

BOROUGH OF PORTLAND  
NORTHAMPTON COUNTY, PENNSYLVANIA

**ORDINANCE NO. 2021-1**

AN ORDINANCE OF THE BOROUGH OF PORTLAND, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING BOROUGH ORDINANCE # 192; PROVIDING FOR NO PARKING ON A SECTION OF NORTH DELAWARE DRIVE (STATE ROUTE 611) AND OTHER MISCELLANEOUS ITEMS.

WHEREAS, 75 Pa. C.S. §6122 permits the Borough to erect traffic control devices, including no parking signs, on a state-designated highway as provided under the Pennsylvania Department of Transportation's regulations; and

WHEREAS, 67 Pa. Code §212.5(b)(1)(iii) permits the Borough to install and maintain traffic control devices, including no parking signs, in accordance with 67 Pa. Code §212.114(a)(8), which provides that parking may be restricted along the edge of a roadway when the width of the shoulder of the road is not sufficient to allow a vehicle or its load to park completely off the roadway; and

WHEREAS, the Borough Council previously enacted Borough Ordinance #192, which provides generally for the regulation of traffic and parking in the Borough of Portland, and prohibits parking in certain areas, and has been amended over time by prior Borough Ordinances; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough residents, property owners and businesses to restrict vehicle parking on the east and west sides of North Delaware Drive (State Route 611) from its intersection with Borough street Delaware Avenue, and continuing north for 500 feet, to remove possible obstructions and facilitate the flow of traffic moving along North Delaware Drive (State Route 611); and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Portland, Northampton County, Pennsylvania, as follows:

1. Borough Ordinance #192, Article III, which provides that parking is prohibited in certain locations enumerated thereunder, shall be amended to add a fourth location where parking is prohibited, which fourth location is on North Delaware Drive (State Route 611), on the East and West sides, beginning at Delaware Avenue and continuing North for 500 feet.
2. The appropriate Borough officials or employees shall erect one or more official traffic control devices, including no parking signs, on North Delaware Drive (State Route 611) giving notice of the traffic regulation in this Ordinance, in such locations as is appropriate.

3. Violations of this Ordinance shall be enforceable in accordance with the provisions of Borough Ordinance #192, Article III, Section 7, penalty for violation, as amended.
4. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar as the same are inconsistent herewith.
5. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be illegal or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.
6. This Ordinance shall be immediately effective.

DULY ENACTED AND ORDAINED, this 7th day of June, 2021, by Portland Borough Council in public session duly assembled.

ATTEST:

BOROUGH OF PORTLAND  
NORTHAMPTON COUNTY

Carol G. Hummel  
Borough Secretary

Stephanie D. Stech  
Council (Vice) President

APPROVED this 7th day of June, 2021,

Mayor of Portland Borough:

Lance Prator  
Lance Prator, Mayor

BOROUGH OF PORTLAND

ORDINANCE # 192

AN ORDINANCE REGULATING TRAFFIC AND PARKING IN THE BOROUGH OF PORTLAND, PRESCRIBING PENALTIES FOR VIOLATIONS, AND REPEALING CERTAIN PRIOR ORDINANCES.

The Borough of Portland hereby ordains as follows:

ARTICLE I

General Regulations

Section 1. Definitions and Interpretation. Words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in The Vehicle Code of Pennsylvania, as now in force or, as hereafter amended, enacted or reenacted, except in those instances where the context clearly indicates a different meaning. The singular shall include the plural, the plural shall include the singular, and masculine shall include feminine.

Section 2. Manner of Adopting Permanent Traffic and Parking Regulations. All traffic and parking regulations of a permanent nature shall be enacted as ordinances or parts of ordinances or as amendments to ordinances of the Borough of Portland.

Section 3. Special Powers of the Mayor. The Mayor is hereby given power to regulate, restrict, and prohibit traffic in limited areas for limited times:

- (a) In case of fire, flood, storm or other emergency;
- (b) In order to facilitate private or public works;
- (c) In order to facilitate processions and public events;

(d) To create play highways whereon sledding and coasting shall be permitted and whereon vehicles shall be prohibited. Such temporary and emergency regulations shall be enforceable by the Mayor and the Police of the Borough in the same manner as permanent regulations. Any person who shall operate a vehicle in violation of any such regulation or shall move, remove, injure, destroy or deface any sign erected to give notice of any such regulation, shall be liable to the penalty set forth in the law or elsewhere in this Ordinance for a violation of such nature, and in case of any violation for which no specific penalty is set forth in the law or elsewhere in this Ordinance, to a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than ten (10) days.

Section 4. Experimental Regulations. The Borough Council may, from time to time, designate locations upon or along the streets and alleys in the Borough where, for a period of not more than three (3) months, specified traffic and parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, restrictions and prohibitions shall be effective just as if they had been specified in this Ordinance. No person shall violate any such regulation, prohibition or restriction or shall move, remove, injure, destroy or deface any sign or marking erected by authority of this section. Any person who shall violate any of the provisions of this section 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, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Ordinance, to a fine of not more than fifty dollars (\$50.00) and costs of prosecution, and, in default of payment thereof, to imprisonment for not more than five (5) days. Provided: the purpose of this section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough regulating traffic and parking.

