

**MANCHESTER BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2023-02

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF
MANCHESTER, COUNTY OF YORK, CHAPTER 142, VEHICLES AND
TRAFFIC, SECTIONS 26, 27, 53, 54 AND 55, REPEALING CERTAIN TIME
LIMIT PARKING AND SPECIAL PURPOSE PARKING ZONES, AND
ENACTING AND PROVIDING FOR RESERVED PARKING**

WHEREAS, Manchester Borough (the "Borough") adopted Ordinance No. 2008-57 on September 8, 2008 amending Chapter 142, Vehicles and Traffic, Section 53 Schedule XV of the Code of the Borough of Manchester (the "Code"), establishing time limit parking for certain streets; and

WHEREAS, before enacting Ordinance No. 2008-57, pursuant to Section 6109(e) of the Pennsylvania Vehicle Code Act of June 17, 1976, P.L. 162, No. 81, as amended ("Vehicle Code"), the Borough had caused an engineering and traffic investigation to be made in connection with such time limit parking restriction; and

WHEREAS, it has been discovered that such time limit parking was erroneously placed in Chapter 142, Vehicles and Traffic, Section 54 Schedule XVI of the Code; and

WHEREAS, pursuant to §6109(e) of the Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, as amended, Manchester Borough Council has caused an engineering and traffic investigation to be made for the purpose of removing the parking restriction on a portion of Fenwick Drive, Malvern Drive, and Covington Drive to the extent such engineering and traffic investigation is necessary; and

WHEREAS, the 2008 traffic and engineering investigations requested by Borough Council have been determined not to have been necessary for the time limit parking restriction, as such restrictions are more accurately reserved parking spaces; and

WHEREAS, the Borough may provide for reserved parking spaces pursuant to 67 Pa.Code § 212.114 (f)(1)(iii) without a traffic and engineering investigation; and

WHEREAS, Manchester Borough Council pursuant to the authority granted to it under 67 Pa.Code § 212.114 (f)(1)(iii) desires to repeal certain time limit parking restrictions and replace such restrictions with reserved parking spaces; and

WHEREAS, the creation of such reserved parking spaces require amendments to and renumbering of the Code; and

WHEREAS, the Borough now desires to amend certain sections of Chapter 142, of the Code by adding reserved parking spaces zones and repealing other certain parking restrictions.

NOW THEREFORE BE IT ENACTED AND ORDAINED as follows:

SECTION 1. Chapter 142, Sections 26, 27, 53, 54 and 55, of the Code of the Borough of Manchester shall be amended as follows:

§ 142-26. Reserved parking space zones.

A. It shall be unlawful for any person to park any vehicle or to allow the same to remain parked in any reserved parking zone established in Schedule XVII (§ 142-55), attached to and made a part of this chapter, except as specifically provided for such zone by use of parking permits available to the residents of such reserved parking zones.

B. The Borough shall make parking permits available to the residents only along the streets or parts of streets set forth on Schedule XVII (§ 142-55). Each property shall be limited to two parking permits per household based on the property address.

C. Applications for such parking permits shall be available at the Borough Office during regular business hours.

§ 142-27. Penalties for parking violations.

A. Offenses. It shall be unlawful for the owner or any person in charge of or in possession of a vehicle or trailer to park such vehicle or trailer or to permit such vehicle or trailer to be parked in violation of the prohibitions and regulations on parking set forth in Subchapter E of the Pennsylvania Vehicle Code, as amended, which hereby are incorporated by reference, or in violation of the prohibitions and regulations on parking set forth in this chapter. The circumstances giving rise to such violations are listed hereafter for illustrative purposes and not by way of limitation: parking on a sidewalk, parking within an intersection, parking on a crosswalk, unauthorized driver parking in a "handicapped only" parking area, parking within 20 feet of a crosswalk or intersection, parking within 30 feet of a stop sign, parking within 15 feet of a fire hydrant, parking in front of a driveway, parking more than 12 inches from a curb, parking against the direction of traffic, parking within 30 feet of a traffic signal, parking between no-parking signs, parking between a "no parking here to corner" sign and the corner, parking in a "no parking anytime" area, obstructing traffic, obstructing a fire lane, parking in a prohibited parking area, stopping or standing in a "no stopping or standing" area, parking on private property

without the consent of the owner, violation of time limit, parking a detached trailer on a street and any other violation of this chapter.

