DELAWARE TOWNSHIP
PIKE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2014

**AN ORDINANCE OF DELAWARE TOWNSHIP, PIKE COUNTY, PENNSYLANIA, PROVIDING FOR THE ESTABLISHMENT OF CERTAIN PARKING REGULATIONS, PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO GIVE NOTICE THEREOF, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF DELAWARE TOWNSHIP, PIKE COUNTY, PENNSYLVANIA, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME, AS FOLLOWS:**

**WHEREAS,** it is necessary for the protection of the public and in the interest of the Township of Delaware that parking be regulated on certain Township roads, highways or other public property within the Township; and

**WHEREAS,** Section 1527 of the Second Class Township Code as amended, 53 P.S. §66527, authorizes the Board of Supervisors of Second Class Townships to adopt ordinances to secure the safety of persons or property within the Township; and

**WHEREAS,** Section 2328 of the Second Class Township Code as amended, 53 P.S. §67328, authorizes the Board of Supervisors of Second Class Townships to adopt ordinances regulating parking and further authorizes the imposition of penalties for violations of the parking regulations; and

**WHEREAS,** the Vehicle Code, 75 Pa.C.S.A. §6109(b), authorizes local authorities on streets and highways within their physical boundaries to regulate or prohibit stopping, standing or parking.

1. **PROHIBITED PARKING**

   A. No person shall park a vehicle at any time or allow same to remain parked upon any of the highways or parts thereof described below:
      a. Park Road (T-344); and
      b. Log & Twig Road (T-314).

2. **TEMPORARY "NO PARKING" SIGNS**

   A. The Township Roadmaster may, from time to time, designate roads or sections of roads as "No Parking" for special events, weather conditions or other appropriate reasons.

## 3. SIGNS

A. No parking signs shall be in conformity with Pennsylvania Department of Transportation regulations to enforce the provisions contained herein.

## 4. PENALTY FOR VIOLATION

A. Any owner or operator of any vehicle parked in violation of this Ordinance shall, upon conviction, after hearing in front of the Magistrate, be subject to a fine of Twenty ($20.00) Dollars for every violation, plus cost of said proceeding.

B. The owner of a vehicle, as shown by traffic and/or motor vehicle records of the Commonwealth or any State or other governmental entity as may be determined by the license plate registration for such vehicle, shall be jointly and severally liable with the operator of such vehicle for the fines and penalties established by this Ordinance. Provided, however, that only one conviction of a violation of this Ordinance shall be obtained, whether it be the owner or operator of such vehicle.

## 5. REMOVAL AND IMPOUND OF ILLEGALLY PARKED VEHICLES

A. The State Police are hereby authorized to remove and impound, or to order the removal and impounding of any vehicle parked on any road or highway in violation of this Ordinance.

B. All vehicles so removed and impounded shall be towed to an approved storage garage or impound.

C. Each approved storage garage shall post and maintain a bond in amounts adequate for the indemnification of the owner of any vehicle impounded pursuant to this Ordinance against the loss thereof, or injury or damage thereto, while in the custody of such pound keeper.

D. The towing charge shall be as follows: One Hundred ($100.00) Dollars, or as determined by the Supervisors of Delaware Township from time to time.

E. Neither the Township nor any of its officers or employees shall be held responsible for any damage to any vehicle occurring as a result of towing, impounding or storage of such vehicle parked in violation of this Ordinance.

F. The payment of any towing or impounding charges, in full or in part, authorized by this Ordinance shall be final and conclusive and shall constitute a waiver of any right to recover the monies so paid, unless such payment has been made "under protest".

G. In the event that such payment is made "under protest", the defendant shall be entitled to a hearing before a Court of competent jurisdiction, and the Defendant shall have the same rights to appeal.

H. No vehicle shall be removed under the authority of this Ordinance if, at the time of the intended removal, the owner or operator in charge of said vehicle is present and expresses an intention to immediately remove said vehicle and does so immediately.

I. No tow operator, owner, employee or any person or firm summoned to remove any vehicle shall be considered an agent, servant or employee of the Township.

J. No approved storage garage or pound or its operator, owner or employee shall be considered an agent, servant or employee of the Township.

**6. SEVERABILITY**

A. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of the Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

**7. CONSTRUCTION**

A. The various headings used through this Ordinance are intended only as an aid in its organization, in order to facilitate ease of reading, and are not to be considered a substantive part of this Ordinance. In this Ordinance, unless the context clearly indicates otherwise, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and neuter.

**8. EFFECTIVE DATE**

A. This Ordinance shall become effective immediately.

**9. REPEALER**

A. All ordinances or parts of ordinances and all resolutions or parts of resolutions that are inconsistent with this Ordinance shall be and the same expressly are repealed.