Section 5. Authority of Officers. Police officers of the Borough are hereby authorized, subject to the supervision of control of the Mayor, to direct traffic on the streets and alleys in the Borough and at intersections thereof, and to enforce the ordinances of the Borough and the statutes of the Commonwealth of Pennsylvania pertaining to traffic and parking. Members of the Fire Department when at the scene of a fire are hereby empowered and authorized to direct and to assist the police in directing traffic thereat or in the immediate vicinity and shall, for such purposes, have the power of a police officer for directing traffic only.

Section 6. Crosswalks, Safety Zones, Traffic Lanes, Parking Spaces and other Signs and Markings. The Mayor shall have the power and authority to establish, change and abolish, and to designate by appropriate markings and/or signs, crosswalks, safety zones, traffic lanes and parking spaces, by and through the work force of the Street Department, as well as to install signs and/or to place markings in order to bring to the attention

of operators of vehicles the provisions of the laws of Pennsylvania and of the ordinances of the Borough regulating traffic and parking.

Section 7. Burning on Sidewalks, Highways, Streets or Alleys.

No person shall burn any material on sidewalks, highways, streets or alleys in the Borough of Portland. Any person who shall burn on sidewalks, highways, streets or alleys shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of payment of such fine and costs to imprisonment for not more than three (3) days.

ARTICLE II

Traffic

Section 1. Motor Vehicles not to be Driven on Sidewalks.

No person shall operate any motor vehicle, motor bike, or motor scooter longitudinally upon any sidewalk in the Borough, nor shall any person operate any such vehicle upon or across any sidewalk except in order to gain access to or egress from a driveway or alley at such location where the curb, if such sidewalk shall be curbed, shall have been properly cut down for the purpose. Any person who shall be in violation of this section and upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than five (5) days.

Section 2. Traffic Signals at Certain Intersections. At the following intersections, official traffic signals shall be erected (or if heretofore erected are hereby ratified), and

traffic at such intersections may be directed by such signals:

1. Delaware Ave. and State St.

Any operator of a vehicle or tractor who shall disobey the directions of any such traffic signal shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than three (3) days.

Section 3. Speed Limits. Except as otherwise established by law or ordinance, the following speed limits are hereby established: On Route 611 from Delaware Avenue to State Avenue the speed limit shall be 30 miles per hour; On all other streets in the Borough the speed limit shall be 25 miles per hour.

Any person who shall operate a vehicle or tractor at a speed in excess of that hereby established therefor shall, upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution and in default of payment thereof, to imprisonment for not more than five (5) days.

Section 4. One-Way Streets Established. The following are hereby established as one-way streets.

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Vehicular Traffic</u>
1. Washington St.	Weidman St.	First St.	South

Any person who shall operate a vehicle or tractor upon any street or portion thereof hereby designated as a one-way street, in other than the direction hereby established for vehicular traffic thereon shall, upon conviction thereof, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of

prosecution, and in default of payment of such fine and costs, to imprisonment for not more than five (5) days.

Section 5. Stop Intersections Established. The following intersections are hereby declared to be stop intersections, and official stop signs shall be erected (or are hereby confirmed if heretofore erected), in such a position as to face traffic approaching the second-named street upon the first named street, in the direction or directions hereby indicated. All vehicles and tractors approaching the intersection upon the first-named street, in the direction or directions hereby indicated in each case, shall come to a full stop, within a reasonable distance, before entering such intersection:

<u>Stop Street</u>	<u>Through Street</u>	<u>Direction of Travel</u>
1. Jacoby Creek Rd.	State St.	Eastbound & Westbound
2. Pennsylvania Ave.	State St.	Southbound
3. Main St.	Main St.	Eastbound
4. Main St.	Main St.	Westbound
5. Northampton St.	Main St.	Southbound
6. Jennings St.	Main St.	Northbound
7. Main St.	Delaware Ave.	Eastbound
8. Pennsylvania Ave.	Main St.	Northbound
9. Pennsylvania Ave.	Main St.	Southbound
10. Delaware Ave.	Rt. 611	Southbound
11. Collins St.	Jones St.	Southbound
12. First St.	Delaware Ave.	Eastbound
13. Washington St.	First St.	Southbound
14. State St.	Rt. 611	Southbound



- |                |                   |                                    |
|----------------|-------------------|------------------------------------|
| ⑮ Weidman St.  | Delaware Ave.     | Eastbound                          |
| ⑯ Ruth St.     | Delaware Ave.     | Eastbound                          |
| ⑰ Division St. | Pennsylvania Ave. | <u>Westbound &amp; Eastbound</u> ② |

Any operator of a vehicle who shall fail to come to a full stop, within a reasonable distance, before entering any such stop intersection, shall upon conviction thereof, be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than three (3) days.

