

ORDINANCE #327

**BOROUGH OF MINERSVILLE
Schuylkill County, Pennsylvania**

REPEALING ORDINANCE 322; ESTABLISHING AN ORDINANCE FOR POLICE REGULATIONS WITHIN THE BOROUGH OF MINERSVILLE AND PRESCRIBING PENALTIES FOR VIOLATIONS; KNOWN AS THE *POLICE REGULATION ORDINANCE*

BE IT ENACTED AND ORDAINED by the Borough of Minersville, Schuylkill County, Pennsylvania and it is hereby enacted and ordained as follows:

SECTION 1: ESTABLISHING THE TRAFFIC CONTROL MAPS

The Borough Council of the Borough of Minersville does hereby ordain to establish the Borough of Minersville traffic map as follows:

One Way in Eastwardly Direction:

- A. Cottage Street from Front Street to Kantner Street.
- B. Parsonage Street from North Second Street to North Delaware Avenue.
- C. Middle Street from Spencer Street to Edgar Lewis Street.
- D. Parsonage Street from North Second Street to Front Street.
- E. East Pine Street from North Fifth Street to Stadium Street
- F. Lewis Street from N Sixth Street to North Delaware Avenue.

One Way in Westward Direction:

- G. Quality Street from Front Street to North Second Street.
- H. River Street from Sunbury Street to North Delaware Avenue
- I. New Castle Street from North Third Street to the intersection at Jones Street.
- J. Carbon Street from North Delaware Avenue to Veterans Street.
- K. Twin Street from North Second Street to North Third Street.

One Way in Southwardly Direction:

- L. North Delaware Avenue from Lewis Street to Sunbury Street.

One Way in Northwardly Direction:

- M. Peach Street from Sunbury Street to Lewis Street.
- N. Laurel Street from the End of the 300 Block of Laurel Street to South Street.
- O. South Delaware Avenue from the street now known as Ice Street to Sunbury Street.
- P. Walnut Street from Oak Street to Spruce Street.
- Q. North Third Street from Sunbury Street to Lewis Street.
- R. S Front Street from South Street to Sunbury Street.

SECTION 2: ESTABLISHING PERMANENT NO PARKING ZONES WITH TOW AWAY ENFORCEMENT

It shall be unlawful and a violation of this provisions of Section 2 of this Ordinance, for any person to cause, allow or permit any motor vehicle to be parked upon any street or highway within the Borough, at any time when there are displayed in the immediate vicinity, posters, or signs stating thereon "NO PARKING - TOW AWAY ZONE", or language substantially similar.

The NO PARKING –TOW AWAY ZONES are as follows:

- A. Peach Street
- B. West Side of Walnut Street between the intersections of Spruce and Oak Streets.
- C. West Side of Pleasant Street from Third to Water Street.
- D. West Side of High Street from 321 High Street to Water Street.
- E. North Side of East Carbon Street between Schuylkill Street and North Delaware Avenues.
- F. Entrances and Exits to all Playgrounds
- G. Front Street (SR 4002, West Side) 0' to 212' from the intersection with Sunbury Street (SR 209) to the intersection on Lewis Street.
- H. River Street from East Carbon Street to East Pine Street.
- I. Front Street east side from intersection with Sunbury Street to intersection with South Street.

SECTION 3: ESTABLISHING REGULATIONS FOR TEMPORARY NO PARKING

It shall be unlawful and a violation of the provisions of this Section 3 of this Ordinance, for any person to cause, allow or permit any motor vehicle to be parked upon any street or highway within said Borough, at any time when there are displayed in the immediate vicinity, posters or signs stating thereon "No Parking – Temporary Police Regulation", or language substantially similar. No parking shall be allowed upon the side of the street where such signs are displayed or posted so long as such signs or posters remain thereon.

SECTION 4: ESTABLISHING REGULATIONS FOR METERED PARKING

The Borough of Minersville does hereby authorize the installation of parking meters in the designated areas:

- 1. Both sides of the Downtown Business District, Sunbury Street from East Sunbury Street northwestwardly to Fifth Street
- 2. East side of Front Street from Sunbury Street to Lewis Street
- 3. West side of South Second Street from South Street to Sunbury Street
- 4. East side of North Second Street from Sunbury Street to Lewis Street
- 5. Both sides of North Third Street from Sunbury Street to Lewis Street
- 6. East side of South Fourth Street from South Street to Sunbury Street
- 7. Municipal Parking Lot situated at 145 Sunbury Street – the entrance to the lot shall be from South Street and the exit shall be on Sunbury Street.

