

## ORDINANCE NO. 511

### AN ORDINANCE OF SOUTHMONT BOROUGH, CAMBRIA COUNTY, PENNSYLVANIA, PROHIBITING PARKING IN DESIGNATED AREAS OF DIAMOND BOULEVARD

WHEREAS, the Council of the Borough of Southmont, Cambria County, Pennsylvania (“Borough”) has received a request from the Westmont Hilltop School District to prohibit parking on Diamond Boulevard between Luzerne Street and Menoher Boulevard that abuts the elementary school in order to reduce congestion so that buses and school traffic can travel more safely; and

WHEREAS, the Borough agrees that the area of Diamond Boulevard in question is a source of congestion and that the safety of students and the public would be served by prohibiting parking; and

WHEREAS, the Borough does not believe that prohibiting parking in that area of Diamond Boulevard would adversely impact the residents that abut said road; and

WHEREFORE, BE IT ORDAINED and ENACTED by the Council of the Borough of Southmont, Cambria County, Pennsylvania, and it is so ordained and enacted by the authority of same, as follows:

#### **Section 1. Prohibition of Parking**

No person or entity shall park a vehicle, trailer or place any obstruction on any portion of Diamond Boulevard between Luzerne Street and Menoher Boulevard. This means that both sides of Diamond Boulevard shall remain unobstructed and no vehicle, trailer or obstruction shall be permitted at any time. This is a complete prohibition without exceptions.

#### **Section 2. Enforcement Provisions**

The Borough designates the West Hills Police Department, or any other police department granted authority by the Borough, the power and duty to enforce the provisions of this ordinance.

#### **Section 3. Violations and Penalties**

A. Penalties: Any person and/or entity violating this Ordinance shall be issued a citation and pay a fine of \$25.00.

B. Additional Penalties: In addition to the above penalty, any vehicle, trailer or obstruction that is parked or located in the roadway may be towed or removed at the owner’s expense at the discretion of the West Hills Police Department or other designated police department.

C. Liability: When a violation of this Ordinance occurs, it shall be the owner of the vehicle, trailer or obstruction who is responsible for the penalty imposed by this Ordinance. Thus, if a non-owner is cited for violations of this Ordinance, it shall not be a defense that the owner did not park or place the vehicle, trailer or obstruction in the roadway.

**Section 4. Severability**

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

**Section 5. Repeal**

All ordinances inconsistent with this action are hereby repealed.

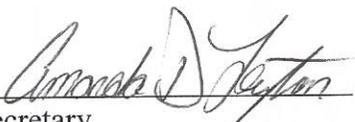
**Section 6. Effective Date**

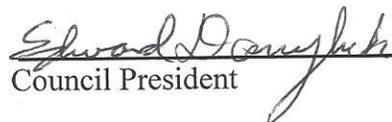
This Ordinance shall become effective immediately.

Ordained and Enacted this 16<sup>th</sup> day of October, 2017, by Council of the Borough of Southmont.

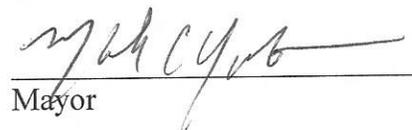
Attest:

SOUTHMONT BOROUGH

  
Secretary

  
Council President

Approved this 16<sup>th</sup> day of October, 2017.

  
Mayor