

BOROUGH OF DEER LAKE, SCHUYLKILL COUNTY  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 90

AN ORDINANCE OF THE BOROUGH OF DEER LAKE REGULATING PARKING ON  
BOROUGH-OWNED ROADS, STREETS, ALLEYS AND RIGHTS-OF-WAY.

WHEREAS, in Article 3 of Ordinance #34, enacted August 12, 1975, the  
Borough of Deer Lake established certain parking regulations; and

WHEREAS, the Pennsylvania Borough Code, 8 Pa.C.S.A. Sections 1202(5)  
(make regulations for the safety of the borough), 1202(12) (regulate the streets  
and obstructions to the convenient use of same) and 1202(31) (regulate parking)  
authorize the Borough of Deer Lake to regulate parking on the Borough of Deer  
Lake's roads, streets, alleys and rights-of-way; and

WHEREAS, due to the lay-out of the Borough of Deer Lake's roads, streets,  
alleys and rights-of-way the parking of motor vehicles or similar things at certain  
locations and at certain times along said roads, streets, alleys and rights-of-way  
pose a danger to the traveling public by obstructing views and making the  
passage of emergency vehicles difficult;

NOW, THEREFORE, be it ORDAINED as follows:

Section 1. Definitions.

The following words and phrases shall have the following meanings throughout  
this Ordinance:

"Commercial Motor Vehicle" – as defined in 75 Pa.C.S.A. Section 1603;

"Deer Lake" – the Borough of Deer Lake, Schuylkill County, Commonwealth of  
Pennsylvania;

“Motor Home” – as defined in 75 Pa.C.S.A. Section 102;

“Motor Vehicle” – all self-propelled, wheeled vehicles used for the transportation of people or cargo.

“Park” or “Parked” or “Parking” – to temporarily station, place or leave a Motor Vehicle, Commercial Motor Vehicle, Motor Home or Trailer, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers, on a Deer Lake Street.

“Snow Emergency” – Any period of time when a notice stating “Snow Emergency in Effect” is posted on the Deer Lake official webpage ([deerlakeboro.com](http://deerlakeboro.com)); or during any snow storm in which an accumulation of snow of at least 2 inches has accumulated on the Street; or during any storm in which an accumulation of ice has accumulated on the Street.

“Street” – every Deer Lake-owned road, street, alley or other right-of-way used by the public for Motor Vehicle travel. The term shall include the entire width of the right-of-way whether paved or unpaved.

“Trailer” – an unpowered vehicle designed or intended to be towed by a powered vehicle, commonly used for either the transport of good or materials, or recreational habitation by individuals.

## Section 2. Prohibitions.

No person shall do any of the following, or allow any Motor Vehicle, Commercial Motor Vehicle, Motor Home or Trailer of which he/she is the owner to be Parked in violation of any of the following:

- (A) Park a Motor Vehicle on any Street in a location that is within 100 feet of the center line of the nearest intersection with another Street;
- (B) Park a Motor Vehicle on any Street during a declared Snow Emergency;
- (C) Park a Commercial Motor Vehicle, Motor Home or Trailer on any Street at any time;
- (D) Park a Motor Vehicle on any Street on the day designated for trash collection in Deer Lake prior to the time trash is collected that day on that Street;

(E) Park a Motor Vehicle on any Street in a location that is within 10 feet of a mailbox intended to receive mail delivery, unless the owner of the Motor Vehicle and the person whose mailbox it is are the same person.

### Section 3. Penalties.

Enforcement of this Ordinance may be by criminal action in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Deer Lake Solicitor may assume charge of the prosecution without the consent of the District Attorney. Any person violating any part or provision of this Ordinance, upon conviction, shall pay a fine of no less than \$50.00 nor more than \$1,000.00, plus court costs and reasonable attorney fees incurred by Deer Lake in any enforcement proceeding, and/or may be sentenced to imprisonment either for a violation of any part or provision of this Ordinance or for failure to pay a fine or costs or fees for a term not to exceed 30 days. A separate offense shall arise for each day in which a violation is found to exist, or for each part or provision of this Ordinance which is found to have been violated.

### Section 4. Repealer.

When the provisions of this Ordinance and the provisions of Article 3 Section 1 of Ordinance #34 are inconsistent, the provisions of this Ordinance shall apply. In any respect that the provisions of Article 3 Section 1 of Ordinance #34 and the provisions of this Ordinance are not inconsistent, the provisions of Article 3 Section 1 of Ordinance #34 remain in full force and effect. The penalty provisions of Section 3 of this Ordinance shall replace the provisions of Article 3 Section 2 of Deer Lake Ordinance #34 for all violations of either this Ordinance or Ordinance #34. Any other Ordinance of Deer Lake, or any provisions thereof, which are inconsistent with the provisions of this Ordinance, is/are hereby repealed to the extent necessary to give effect to this Ordinance.



Section 5. Severability.

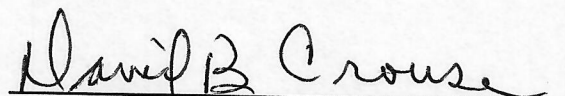
If any section, clause, provision or part of this Ordinance is found by a court of competent jurisdiction to be illegal or unenforceable, the rest and remainder of this Ordinance shall be given full force and effect as if adopted by Deer Lake without the section, clause, provision or part found illegal or unenforceable.


Section 6. Effective Date.

This Ordinance shall be effective immediately after enactment, or on the first day allowed by law thereafter.


ENACTED and ORDAINED this 12 day of Jan, 2021.

BOROUGH OF DEER LAKE

  
Council President

  
Secretary-Attest

Approved:

  
Mayor