The meters shall be capable of being operated, either automatically or mechanically, upon the deposit of a coin of United States currency. Each Twenty-Five (25) Cent coin of United States currency shall permit a period of Sixty (60) Minutes. The Borough Council may from time to time change, increase or decrease those amounts and times allotted by the meters by resolution passed at a regular monthly Council meeting.

Each parking meter shall be so designed, constructed, installed and set that upon the expiration of the time period registered, by the deposit of one or more coins, as provided herein, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during such period of time and prior to the expiration thereof will indicate the interval of time which remains of such period

The designated metered parking areas shall be in effect Monday through Saturday between the hours of 9:00 a.m. and 6:00 p.m.

- A. No person shall park a vehicle in any such designated parking meter space, during the restricted or regulated time applicable to the parking meter zone in which such meter is located, so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter zone shall be permitted to occupy two adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupies as is required in this Article for the parking of other vehicles in such space
- B. No person shall park a vehicle in any parking space upon a street alongside of and next to which a parking meter has been installed, during the restricted and regulated time applicable to the parking meter zone in which such meter is located, unless a coin or coins of United States currency of the appropriate denomination as provided in this Article shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and the meter has been placed in operation.
- C. No person shall permit a vehicle within his control to be parked in any such parking meter space during the restricted and regulated time applicable to the parking meter zone in which such meter is located, while the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in such meter.
- D. No person shall deposit or attempt to deposit in any parking meter any slug, button or any other device or substance as substitutes for coins of United States currency.
- E. No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter.

SECTION 5: ESTABLISHING PARKING SPACES FOR PERSONS WITH DISABILITIES

Parking spaces for persons with disabilities shall be established on the public streets and roadways of the Borough of Minersville.

Rules and Regulations for obtaining parking spaces for persons with disabilities will be established by the Council of the Borough of Minersville and amended by Resolution at any time Borough Council deems necessary.

- A. No person shall park or leave unattended a vehicle at any place specifically reserved for handicapped parking, unless the parked vehicle has a state issued plate or placard (displayed in a conspicuous manner) for a handicapper person, and is being used in the immediate service of a handicapped person.

For the purpose of Section 4, a reserved handicapped parking place must be indicated by a PennDOT approved sign with universally accepted handicapped symbols. Each sign must

indicate that a state issued placard or plate must be displayed at all times while parking in the space.

SECTION 6: ESTABLISHING REGULATIONS FOR THE PARKING OF MOTOR VEHICLES ON THE STREETS AND ROADWAYS WITHIN THE BOROUGH OF MINERSVILLE

The Borough of Minersville does hereby establish the following controls and regulations of the parking of motor vehicles on the streets, alleys and roadways within the Borough of Minersville.

- A. No vehicle shall be stored upon any street. As used herein "stored" shall mean the parking of a vehicle in one place upon any street continuously for over seventy-two (72) hours.
- B. No person shall park or leave on the streets, highways, or public property of the Borough of Minersville any vehicle without a current inspection sticker unless the vehicle is legally parked in front of, or in close proximity to, an official Pennsylvania State Inspection Station which identifies said vehicle by work order specifying a state inspection will be performed within twenty-four (24) hours. Additional work orders beyond the initial twenty-four (24) hour period are prohibited.
- C. No person shall park or leave on the streets, highway or public property of the Borough any vehicle without a current registration plate.
- D. No vehicle shall stand on any street or sidewalk for the purpose of greasing or repair work except in case of emergency repairs.
- E. No vehicle shall be parked on any sidewalk or any designated pedestrian only designated walkway.
- F. No person shall park a vehicle at any time in front of, or in such a position as to block entrance or exit by a vehicle from a garage or driveway.
- G. No person shall park or leave any recreational vehicle, motorized or non-motorized, in excess of one ton Gross Vehicle Motor Weight, on any sidewalk, street, highway or public property of the Borough.
- H. No person shall double park or park a vehicle on the traveled portion of the street, alley or roadway. This includes parking a vehicle more than ten (10) inches from the curb.
- I. No person shall park a vehicle at any time in a Restricted Zone. Restricted zones include but are not limited to yellow line zones, permit parking spaces, parking too close to intersection, loading and unloading zones, clergy only zones, parking in crosswalks, and areas approved by Council as restricted parking areas.
- J. No person shall park a vehicle at any time facing against the flow of traffic.
- K. No person shall park a vehicle at any time improperly in designated metered parking spaces.
- L. No person shall park a vehicle at any time too close to a fire hydrant or in front of a fire house or across from a fire company.
- M. No person shall park a vehicle on a street during times posted by the Borough as Street Sweeping.
- N. Except otherwise provided, every vehicle standing or parked in designated parking spaces on the Borough Streets which are designated parking spaces by painted lines and/or "T"s shall park within the designated lines or "T"s, and it shall be a violation for any vehicle standing or parked to be positioned on top of said designated line or "T" as to disrupt other vehicles from standing or parking within designated parking spaces or "T"s.

