

**ORDINANCE NO. 39-1966-1**

**AN ORDINANCE OF THE HARBORCREEK TOWNSHIP, ERIE COUNTY, PENNSYLVANIA, AMENDING THE SNOW AND ICE CLEARING ORDINANCE TO MODIFY THE DATES OF ENFORCEMENT, THE PENALTIES FOR VIOLATION, AND THE MEANS AND METHODS OF ENFORCEMENT**

**WHEREAS**, the Second Class Township Code, 53 P.S. §66527, empowers the Board of Supervisors to adopt ordinances to secure the safety of persons or property within the Township; and

**WHEREAS**, the Second Class Township Code, 53 P.S. §67328, authorizes the Board of Supervisors to regulate parking and impose penalties for violations of such regulations; and

**WHEREAS**, the Second Class Township Code, 53 P.S. §66903 empowers the Township to contract with any municipal corporation to secure the services within the Township of the police of the municipal corporation and the police officers of the employing municipal corporation shall have all the powers and authority conferred by law on police officers in the Township which has contracted to secure the police service; and

**NOW THEREFORE**, the Board of Supervisors of Harborcreek Township hereby enacts and ordains the following amendments to Ordinance No. 39 – 1966:

**Section 5. RESTRICTED PARKING.** Following the effective date of this amendment to the Ordinance, and subject to the limitation set forth in Section 2 (b) of the Ordinance, it shall be unlawful to park, or allow to be parked, any motor vehicle or other vehicle, or trailer on any street or adjacent road right of way within the Township from October 15 to April 15 of each year.

**Section 7. VIOLATIONS** Any person who shall violate any of the provisions of this Ordinance or its amendments, or who shall fail to comply with the conditions or requirements in accordance with the provisions of this Ordinance or its amendments, shall upon conviction thereof be liable to pay a fine of One Hundred Dollars (\$100.00). A new and separate offense shall be deemed to have been committed for each day said violation exists. All fines imposed by this Ordinance are recoverable by summary proceedings before any District Magistrate *and upon recovery thereof, all such fines shall be payable to Lawrence Park Township*, which, pursuant to an Intergovernmental Cooperation Agreement executed by and between Harborcreek Township and Lawrence Park Township, shall collect all fines, charge a reasonable administrative fee for said collection, and provide Harborcreek Township with a payment of the net amount of the fines so collected, along with a report of the individual amounts collected and reduced by the administrative fee agreed upon by the parties within five (5) days of the end of the prior month.. In default of the payment of any fine imposed by any District Magistrate under the provisions of this Ordinance or its amendments, the person so offending may be committed to the jail for a period of not more than five (5) days.

**Section 9. 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 Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 10. REPEALER.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

**Section 11. EFFECTIVE DATE.** This ordinance shall become effective on January 18, 2017.

Harborcreek Township Board of Supervisors

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Dean S. Pepicello, Chairperson

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Joseph D. Peck, Supervisor

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Timothy J. May, Supervisor

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Shelley Hull, Assistant Secretary

I hereby certify that the foregoing ordinance was advertised in the Erie Daily Times on January 5, 2017, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at a regular meeting of the Harborcreek Township Board of Supervisors held on January 18, 2017.

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