

BOROUGH OF ELKLAND
TIOGA COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

2021-02

AN ORDINANCE

Draft

OF THE BOROUGH OF ELKLAND, TIOGA COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 5, PARTS 4, 5, 6, AND 7 OF THE CODE OF ORDINANCES OF THE BOROUGH OF ELKLAND, AS AMENDED AND SUPPLEMENTED, TO INCREASE THE INITIAL PENALTY FOR PARKING VIOLATIONS FROM \$5.00 TO \$10.00, TO DIRECT THAT PAYMENT OF THE INITIAL PENALTY SHALL BE MADE AT THE BOROUGH OFFICE, TO REMOVE THE OPTION OF PAYMENT AT SPECIAL PARKING FINE BOXES, AND TO REMOVE SECTIONS 501 AND 409, RELATING TO PARKING METER ZONES AND RESIDENTIAL PERMIT PARKING.

WHEREAS, the Borough of Elkland has the authority to regulate parking on streets within the Borough and to provide for penalties for violations of parking regulations; and

WHEREAS, the Borough of Elkland has determined that the initial penalty for violations of parking regulations should be increased from \$5.00 to \$10.00, that payment should be made directly to the Borough Office rather than to the office of the Chief of Police or to special parking fine boxes, and that Sections 501 and 409, relating to parking meter zones and residential permit parking, should be removed.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Borough Council of the Borough of Elkland, County of Tioga, Pennsylvania, as follows:

Section 1.

CHAPTER 15, PART 4, GENERAL PARKING REGULATIONS, shall be amended as follows:

The last sentence of **§ 410. Penalties.** shall be amended by to increase the penalty for a violation, if paid within forty-eight (48) hours after the time of the notice, from five dollars (\$5.00) to ten dollars (\$10.00), and to provide that such penalty shall paid at the Borough Office or by enclosing the sum of ten dollars (\$10.00) within the envelope provided and placing it in the mail receptacle at the Borough office. The last sentence, as amended, shall read as follows:

“The notice shall contain instructions to the owner or driver of the vehicle that if they will report to the Borough office and pay, for the use of the Borough of Elkland, the sum of ten dollars (\$10.00) within forty-eight (48) hours after the time of the notice, or if they will place the sum of ten dollars (\$10.00), enclosed with the envelope provided, in the mail receptacle at the Borough office within that time limit, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.”

Section 2.

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CHAPTER 15, PART 5, ON-STREET METERED PARKING, shall be amended as follows:

Paragraph 2 of **§ 510. Ticketing of Vehicles Parked Unlawfully; Effect of Payment of §505 Within 48 Hours.** shall be amended by to increase the penalty for a violation, if paid within forty-eight (48) hours after the time of the notice, from five dollars (\$5.00) to ten dollars (\$10.00), and to provide that such penalty shall paid at the Borough Office or by enclosing the sum of ten dollars (\$10.00) within the envelope provided and placing it in the mail receptacle at the Borough office. Paragraph 2, as amended, shall read as follows:

“The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Chapter, and instructing the owner or driver that if they

will report to the Borough office and pay, for the use of the Borough of Elkland, the sum of ten dollars (\$10.00) within forty-eight (48) hours after the time of the notice, or if they will place the sum of ten dollars (\$10.00), enclosed with the envelope provided, in the mail receptacle at the Borough office within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §511(1) of this Chapter.”

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Section 3.