SECTION 7: ESTABLISHING REGULATIONS FOR NON-MOTORIZED RECREATIONAL VEHICLES

The Borough of Minersville does hereby authorize the following regulations of the parking non-motorized recreational vehicles on the streets and roadways within the Borough.

- A. Parking of non-motorized recreational vehicles including but not limited to, utility trailers, house or vacation trailers, boats, or similar vehicles on borough streets and roadways shall be prohibited.
- B. Expections to the following are exceptions to the restrictions set forth in Section 7(A):
 - 1. Parking of non-motorized recreational vehicles in driveways or yard areas.
 - 2. Said non-motorized recreational vehicles may be parked on any borough street or roadway during the daylight hours for purposes of loading or servicing said vehicle. Any such vehicle must be removed after 4:00 p.m.

SECTION 8: SCOFFLAW

The Borough of Minersville does hereby authorize the Police Department to remove and impound any motor vehicle/conveyance parked on the streets of the Borough of Minersville in violation of any ordinances of the Borough of Minersville or of any provisions of the Motor Vehicle Code of the Commonwealth of Pennsylvania.

- A. If any motor vehicle/conveyance is parked in the Borough of Minersville, and whose owner is delinquent in payment of fines and costs imposed by a district magistrate, and for whom a warrant of arrest has been issued by a district magistrate or whose owner is delinquent in payment of fines and penalties as a result of his violation of the parking laws of the Borough of Minersville or the Commonwealth of Pennsylvania, then that owner's motor vehicle(s) /conveyance(s) shall be seized, removed and impounded.
- B. A vehicle shall also be seized, removed and impounded upon conviction of, or entry of a plea of guilty or nolo contendere, for one or more of the following non-parking related offenses, and upon imposition of a fine or fines which, separately or together, with any other outstanding or unpaid fines imposed for the following offenses, total in excess of Two Hundred Fifty (\$250) Dollars.

- Section 1301 (relating to registration and certificate of title required);
- Section 1332 (relating to display of registration plate);
- Section 1371 (relating to operation following suspension of registration);
- Section 1501 (relating to drivers required to be licensed);
- Section 1786 (relating to required financial responsibility);
- Section 7124 (relating to fraudulent use or removal of registration plate).

The owner of any vehicle/conveyance impounded under this ordinance may obtain possession of the vehicle/conveyance by (both must be completed to obtain possession):

- 1) Furnishing proof of valid registration and financial responsibility;
- 2) Paying all fines and costs associated with the impoundment or making arrangements with the appropriate authority to make payments of all fines and costs by installments.

Section 8(B) applies only to non-parking related violations set forth above and does not in any manner limit the Police to seize, remove, or impound a vehicle/conveyance pursuant to Section 8(A) for parking related violations.

No immobilized or impounded motor vehicle/conveyance shall be released until all costs and fines including towing and storage charges owed by the vehicle's owner have been paid in full. For the purpose of this section "all fines and costs" shall include fines, penalties and costs owed by the vehicle's owner on a State Citation.

