which is a person having a physical or mental impairment that is expected to be of a long, continued and indefinite duration, which substantially impedes the person's ability to live independently, and is of such a nature that such ability could be improved by more suitable housing conditions.

B. An elderly family may include two or more elderly, disabled or handicapped persons living together or one or more of these persons living with one or more live-in aides, which is a person who resides with an elderly, disabled or handicapped person to provide supportive services.

PARKING SPACE - An attached or unattached garage or carport on the premises and that portion of the driveway off the public right-of-way measuring no less than 10 feet by 19 feet, excluding drives and accessways.

TRAILER - A vehicle without power, designed to carry property of passengers or designed and used exclusively for living quarters wholly on its own structure, and to be drawn by a motor vehicle or tractor and including, but not limited to, house trailers, boat trailers and rental handling trailers.

§ 237-55. Specific requirements.

No new building or residence hereafter constructed and no existing building or structure or lot shall hereafter be enlarged or modified, and no use or activity shall be conducted or expanded thereon or therein unless provision is made, by the owner of the property, for the required off-street parking space or spaces on the same premises as herein required.

- A. Any single or double family dwelling must include and provide at least two off-street parking spaces for each dwelling unit provided; buildings with double units, with no more than 40 feet of frontal street parking right-of-way, must include and provide at least three off-street parking spaces for the entire property per unit.
- B. Dwellings with three or more dwelling units must include and provide a minimum of 1 1/2 spaces for each dwelling unit. All minimum space calculations shall always be rounded up to the next whole unit.
- C. Any building which has been and remains devoted exclusively and entirely for the provision of elderly housing as herein defined must include and provide a minimum of 0.75 parking space per unit of elderly housing.
- D. Any owner-occupied dwelling or residence which, at any time after the enactment hereof, ceases to be used or is no longer used as such, shall comply with the provisions hereof as herein set forth for a dwelling unit or dwelling units, and if used for any commercial purpose, shall also comply herewith in all respects, except that the number of off-street parking spaces for each new commercial use shall be as follows: one space for each 200 square feet, or part thereof, of gross floor area.
- E. Access to the parking spaces shall be located and designed so as to create or allow minimum interference with the street traffic. Entrances and exits for all parking spaces must be to or

from that abutting street or right-of-way with the least amount of traffic, and which allow the minimum interference with street traffic.

- F. All parking spaces shall be physically separated from the street by a minimum three-foot to maximum six-foot setback and shall not interfere with the adjoining sidewalk, if any.
- G. Parking spaces and areas shall be designed, installed and used so that each vehicle may proceed to and from any parking space without requiring the moving of any other vehicle. Parking spaces shall have an all-weather, stable surface and shall be adequately drained to provide for safe and convenient access at all times. All parking spaces and entrance ways shall be graded, surfaced and drained to the satisfaction of the Borough's engineer as deemed advisable to prevent nuisances of dust, erosion, increased water flow across streets or adjoining property and unsafe pedestrian or vehicular travel. No grass parking spaces shall be permissible. Parking spaces must measure no less than 10 feet by 19 feet, excluding drives and accessways. No part of any public right-of-way shall be used in computing the required area for parking and no parking area shall be located in any setback area. A parking space shall, at all times, be kept clean and free from rubbish and debris. No parking space or area required by this article shall be used for any use that interferes with its availability for the parking need it is required to serve; accordingly, a trailer or mobile home shall not be a need and shall not occupy or be permitted on a parking space as otherwise required herein.
- H. No curb cuts will be permitted without the prior approval of Borough Council.
- I. If at any time a parking space is not maintained or is not used for the express use for a double or multi-dwelling unit dwelling as contemplated or required in this article, then in that event, such a space must be used as required or the building must revert back to its original character or occupancy prior to the approval of the permit for the change or prior to the issuance of a parking permit or permits.

§ 237-56. Permits.