CHAPTER 15, PART 6, OFF-STREET METERED PARKING, shall be amended as follows:

The heading **§ 611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment of §612 Within 48 Hours.** shall be amended to **§611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment of Penalty Within 48 Hours.**

Paragraph 2 of **§ 611. Ticketing of Vehicles Parked Unlawfully; Effect of Payment of \$5 Within 48 Hours.** shall be amended by to increase the penalty for a violation, if paid within forty-eight (48) hours after the time of the notice, from five dollars (\$5.00) to ten dollars (\$10.00), and to provide that such penalty shall paid at the Borough Office or by enclosing the sum of ten dollars (\$10.00) within the envelope provided and placing it in the mail receptacle at the Borough office. Paragraph 2, as amended, shall read as follows:

“The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Chapter, and instructing the owner or driver that if they will report to the Borough office and pay, for the use of the Borough of Elkland, the sum of ten dollars (\$10.00) within forty-eight (48) hours after the time of the notice, or if they will place the sum of ten dollars (\$10.00), enclosed with the envelope provided, in the mail receptacle at the Borough office within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §612(1) of this Chapter.”

Section 4.

CHAPTER 15, PART 7, OFF-STREET UNMETERED PARKING, shall be amended as follows:

Paragraph 1 of § 707. **Penalty for Violation.** shall be amended by to increase the penalty for a violation, if paid within forty-eight (48) hours after the time of the notice, from five dollars (\$5.00) to ten dollars (\$10.00), and to provide that such penalty shall paid at the Borough Office or by enclosing the sum of ten dollars (\$10.00) within the envelope provided and placing it in the mail receptacle at the Borough office. Paragraph 2, as amended, shall read as follows:

“The police officer or other person making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Chapter, and instructing the owner or driver that if they will report to the Borough office and pay, for the use of the Borough of Elkland, the sum of ten dollars (\$10.00) within forty-eight (48) hours after the time of the notice, or if they will place the sum of ten dollars (\$10.00), enclosed with the envelope provided, in the mail receptacle at the Borough office within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in Subsection 2 hereof.”

Section 5.

The following two Sections shall be removed from the Ordinance:

- **CHAPTER 15, PART 4, GENERAL PARKING REGULATIONS**, § 409. Residential Permit Parking.
- **CHAPTER 15, PART 5, ON-STREET METERED PARKING**, § 501. Parking Meter Zones Established.

SEVERABILITY. The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held unlawful, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining provisions of this Ordinance.

REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

EFFECTIVE DATE. This Ordinance shall become effective upon enactment.

DULY ENACTED AND ORDAINED, this _____ day of _____, 2021,
by the Borough Council of the Borough of Elkland, Tioga County, Pennsylvania, in lawful session duly assembled.

**BOROUGH COUNCIL OF
THE BOROUGH OF ELKLAND**
Tioga County, Pennsylvania

ATTEST

Secretary

By: _____
Council President

(SEAL)

Examined and approved this _____ day of _____, 2021.

By: _____
Mayor

Draft

403. Parking Prohibited at all times in certain locations. Parking shall be prohibited at all times in the following locations.

Street	Side	Between
Campbell Street	South	Buffalo St & Proctor Ave
Coates Ave	West	East Main & Campbell St
Proctor Ave	West	East Main & Campbell St
Taft Ave	West	East Main & Coates St
North Buffalo	West	Second St & Legion St
Sheldonia Ave	Both	Pattison Ave & Buffalo St
Pattison Ave	East	First St & Second St
Pattison Ave	West	Cerchie Ln & Sheldonia Ave
East Main street	Both	Bridge St & Buffalo St
West Main Street	Both	Forrest view Dr & Osceola Township Line
Coolidge ave	South	Hill St & Coates Hill Road
South Buffalo	West	Main Street & legion heights Rd
Coates Street	Both	Buffalo St & Coates Ave

404. Parking Prohibited in certain locations certain days and hours. Parking shall be prohibited in the following locations at all times between the days and hours indicated in this section as follows.

Street	Side	Between	Days	Hours
N Buffalo St	Both	Main St & Court St	Mon-Sat	11pm – 5am
Parkhurst St	Both	Main St & First St	Mon-Sat	11pm – 5am
West Main St	Both	Buffalo St & Forrest view Dr	Every	11pm – 5am
S Buffalo St	West	Main St & Legion Heights Rd	Every	11pm – 5am