SECTION 9. SOLICITATION

1. Definitions.

For the purpose of Section 9. only, the following words and phrases shall, when used in this Section, have the meaning respectively ascribed to them by this Section:

- A. "Charitable" means the purpose of an organization which has received a letter of determination approving tax exempt status under Title 26 of the United States Code Section 501(c)(3) or the purpose of a school club, recognized and affiliated with a public or private school, having a program with annual campaigns to support the public or private school club.
- B. "Commercial" means the purpose of solicitation which is not noncommercial, as defined in this Section.
- C. "Corporation" means a legal entity which has a legal personality distinct from those of its members which has filed articles of incorporation with the State of Pennsylvania
- D. "Noncommercial" means the purpose of solicitation which is charitable, as defined in this Section, religious or political.
- E. "Person" means any individual, firm, partnership, joint venture, association, social club, league, fraternal organization, joint stock company, estate, trust, business trust, receiver, trustee, syndicate or any other group acting as a unit. The word person shall include the definition of corporation.
- F. "Solicitation" includes the act of any person, whether a resident of the Borough or not, traveling by foot, vehicle or any other type of conveyance who goes from house to house, business to business, from place to place or in or along any highway, street or sidewalk within the city either: (1) requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value; (2) taking or attempting to take orders for the sale of any goods, wares, merchandise or services of any kind, or description for future delivery or for services to be performed in the future, either in person or by distributing

flyers and leaflets; and (3) selling and making immediate delivery any goods, wares, merchandise or services of any kind or description, commonly referred to as "peddling."

Solicitation shall not include the following so long as the person is not requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value: (1) A person communicating or otherwise conveying ideas, views or beliefs or otherwise disseminating oral or written information to a person willing to directly receive such information, provided that such information is of a political, religious or charitable nature; (2) A person seeking to influence the personal belief of the occupant of any residence or business in regard to any political or religious matter; (3) A person seeking to obtain, from an occupant of any residence or business, an indication of the occupant's belief in regard to any political or religious matter; (4) A person conducting a poll, survey or petition drive in regard to any political matter; and (5) A person carrying, conveying, delivering or transporting dairy products, newspapers or other goods to regular customers on established routes or to the premises of any person who had previously ordered such products or goods and is entitled to receive the same.

G. "Solicitor" means any person, whether a resident of the city or not, engaged in solicitation.

H. "Vehicle" means the definition as set forth in the Pennsylvania Vehicle Code.

2. *Permit—Required.*

A. The following provisions shall apply to permits for commercial solicitation:

- a. If a person is soliciting on behalf of, or is employed to solicit by, another person, both the person soliciting and the employer or other person upon whose behalf solicitation is being made must have valid solicitation permits as set forth in this Section.
- b. All persons who engage in solicitation shall comply with the following:
 - i. Carry a photo identification and a copy of a valid permit issued pursuant to this Section, and if acting on behalf of another, including acting on behalf of another person, such person shall carry authorization to act on behalf of such third party and a copy of the permit issued to such third party; and
 - ii. Immediately present a solicitation permit, identification and authorization to act on behalf of a third party, if applicable,

to any person approached for said solicitation and to any law enforcement official, upon their request.

- c. The permit shall contain the name, permanent residence address of the solicitor, a brief description of the solicitor and the photograph of such solicitor.
 - d. Permits are not assignable.
 - e. Permits and authorizations to act on behalf of third parties are not transferable.
- B. The following provisions shall apply to permits for noncommercial solicitation:
- a. If a person is soliciting on behalf of, or is employed to solicit by, another person, only the person on whose behalf the solicitation is made shall be required to have a valid solicitation permit as set forth in this Section.
 - b. If a person is soliciting on behalf of, or is employed to solicit by, another person, the person soliciting shall carry identification and authorization to act on behalf of the employer or other person.
- C. Children under the age of twelve (12) shall be accompanied by an adult.