No building permit, for any purpose, shall be issued for any property, lot, building, covered by the provisions of this article, unless and until compliance herewith has been achieved. All parking spaces hereby required shall be valid upon the issuance of a parking space permit. All permit applications shall be filed an application form provided by the Borough of Newport and shall be administered by the Code Enforcement Officer or other designee of the Borough of Newport. A permit shall be issued only when the appropriate officer or designee has determined that all provisions hereof as well as all other ordinance, law or regulations and requirements are satisfied. The permit application shall be processed within 30 days from the date of the filing thereof and the payment of the required fee. The Code Enforcement Officer or other designee shall inspect all properties to monitor and enforce the permit and the provisions hereof.

§ 237-57. Current uses.

Except: in the case of a new building or residence construction; or the addition of a dwelling unit(s); or a change from a property's owner-occupied status, a property, structure or use in existence at the date of adoption of this article shall not be subject to the requirements of this article so long as the kind or extent of use is not expanded or changed and the lot, building,

dwelling is not changed or altered to add a dwelling unit or its equivalent and is not changed from an owner-occupied dwelling; however, any parking facility or parking spaces now serving such properties, structures or uses shall not in the future be reduced below such requirements of this article.

§ 237-58. Municipal liability.

The grant of a permit or approval of a parking space or spaces shall not constitute a representation or warranty of any kind by the Borough or by any official or employee thereof of the practicability or safety of the use or site and shall create no liability upon the Borough, its officials or employees.

§ 237-59. Variances.

- A. The Borough Council shall hear request for variances where it is alleged that the provisions of this article inflict unnecessary hardship upon the applicant or property owner. The Borough Council shall prescribe the form of application and require application to the Council which, in its discretion, may grant a variance, provided the following findings are made where relevant in a given case:
- (1) That the variance, if authorized, will not substantially or permanently impair the appropriate use of adjacent property, nor be detrimental to the public welfare.
 - (2) That the variance, if authorized, will represent the minimum variance that will afford relief and represent the least modification possible of the regulation in issue.
 - (3) That such unnecessary hardship has not been created by the appellant.
 - (4) That because of such physical circumstances or conditions, there is no possibility that the property can be reasonably developed or used in strict conformity with the provisions of this article and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 - (5) That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this article.
- B. In granting any variance, the Borough Council may attach such reasonable limitations, conditions and safeguards as it may deem necessary to implement the purposes of this article.

§ 237-60. Violations and penalties.

[Amended 1-8-2013 by Ord. No. 348]

Any person violating any of the requirements or provisions of this article shall be subject to a fine not exceeding \$600, plus costs, and/or 30 days' imprisonment, for each subsequent offense with each day's violation or noncompliance herewith constituting a separate offense.

§ 237-61. Nuisance.

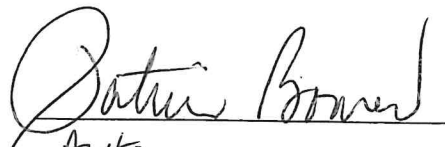
Any property or premises or use thereof inconsistent herewith is hereby declared to be and is a public nuisance and a violation of this article and shall be subject to injunctive, equitable or other abatement action, at the costs, including all attorney fees and other expenses and costs, of the property owner or user or both, for purposes of enjoining any violation or potential violation hereof.

§ 237-62. Cumulative remedies.

Penalties contained in this article are in addition to any other remedies provided by this or any other ordinance or by law.

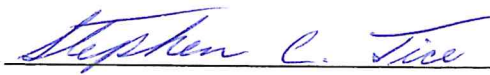
ORDAINED AND ENACTED in law this 4TH DAY of APRIL, 2023 by the Borough Council of the Borough of Newport, Perry County, Pennsylvania, in lawful session duly assembled.

ATTEST: Borough Council of the Borough of Newport


Asst.
Secretary

By: 
President of Council

APPROVED this 4TH day of APRIL, 2023

By: 
Mayor

