

BOROUGH OF AVALON
ORDINANCE NO. 1287

AN ORDINANCE OF THE BOROUGH OF AVALON, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, PROHIBITING THE PARKING OF CERTAIN COMMERCIAL VEHICLES AND EQUIPMENT ON ALL HIGHWAYS AND TRAFFICWAYS IN THE BOROUGH OF AVALON AS WELL AS THE PARKING OF CERTAIN OTHER VEHICLES OVERNIGHT IN ALL RESIDENTIAL ZONING DISTRICTS OF THE BOROUGH; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL INCONSISTENT ORDINANCES.

WHEREAS, Borough Council of the Borough of Avalon is desirous of prohibiting the parking of certain camping and recreational equipment in the Borough of Avalon as well as certain other commercial and prohibited vehicles overnight on highways and trafficways in all residential zoning districts in the Borough between the hours of 9:00 p.m. and 6:00 a.m.

NOW THEREFORE, BE IT ORDAINED by Borough Council of the Borough of Avalon and it is hereby ORDAINED and ENACTED with the authority of the same:

Section 1: Title. This Ordinance shall be known as the Avalon Borough Parking Ordinance.

Section 2: Definitions.

The following definitions shall apply to the within Ordinance:

(a) **Boat** - A vessel designed to travel on water not exceeding 20 feet in length.

Ski-Doos for this purpose shall be considered a boat.

- (b) **Boat Trailer** - A trailer designed to haul a boat.
- (c) **Camping and Recreational Equipment** - Vehicles including but not limited to travel trailers, modified vans, pickup coaches, motorized homes, boats and boat trailers.
- (d) **Motorized Home or Modified Van** - A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- (e) **Other Prohibited Vehicles** - Any vehicle which is seven (7') feet high or seven (7') feet wide shall be deemed an "other prohibited vehicle" for purposes of the Borough Parking Overnight Ordinance. For purposes of this Ordinance, the term shall also include full trailers, semi-trailers, house coaches, house trailers, mobile homes, motor homes, recreational trailers, truck campers and truck tractors as same are defined in the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S. § 102.
- (f) **Overnight** - Between the hours of 9:00 p.m. and 6:00 a.m.
- (g) **Parking** - When prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.
- (h) **Pickup Coach** - A structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.
- (i) **Highway** - The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.

(j) **Residential Zoning District** - The R-1, R-2 and R-3 Zoning Districts of the Borough of Avalon. See Section 7.2 of the Borough Zoning Ordinance.

(k) **Trafficway** - The entire width between the property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter of right or custom.

(l) **Trailer** - A vehicle designed to be towed by a motor vehicle.

(m) **Trailer and Camping Recreational Equipment** - Any licensed or unlicensed trailer or other vehicle designed or used for living or sleeping purposes regardless of whether the wheels are attached or unattached, or a permanent or semi-permanent foundation is constructed underneath or any structure of a permanent or semi-permanent nature of utilities are attached thereto.

(n) **Travel Trailer** - A vehicular, portable structure, built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation purposes, permanently identified "travel trailer" by the manufacturer, and when factory equipped for the road, having a body width not exceeding 8 feet, and being of any length, provided its gross weight does not exceed 4,500 pounds, or being of any weight, provided its body length does not exceed 29 feet.

(o) **Vehicle** - Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

Section 3: Prohibited Parking.

(a) At no time shall a trailer, including camping and recreational equipment, or any other prohibited vehicle be occupied or used for living, sleeping or housekeeping purposes in the Borough.

(b) Commercial vehicles and equipment including trucks, one-ton capacity or larger, tandems, tractor-trailers, tractors or other commercial or construction and cargo-moving vehicles or equipment as well as any other prohibited vehicles shall not under any conditions be parked overnight on any highway or trafficway in any Residential Zoning District in the Borough of Avalon.

(c) A boat, boat trailer, camping and recreational equipment motorized home or modified van, pickup coach, trailer, trailer and camping recreational equipment, travel trailer, or any other prohibited vehicle shall not be parked or stored on any highway or trafficway in a Residential Zoning District in the Borough of Avalon and shall be limited to the interior of on-lot accessory buildings including an automobile garage or to the rear yard on the lot.

Section 4: Penalty.

For each and every violation of the provisions of this Ordinance, any person or persons, firm, partnership or corporation, violating any of the provisions of this Ordinance shall constitute a summary offense, and upon conviction by the Issuing Authority, shall be sentenced to pay a fine of not less than Twenty-Five Dollars (\$25.00), nor more than Three Hundred Dollars (\$300.00), and costs of prosecution, and in default of payment thereof, may be committed by the Issuing Authority to the Allegheny County Jail in conformity with the Pennsylvania Rules of Criminal Procedure for a period not to exceed ten (10) days. Each and every day that any violation continues shall constitute a separate and distinct offense under this Ordinance and shall be subject to separate and distinct penalties hereunder.

Section 5: Effective Date.

This Ordinance shall be effective immediately.

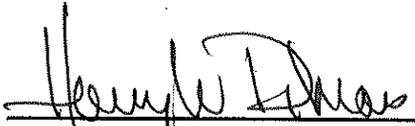
Section 6: Repealer.

Any and all previous Ordinances which are inconsistent with the terms and provisions of this Ordinance are hereby repealed.

ORDAINED AND ENACTED Into law this 21st day of December, 2004.

ATTEST:

BOROUGH OF AVALON



Harry W. Dillmore
Secretary



Edward Klicker
President
Borough Council

Examined and approved by me this 21st day of

December, 2004



Daniel K. Bricmont, Esquire, Mayor