3. *Permit—Application—Generally.*

- A. The following provisions shall apply to the permit application for commercial solicitation:
- a. The application for a permit required by this Section shall be made upon a form prescribed by the Borough Office, available at the Borough Office and shall include, but not be limited to, the following information:
 - i. The name, permanent residence address of the applicant, a brief description of the applicant and a photo taken by the police department;
 - ii. Disclosure of any and all criminal convictions, infraction or misdemeanor citations received, including any municipal code violations and criminal or civil cases pending. This shall include any cases dismissed or expunged;
 - iii. A statement that the person is not currently under investigation for any crimes related to solicitation or other

criminal offense including, but not limited to, violent crimes, sexual assault, possession of controlled substances, theft, fraud or burglary;

- iv. Names and addresses of all affiliated who will be working on behalf of or with the applicant;
 - v. Requested time and place to solicit within the Borough;
 - vi. Such other information as the chief of police may require in order to discover the truth of the matters herein specified and as required to be set forth in the application.
- b. The application, upon completion by the applicant, shall truly set forth all such information as shall be required by the chief of police.
 - c. The application shall be submitted under penalty of perjury and be submitted to the police department prior to the time the solicitor requests to engage in solicitation.
 - d. The application shall be submitted with any applicable fee. The permit application fee shall be established by resolution of the Borough council and may be amended from time to time.
 - e. The chief of police shall issue the permit to solicit if the following requirements have been met.
 - i. The applicant has properly completed and filed his or her application together with any applicable fee.
 - ii. The applicant has provided all the information required on the application.
 - iii. The applicant has not made any misrepresentation of any fact in the application.
 - f. The chief of police may issue the permit subject to conditions as may be necessary for the public health, safety, peace and welfare.
- B. The following provisions shall apply to the permit application for noncommercial solicitation:
- a. The application for a permit required shall be made upon a form prescribed by the Borough, available at the Borough Office and shall include, but not be limited to, the following information:
 - i. The name, address and a brief description of the applicant;

and

- ii. If for charitable purposes, a letter of determination approving tax exempt status under Title 26 of the United States Code Section 501(c)(3) or a letter from a public or private school administrator acknowledging the school affiliation of the school club and its program of annual campaigns to support the public or private school club.
 - iii. the results from a criminal record check from the PA State Police provided to the Borough by the applicant. The criminal record check must have been conducted within thirty (30) prior to the solicitation application. A person whose criminal history record background check reveals a conviction for any criminal offense including, but not limited to, violent crimes, sexual assault, possession of controlled substances, theft, fraud or burglary shall be disqualified from receiving a permit to solicit within the Borough.
- b. The chief of police shall issue the permit to solicit if the following requirements have been met:
- i. The applicant has properly completed and filed his or her application.
 - ii. The applicant has provided all the information required on the application.
 - iii. The applicant has not made any misrepresentation of any fact in the application.
- c. The chief of police may issue the permit subject to conditions as may be necessary for the public health, safety, peace and welfare.

4 . *"Do Not Knock" Registry.*

- A. The Borough Office shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Finance Department that soliciting is not permitted on the premises (hereinafter referred to as the "Do Not Knock" Registry).
- B. Notification shall be by completion of a form available at the Borough Office during normal business hours and shall be valid for one (1) year.
- C. The list shall be updated every thirty (30) days and shall be effective on the first day of each month.
- D. The Borough Office shall distribute the current Do Not Knock

Registry to a solicitor at the time of issuance of a permit to solicit pursuant to the provisions of this Section .

- E. Solicitors shall not solicit at any premises identified on the then current Do Not Knock Registry.

5. *Solicitation Operating Requirements.*

- A. It is unlawful for any person to engage in solicitation within the Borough without a valid solicitation permit issued by the Chief of Police.
- B. It is unlawful for any person to engage in commercial solicitation within the Borough without valid solicitation permit.
- C. Solicitors shall obtain an updated version of the Do Not Knock Registry prior to any solicitation.
- D. It is unlawful for any person to solicit at any premises identified on the then current Do Not Knock Registry, engage in unwanted solicitations, engage in abusive solicitation, violate the sound-making and sound-amplification device prohibition, solicit at a prohibited location, violate the permissible hours for solicitation or solicit from a vehicle.
- E. A permit granted under this Section is not an endorsement by the Borough of the solicitor or of any goods, wares, merchandise, services or information that may be sold or distributed by the solicitor, and it is unlawful for any person to represent that such an endorsement has been made.

