

Ordinance No. 2 of 2020

The Township of Kiskimintas,
Armstrong County, Pennsylvania

**AN ORDINANCE OF THE TOWNSHIP OF KISKIMENTAS (“KISKI”),
ARMSTRONG COUNTY, A SECOND-CLASS TOWNSHIP UNDER THE LAWS OF THE
COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE REGULATION OF
STOPPING, STANDING AND PARKING VEHICLES SPECIFIED HIGHWAYS, ROADS
AND STREETS IN THE TOWNSHIP OF KISKI, AND PROVIDING THE PENALTIES
FOR VIOLATION THEREOF.**

WHEREAS, pursuant to the Second-Class Township Code, the Board of Supervisors has the statutory authority to regulate streets under the municipal jurisdiction of the Township relative to public safety and parking pursuant to 53 P.S. §66527, §67328 and §66601;

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Kiskimintas, Armstrong County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION 1. DEFINITIONS

For the purpose of this Ordinance, the following meanings are adopted:

1. The word “vehicle” shall mean any device in, upon or by which any person or property is or may be transported upon a road, roadway, highway, or other designated route of travel.
2. The word “street” shall mean any public street, avenue, road, alley, highway, lane, path, or other public place located in the Township of Kiski and established for the use of vehicles.
3. The word “person” shall mean and include any individual, firm, co-partnership, association, partnership, corporation, or entity.
4. The word “operator” shall mean and include any individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in the actual physical control of the vehicle.
5. The words “park” or “parking” shall mean the standing of a vehicle whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading of merchandise or in obedience to traffic regulations, signs or signals, or an involuntary stopping of a vehicle by reason of causes beyond the control of the operator of the vehicle.

SECTION 2. PROHIBITIONS IN SPECIFIED PLACES

Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle, or in compliance with law or the direction of a police officer or official traffic control device, the following prohibitions shall be in effect:

1. Stopping, standing, or parking a vehicle is expressly prohibited under the following circumstances:
 - a. **On the roadway side of any vehicle stopped or parked at the edge or curb of the street;**
 - b. On any sidewalk;
 - c. Within any intersection;
 - d. On any crosswalk;
 - e. Upon any bridge or other elevated structure;
 - f. At any place where official signs prohibit parking.

SECTION 3. PROHIBITION OF PARKING ON SPECIFIED STREET

After the effective date of this Ordinance, the Kiski Township Board of Supervisors may, by Resolution, prohibit or restrict parking on any street within Kiski Township, and cause proper signs and marking to be posted, warning the public of such prohibition or restriction, and such regulations shall be effective the same as if specified in this Ordinance.

SECTION 4. TEMPORARY AND EMERGENCY REGULATIONS.

The Kiskimontas Township Police Department shall have the authority to regulate parking temporarily in time of an emergency. These temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who parks a vehicle in violation of any such regulation or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this ordinance for a violation of such nature.

SECTION 5. OBSTRUCTION OF TOWNSHIP ROADWAYS

It shall be unlawful for any person to obstruct, in any manner, the snow removal operations conducted by the Township Road Department and/or the Road Departments of the County of Armstrong or Commonwealth of Pennsylvania. Specifically prohibited is any form of general obstruction or interference with such snow removal operations, which shall include, but not be limited to, the depositing, dumping, or shoveling of snow onto any roadway, or the creation of, or allowing the existence of, any form of obstruction, which shall include, but not be limited to, basketball hoops, hockey nets, vehicles of any sort, garbage cans, or other matters that may interfere with snow removal operations.

SECTION 6. PENALTIES

Any person who shall violate or fail to comply with the provisions of this Ordinance, shall be guilty of a summary offense punishable by a fine in an amount not less than Fifty (\$50.00) Dollars nor more than nor more than five hundred (\$500.00) Dollars, plus costs, and reasonable legal fees of the Township for each violation. Each day that violation continues shall constitute a separate finable offense.

SECTION 7. REMOVAL OF VEHICLE BY OR AT DIRECTION OF POLICE

In addition to the penalties herein provided, any person who violates this Ordinance shall have their offending vehicle removed at the direction of the Kiskimentas Township Police Department; shall pay all costs associated with the removal and storage of the offending vehicle and shall hold the third-party tower harmless from any claims for damage to the offending vehicle resulting from the removal.

SECTION 8. SIGNAGE

The Kiskimentas Township Police Department, acting on its own, or through the auspices of the Kiskimentas Township Road Department or other designees, shall have full and complete authority to erect temporary signs for the purpose of addressing any form of special or limited restrictions, including emergency designations, as set forth herein.

SECTION 9. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, such declaration or decision shall not affect the validity of any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Kiskimentas Township Board of Supervisors that this Ordinance would have been enacted had any such unconstitutional, illegal or invalid provision not been included therein.

SECTION 10. REPEALER

Any Ordinances or portions of Ordinances of the Township which are inconsistent herewith are hereby repealed.

SECTION 11. EFFECTIVE DATE

This Ordinance shall become effective immediately upon ordination and enactment.

ORDAINED AND ENACTED by the Kiskimentas Township Board of Supervisors, this
9 day of September, 2020.



Michael Bash, Chairman

ATTEST:



Township Secretary