Section 6. Play Highways Authorized. The Mayor is hereby authorized to designate as play highways, whenever he shall deem such action advisable, and for whatever period of time directed by him, any portion of any street or alley in the Borough, whereon sledding and coasting shall be permitted. Such play highway shall be set apart for the purpose under the direction of the Mayor. No person shall operate any motor vehicle or tractor upon any play highway at any time when such play highway shall be so designated, except in case of emergency, with special permission of the Mayor or police officer in charge, who shall first clear such play highway of all persons using the same for the purpose for which it was set aside. Any person who shall violate any provision of this section, shall upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and in default of such fine and costs, to imprisonment for not more than five (5) days.

Section 7. Bicycles. There shall be no bicycles or self-propelled objects such as skate boards driven on the sidewalks of

the Borough of Portland. Any persons who shall violate any provision in this Section, shall upon conviction thereof, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution, and in default of such fine and costs, to imprisonment for not more than five (5) days. If offender is a minor, parents or guardians are equally responsible and shall be also, upon conviction of the offender, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution, and in default of such fine and costs to imprisonment for not more than five (5) days.

### ARTICLE III

#### Parking

Section 1. Parking without Lights Authorized. The boundary limits of the Borough of Portland are hereby established as a zone in which motor vehicles may remain standing without lights, and all highways, streets, and alleys within such boundary limits are hereby designated as streets where motor vehicles may remain standing without lights.

Section 2. Vehicles to Park within Marked Spaces. Wherever a space shall be marked off on any highway, street or alley for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

Section 3. Parking Prohibited in Certain Locations. Parking shall be prohibited at all times in the following locations:

<u>Street</u>	<u>Side</u>	<u>Between</u>
1. Delaware Ave.	West	At State St. for 20 ft.
2. Main St.	South	Delaware Ave. to Collins Ave.
3. State St.	South	Delaware Ave. to Jacoby Creek Rd.

Section 4. Parking Time Limited in Certain Locations, Certain Days and Hours. It shall be unlawful to park a vehicle or to allow the same to remain parked, in any of the following locations, at any time hereby respectively stated, for longer than the maximum length of time hereby specified:

<u>Street</u>	<u>Side</u>	<u>Between</u>	<u>Maximum Parking Time</u>	<u>Days</u>	<u>Hours</u>
Delaware Ave.	West	State & inter-section of Delaware Ave. (Route 611)	2 hrs.	Every Day	8 a.m. to 8 p.m.

Section 5. Parking During Snow Removal. When there is 2 or more inches of accumulated snow in the Borough of Portland, there shall be no parking on any streets in Portland, until the snow removal has been accomplished. If vehicle is not removed during the accumulation of 2 or more inches of snow, the car will be towed at the owner's expense.

Section 6. Bus Stops. Bus stops are hereby authorized and created at such location as shall be determined, fixed and appropriately marked by the Mayor. It shall be unlawful for any person to park any vehicle, other than a bus engaged in loading, unloading or awaiting passengers, in a bus stop at any time.

Section 7. Penalty for Violation. Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not less than five dollars

(\$5.00) or more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than three (3) days. Provided: for each violation of any provision of this article (except for overtime parking), the owner or operator of the vehicle may, within ten (10) days of the time of such violation, pay at Police Headquarters, as a penalty for and in full satisfaction of such violation, the sum of two dollars (\$2.00) and in the case of an overtime parking violation the sum of fifty cents (\$.50) and failure to do so within the aforesaid time limits shall render such owner or operator liable to the penalty hereinabove prescribed for such violation in a summary proceeding.

#### ARTICLE IV

##### Interpretation and Repeal

Section 1. Severability. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted and such unconstitutional, illegal or invalid provision not been included therein.

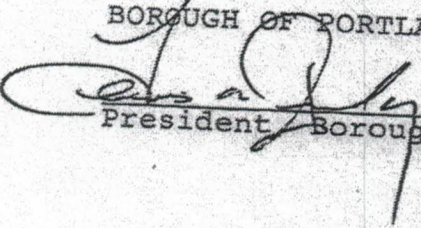
Section 2. Provisions to be Continuation of Existing Regulations. The provisions of this Ordinance, so far as they are the same as those of ordinances and regulations in force immediately prior to the enactment of this Ordinance, are intended

as a continuation of such 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 right or penalty or to punish any offense under the authority of any of these repealed ordinances or regulations.

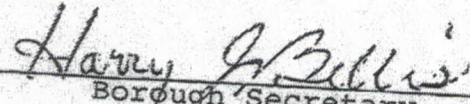
Section 3. Effective Date. This Ordinance shall become effective on

ENACTED into an Ordinance and passed at the Borough of Portland, Pennsylvania this 2 day of Jan, 1979.

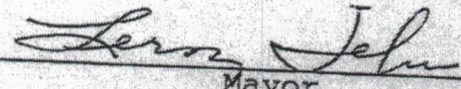
BOROUGH OF PORTLAND

  
President Borough Council

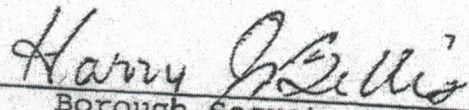
ATTEST:

  
Borough Secretary

Approved the 2 day of Jan, 1979.

  
Mayor

ATTEST:

  
Borough Secretary