6. *Unwanted Solicitations Prohibited.*

- A. It is unlawful for any person to go upon, ring the bell, knock on the door of or attempt to gain admission to the premises of any residence, dwelling or apartment in the Borough where the owner, adult occupant or other person in control thereof has expressed his objection to such activity either by explicit instructions, oral or written, or by posting sign indicating the location is listed on the Borough's Do Not Knock Registry, or by posting a sign or decal bearing the words "No Solicitation" or words of similar import, unless prior to such entry, bell ringing or knocking, such person has been requested or invited by the owner or adult occupant or other person in control of the premises to be thereupon for such purpose.
- B. Activities related to a service requested by the owner or occupant of the property and undertaken in the ordinary course of business, including but not limited to deliveries of utility notices, telephone directory deliveries, regular newspaper deliveries, work order notices and service inquiries, are

presumed to be requested or invited for the purpose of this Section.

7. Abusive Activity Prohibited.

No person shall engage in abusive solicitation. Such abusive activity shall mean to do one or more of the following while soliciting or immediately thereafter:

- A. Coming closer than three (3) feet to the person solicited unless and until the person solicited indicates he or she wishes to make a purchase or otherwise receive the solicitation;
- B. Blocking or impeding the passage of the person solicited;
- C. Repeating the solicitation after the person solicited has indicated his or her objection to the solicitation;
- D. Following the person solicited by proceeding behind, ahead or alongside such person after the person has indicated his or her objection to the solicitation;
- E. Threatening the person solicited with physical harm by word or gesture;
- F. Abusing the person solicited with words which are offensive and inherently
- G. likely to provoke an immediate violent reaction; or
- H. Touching the solicited person without the solicited person's consent.

8. Sound-making and Sound-amplification Devices Prohibited.

- A. It is unlawful for any person, while soliciting, to shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound-amplifying system upon any public streets, alleys, parks or public places of the Borough's or upon any private property where such sound exceeds the Borough's noise standards.
- B. No person who uses an automobile or other vehicle for purposes of soliciting shall operate or permit the operation of any sound amplification system which can be heard outside the automobile or other vehicle to advertise, to draw attention to the presence of the automobile or other vehicle or to communicate commercial information to the general public when such automobile or other vehicle is moving, stopped, standing or parked upon any public or private street, except to request emergency assistance or warn of a hazardous situation.
- C. This Section shall not apply to authorized emergency vehicles or vehicles operated by public utilities or to vehicles participating in a special event authorized by the Borough.

9. *Locations—Solicitations Prohibited.*

- A. It is unlawful for any person to solicit when the person solicited is in any of the following locations:
- (a) A marked bus stop;
 - (b) Public transportation vehicles or facilities;
 - (c) Public parking lots or parking structures;
 - (d) Outdoor dining areas of restaurants or other dining establishments serving food for immediate consumption; or
 - (e) Within 50 feet of an automated teller machine.

10. *Permissible Hours for Soliciting.*

It is unlawful for any person, while soliciting, to go upon, ring the bell, knock on the door of or attempt to gain admission to the premises of any residence, dwelling or apartment in the Borough thirty (30) minutes after sunset or earlier than 8 a.m., unless such person has been requested or invited by the owner or adult occupant of the premises to be thereupon for such purposes.

11. *No Soliciting From Vehicles.*

- A. No person shall stand or park any vehicle equipped or used for solicitation on any street or public right-of-way for purposes of such solicitation without obtaining a written permit to do so from the Borough.
- B. Any operator of a vehicle equipped or used for soliciting on any public or private property shall comply with the following regulations:
- a. Each operator at all times shall possess and display in conspicuous view upon each such vehicle a valid permit issued pursuant to this Section.
 - b. Each operator causing the sale or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such permit in conspicuous view upon each such vehicle.
 - c. No vehicle shall be parked, stopped or left standing in any manner which blocks or impedes vehicular access to any driveway or restricts the free and safe movement of other vehicles or pedestrians upon a right-of-way.
 - d. No soliciting from a vehicle shall be permitted except after the

vehicle has been brought to a complete stop and parked in a lawful way.

12. Enforcement.

The applicant or solicitor shall be responsible for the conduct of all persons acting with or on the behalf of the applicant or solicitor while in the course of operating under the permit. All persons found working, helping, volunteering or in any way assisting in the activities for which the permit was granted shall be considered employees of the applicant or solicitor. Any act or omission of any person acting with or on the behalf of the applicant or solicitor constituting a violation of the provisions of this Section shall be deemed the act or omission of the applicant or solicitor for purposes of determining whether the applicant's or solicitor's permit shall be granted, denied, renewed or revoked.