**10. SAVINGS CLAUSE**

A. The provisions of this Ordinance, so far as they are the same as those Ordinances or regulations in force prior to the enactment of this Ordinance, are intended as a continuation of Ordinances and regulations and not as new enactments. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any repealed Ordinances, regulation or parts thereof.

**ORDINANCE ORDAINED AND ENACTED this** 12 **day of** October, **2016,** by the Board of Supervisors of Delaware Township, Pike County, Pennsylvania.

**BOARD OF SUPERVISORS**
**DELAWARE TOWNSHIP**

**DR. JEFFREY SCHEETZ, CHAIRMAN**

**THOMAS M. RYAN, VICE-CHAIRMAN**

**JOHN HENDERSON, SUPERVISOR**

**ATTEST:**

**KRISTA PREDMORE**
**TOWNSHIP ADMINISTRATOR/ ASST. TREASURER**

# The News Eagle

Serving Hawley, Lake Region & Pike County, PA


**• Main Office •**
8 Silk Mill Drive, Ste. 101
Hawley, PA 18428
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**• Pike County Office •**
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Milford, PA 18337
(570) 296-4547

**• Fax Numbers**
(570) 226-4548
or
(570) 296-4548


**NOTICE OF DELAWARE TOWNSHIP PUBLIC HEARING ON PROPOSED ORDINANCE 401A PROVIDING THE ESTABLISHMENT OF CERTAIN PARKING REGULATIONS, PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO GIVE NOTICE AND PROVIDING PENALTIES FOR THE VIOLATION IN THE TOWNSHIP OF DELAWARE, PIKE COUNTY, PENNSYLVANIA**

PLEASE BE ADVISED that the Delaware Township Board of Supervisors will hold a Public Hearing on proposed Ordinance 401A on the 12th day of October, 2016, at 7:00 p.m., at the Delaware Township Municipal Building located at 116 Wilson Hill Road, Dingmans Ferry, Pennsylvania 18328. The purpose of the hearing is to adopt Ordinance 401A which will establish certain parking regulations, provide for the installation of appropriate signs to give notice and provide penalties for the violation. Ordinance 401A will prohibit parking on Log & Twig Road (T314) and Park Road (T344) in the Township of Delaware.

Ordinance 401A can be reviewed in its entirety at the Delaware Township Municipal Office located at 116 Wilson Hill Road, Dingmans Ferry, PA 18328 between the hours of 8:00 a.m. and 4:00 p.m.

**MICHELLE FLEECE**
Being duly sworn, according to law, deposes and says that **SHE** is **PUBLISHER** of **THE NEWS EAGLE,** a newspaper of general circulation, established in 1956, and published twice weekly in the Borough of Hawley, Wayne County, Pennsylvania; and that the advertising notice hereto annexed was published in said newspaper on the following dates:

9/24

And he affiant further declares that he is not interested in the subject matter of the notice, and that all of the allegations as to the time, place and character of publications are true and correct.

Michelle Fleece

Sworn to and subscribed before me
this 24 day
of Sept 2016

Janice Klinkiewicz

EXHIBIT
A
10/12/16 LU
PENGAD 800-631-6989

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JANICE KLINKIEWICZ, Notary Public
Cherry Ridge Twp., Wayne County
My Commission Expires June 28, 2017

*Commonwealth of Pennsylvania*
*County of Pike* } *ss.*

**PUBLIC NOTICE NOTICE OF DELAWARE TOWNSHIP PUBLIC HEARING ON PROPOSED ORDINANCE 401A PROVIDING THE ESTABLISHMENT OF CERTAIN PARKING REGULATIONS, PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO GIVE NOTICE AND PROVIDING PENALTIES FOR THE VIOLATION IN THE TOWNSHIP OF DELAWARE, PIKE COUNTY, PENNSYLVANIA**

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9B(58)

Sue Doty-Lloyd

*being duly sworn, according to law, deposes and says that she is the Publisher of the "Pike County Dispatch," a weekly newspaper of general circulation established in the year 1826 and published at No. 105 West Catharine Street, in the Borough of Milford, County and State aforesaid; and that a printed notice, an exact copy of which is hereto annexed, was published in said newspaper* One *time(s), to wit, in its issues of*

Sept. 29

*A.D. 2016 and the affidavit further states that she is not interested in the subject matter of this notice or advertisement and that all of the allegations of the statement as to time, place and character of publication are true.*

*Pike County Dispatch*

Kelli Doro

*Kelli Doro, Attorney-In-Fact*
*Sue Doty-Lloyd, Principal*

*Sworn to and subscribed to before me this* 29 *day of* September *A.D. 2016*

*Commission Expires* 4-23-2017

EXHIBIT
B
10/12/16 LLC
PENGAD 800-631-6989

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
CHRISTINA HOFFMANN
Notary Public
MILFORD TOWNSHIP, PIKE COUNTY
My Commission Expires Apr 23, 2017