

**ORDINANCE NO. 2021 -02**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, CARBON COUNTY, PENNSYLVANIA PROHIBITING PARKING ALONG CERTAIN ROADS WITHIN THE TOWNSHIP; PROVIDING FOR REMOVAL AND IMPOUNDING OF VEHICLES PARKED IN VIOLATION OF THIS ORDINANCE; AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.**

The Board of Supervisors of Franklin Township ("Board of Supervisors") hereby ordains:

**Section 1. Definitions and Interpretation.**

a. Words and phrases, when used in this ordinance, except for sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code, 75 Pa. C.S.A. § 101, et seq., as amended ("Vehicle Code"), except that, in this ordinance, the word "street" may be used interchangeably with the word "highway", and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

b. "Township" shall mean Franklin Township, Carbon County, Pennsylvania.

c. In this ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**Section 2. Parking Prohibited at All Times in Certain Locations.** Parking shall be prohibited at all times in the following locations:

<b>Street</b>	<b>Side</b>	<b>Between</b>
Fresh Meadow Drive (T-538)	Both	Green Street (T-452) and Cul-de-sac turnaround area (entire street)
Green Street (T-452)	Both	Pohopoco Drive (T-437) and Jefferson Street (T-417)
Pohopoco Drive (T-437)	Both	Franklin/Towamensing Township Boundary Line and Harrity Road (SR-2007) (entire street within Franklin Township)

**Section 3. Penalties.** Any person who violates any provision of this ordinance shall, upon conviction, be sentenced to pay a fine in the amount of one hundred dollars (\$100.00), or the maximum amount permitted by law, whichever is lesser. Each day that a violation of this ordinance continues shall constitute a separate offense.

1  
**Section 4. Authority to remove and impound.** The Township, its parking enforcement personnel, and any police officer with authority to act in the Township, including state police officers, shall have the authority to remove and impound or to order the removal and impounding of any vehicle parked in violation of this ordinance.

**Section 5. Designation of Approved Storage Garages; Bonding; Towing and Storage.** Removal and impounding of vehicles under this ordinance shall be done only by approved garages that shall be designated from time to time by the Board of Supervisors. Every such garage shall submit evidence to the Board of Supervisors that it is bonded or has acquired liability insurance in an amount satisfactory to the Board of Supervisors as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the garage keeper for the purpose of towing or storage. The approved storage garage shall submit to the Board of Supervisors its schedule of charges for towing and storage of vehicles under this ordinance, and, when the schedule is approved by the Board of Supervisors, those charges shall be adhered to by the approved storage garage. No different schedule of charges shall be adopted without approval of the Board of Supervisors, and no different charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this ordinance by any approved storage garage.

**Section 6. Notification of Removal and Impounding.** Within seventy two (72) hours from the time of removal of any vehicle under authority granted by this ordinance, notice of the fact that the vehicle was removed shall be sent by the Township to the owner of record of the vehicle. The notice shall designate the place from which the vehicle was removed, the reason for its removal and impounding and the garage in which it was impounded.

**Section 7. Records of Vehicles Removed and Impounded.** The Township shall cause a record to be kept of all vehicles impounded under this ordinance and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.

**Section 8. Enforcement.** This ordinance may be enforced by parking enforcement personnel appointed by the Board of Supervisors, or by any police officer, including state police officers, with authority to act in the Township.

**Section 9. Restrictions on removal of vehicles.** No vehicle shall be removed under the authority of this ordinance if, at time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.


**Section 10. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 11. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

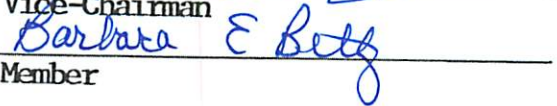
**Section 12. Effective Date.** This ordinance shall become effective on July 27, 2021.

Enacted and ordained this 20<sup>th</sup> day of July, 2021.

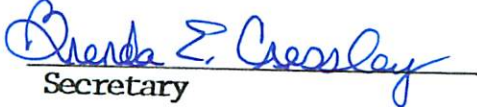
**BOARD OF SUPERVISORS  
TOWNSHIP OF FRANKLIN**

  
Chairman

  
Vice-Chairman

  
Member

ATTEST:

  
Secretary