13. Fees

- a. Noncommercial Solicitation – No Charge*
- b. Commercial Solicitation - \$ 10.00 per person per day.*

SECTION 10. IDENTIFYING STOP INTERSECTIONS

When "STOP" signs are erected at or near the entrance to any intersection, every driver or operator of a motor vehicle approaching a stop sign shall bring the vehicle to a complete stop at or near the intersection of the street, but not more than 10 feet therefrom.

The following are hereby designated as stop streets and stop signs are hereby authorized for said locations as shown in "Exhibit A".

SECTION 11. VIOLATIONS AND PENALTIES

- A. Any person, firm, corporation, association or organization violating Section 1 of this Ordinance shall, upon conviction before a District Magistrate be sentenced to pay a fine of not less than \$25.00 and the cost of prosecution for each offense, and in default of payment of such fine or costs shall undergo imprisonment in Schuylkill county Prison for a period.
- B. Any person, corporation or association violating Section 2 of this Ordinance, the vehicle shall be subject to immediate tow and a penalty of Twenty-Five (\$25) Dollars. If the fine is not paid within five (5) days additional assessments may be made. No impounded motor vehicle/conveyance shall be released until all costs and fines including towing and storage charges owed by the vehicle's owner have been paid in full.
- C. Any person, corporation or association violating Section 3 of this Ordinance, the vehicle shall be subject to immediate tow and a penalty of Twenty-Five (\$25) Dollars. If the fine is not paid within five (5) days additional assessments may be made. No impounded motor vehicle/conveyance shall be released until all costs and fines including towing and storage charges owed by the vehicle's owner have been paid in full.

- D. For violation of Section 4A, 4B, 4C, 4D: Meter Violation, the vehicle shall be subject to a penalty of Ten (\$10) Dollars. If the fine is not paid within five (5) days additional assessments may be made. For violation of Section 4E, criminal charges will be filed.
- E. For violation of Section 5(A): Handicapped Parking, the owner/operator shall pay a fine of Thirty (\$30) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- F. For violation of Section 6(N): Street Sweeping, the vehicle shall be subject to a penalty of Ten (\$10) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- G. For violation of 6(A): Stored Vehicle, Section 6(C): Expired or Unregistered Vehicle or Section 6(G): Blocking Garage, the vehicle shall be subject to immediate tow and a penalty of Twenty-Five (\$25) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- H. For violation of Section 6(B): Expired Inspection, Section 6(E): Repair Work, Section 6(F): Sidewalk, Section 6(I): Double Parking, Section 6(J): Restricted Zone, Section 6(K): Parked Against Traffic, Section 6(L): Improper Parking At Meter, Section 6(O): Designated Parking or "T" parking, the owner/operator or vehicle shall be subject to a fine of Twenty (\$20) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- I. For violation of Section 6(M): Fire Hydrant and Fire Houses, the vehicle shall be subject to immediate tow and a penalty of Thirty-Five (\$35) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- J. For violation of Section 6(H): Recreational Vehicle, the owner/operator shall pay a fine of Fifty (\$50) Dollars. If the fine is not paid within five (5) days additional assessments may be made. Each day the owner or operator of the vehicle is in violation of any part in Section 4; it shall constitute a separate offense and fines and/or additional assessments will be given.
- K. For each and every violation of any provision of Section 7, the fine shall be in the amount of Twenty (\$20) Dollars, plus the cost of prosecution, and in default of payment thereof, imprisonment for not more than five (5) days.
- L. Any person, firm or corporation who shall violate any provision of Section 9, upon conviction thereof in an action brought before a magisterial district judge in the manner

provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than One Thousand and 00/100 Dollars (\$1,000.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Section continues shall be found to have been violated shall constitute a separate offense.

- M. For violation of Section 10: Identifying Stop Intersections, the owner/operator shall be subject to citation under the Pennsylvania Motor Vehicle Code Section 3111A (Failure to Obey Traffic Control Devices)

SECTION 11. SEVERABILITY

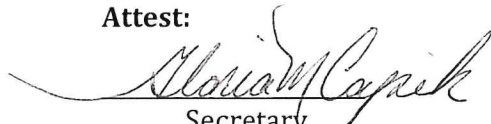
If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable without the invalid portion. The Borough reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of the Ordinance, and the effective administration thereof.