B. Fine. The owner of or any person in charge of or in possession of a vehicle or trailer parked in violation of any provision of this chapter, upon conviction, shall be sentenced to pay a fine of \$15 and costs for each violation; provided, however, that the police officers of the Borough shall also attach to or place upon every such vehicle or trailer a citation, in form approved by the Council of Manchester Borough, stating that the vehicle or trailer was parked in violation of this chapter.

C. Notice of violation. Placing written notice of a parking violation on the motor vehicle or trailer causing such violation shall constitute delivery of such notice for the purposes of this chapter.

D. Prosecution. Any prosecution under this chapter may be instituted by any police officer of the Borough by filing a citation upon a form approved by Manchester Borough or by filing a summary complaint under the Pennsylvania Rules of Criminal Procedure.

E. Changes. Nothing in this section shall, in any way, limit or affect the power or authority of the Borough Council of Manchester Borough to adopt and enforce ordinances, rules, regulations or restrictions with regard to parking within the Borough of Manchester, over which the Borough Council of Manchester Borough has jurisdiction. The Borough Council of Manchester Borough shall have the right, from time to time, by resolution, to establish a different amount of fines for violations of parking and traffic regulations which are the subject of this section within Manchester Borough.

§ 142-53. Schedule XV: Time Limit Parking.

In accordance with the provisions of § 142-24, no person shall park a vehicle or allow the same to remain parked upon any of the streets or parts thereof described below, between the hours specified, for longer than the time indicated below:

Name of Street	Side	Time Limit; Hours/Days	Location
North Main Street	West	7:00 a.m. to 11:00 p.m./ 20 mins.	From the northern end of the continuous prohibited parking area which commences at the traffic signal at Maple Street, said limited parking area thence extending to 20 North Main Street
North Main Street	West	7:00 a.m. to 11:00 p.m./ 20 mins.	In front of 34 North Main Street, a distance of 35 feet, a property which is now in commercial use

§ 142-54. Schedule XVI: Special Purpose Parking Zones.

In accordance with the provisions of § 142-25, the following are hereby established as special purpose parking zones:

(Reserved)

§ 142-55. Schedule XVII: Reserved Parking Zones.

In accordance with the provisions of § 142-26, the following streets or parts thereof are hereby designated as reserved parking zones:

Name of Street	Side	Reserved Parking	Location
Campus Court	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	East Parkview Road to end
East Parkview Road	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	North Main Street to High Street
Haverford Circle	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	East Parkview Road to East Parkview Road
Haverford Court	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	East Parkview Road to end
High Street	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	Manchester Street to the Borough Line
North Hartman Street	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	Maple Street to end
North Hartman Street	Both	Parking by permit only from 7:00 a.m. to 4:00 p.m., Monday through Friday only when school is in session.	Maple Street to end of North Hartman Street

SECTION 2. Renumbering of Sections. All sections within Chapter 142 of the Code shall be renumbered in sequential order consistent with the amendments contained within this Ordinance.

SECTION 3. Posting. To the extent previously posted, official signs for the time limit parking and/or reserved parking zones in Section 1 of this Ordinance shall be removed from streets no longer listed herein.

SECTION 4. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. Severability. The provisions of this Ordinance are severable. In the event that any provision, section, sentence, clause, or part of this Ordinance shall be held to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, section, sentence, clause, or part of this Ordinance. It is hereby declared to be the intent of this Borough that such remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall be effective five (5) days after enactment.

ADOPTED AND ORDAINED this 13 day of March 2023.

ATTEST:

Tiffany S. Maers
Assistant Secretary

MANCHESTER
BOROUGH COUNCIL

Wade Witt
President

Approved this 13 day of March 2023.

By: Patricia Witt
Mayor