SECTION 12. EFFECTIVE DATE

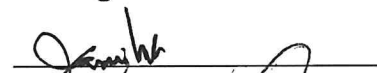
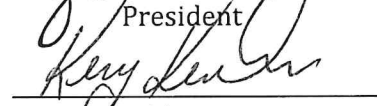
This Ordinance shall take effect immediately upon its final adoption by the Council of the Borough of Minersville.

ENACTED AND ORDAINED by the Borough of Minersville this 12th day of February, 2019.

Attest:


Secretary

Borough of Minersville


President

Mayor

BOROUGH OF MINERSVILLE
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 335

**AN ORDINANCE TO AMEND ORDINANCE NO. 327 ESTABLISHING
POLICE REGULATIONS WITHIN THE BOROUGH OF MINERSVILLE
AND PRESCRIBING PENALTIES FOR VIOLATIONS; KNOWN AS THE
POLICE REGULATION ORDINANCE.**

WHEREAS, the Borough of Minersville has enacted a Code of Ordinances establishing rules and regulations within the Borough; and

WHEREAS, as part of the aforesaid Code of Ordinances, the Borough has enacted Ordinance No. 327 establishing police regulations within the Borough which include, but are not limited to, parking restrictions; and

WHEREAS, Council for the Borough of Minersville has determined that the health, safety and welfare of its citizens and the public require an amendment to this Ordinance to prohibit parking on a certain portion of Westwood Street in the Borough;

NOW, THEREFORE, be it ordained by the Borough of Minersville, Schuylkill County, Pennsylvania that Ordinance No 327 is hereby amended as follows:

SECTION 2:

The NO PARKING - TOW AWAY ZONES are as follows:

- A. Peach Street
- B. West Side of Walnut Street between the intersections of Spruce and Oak Streets.
- C. West Side of Pleasant Street from Third to Water Street.
- D. West Side of High Street from 321 High Street to Water Street.
- E. North Side of East Carbon Street between Schuylkill Street and North Delaware Avenues.
- F. Entrances and Exits to all Playgrounds.
- G. Front Street (SR 4002, West Side) 0' to 212' from the intersection with Sunbury Street (SR 209) to the intersection on Lewis Street.
- H. River Street from East Carbon Street to East Pine Street.
- I. Front Street east side from intersection with Sunbury Street to intersection with South Street.
- J. East side of Westwood Street from the Borough's Northernmost property line with Branch Township to the end of the ramp/decline onto South Delaware Avenue.
- K. East Side of Gallo Row from the Seltzer Highway to the end of the roadway.
- L. Both sides of Schuylkill Street from East North Street to East Pine Street.

SECTION 10. IDENTIFYING STOP INTERSECTIONS

When "STOP" signs are erected at or near the entrance to any intersection, every driver or operator of a motor vehicle approaching a stop sign shall bring the vehicle to a complete stop at or near the intersection of the street, but not more than 10 feet therefrom.

The following are hereby designated as stop streets and stop signs are hereby authorized for said locations as shown in "Exhibit A-2".

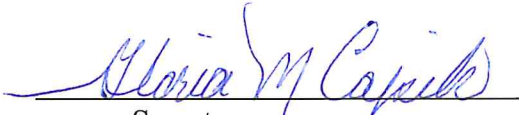
WHEREAS

All other sections contained within Ordinance No. 327 shall remain in full force and effect and are incorporated herein by reference.

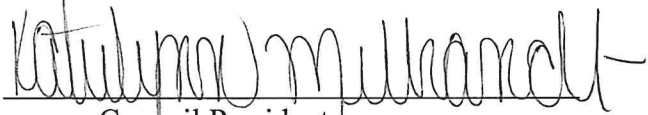
This Ordinance shall take effect in the time prescribed by the Borough Code after its final adoption by the Council of the Borough of Minersville, County of Schuylkill, Commonwealth of Pennsylvania.

ENACTED AND ORDAINED this 9 day of February, 2021 by the Council of the Borough of Minersville, County of Schuylkill in the Commonwealth of Pennsylvania, in lawful session duly assembled.

Attest:


Secretary

Borough of Minersville


Council President

Approved by:


Mayor