

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF BELLEFONTE, CENTRE COUNTY, PENNSYLVANIA, AMENDING AND REPLACING CHAPTER 530, SECTION 41, CAMPERS, MOTOR HOMES AND RECREATIONAL VEHICLES. [Added 8-5-1991 by Ord. No. 1052].

BE IT ENACTED AND ORDAINED by the Council of the Borough of Bellefonte, Centre County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

ARTICLE I

1. Purpose.

The Bellefonte Borough Council has determined that hazardous and unsafe traffic conditions within the Borough exist because Large Vehicles are often parked or stored on streets or in the front yard setback areas in the Borough. These hazardous and unsafe traffic conditions create a nuisance, reduce visibility and are detrimental to the public health, safety and welfare of the residents and others, impede emergency vehicles (including fire trucks, ambulances, etc.) and interfere with the peaceful and quiet enjoyment of the residents in their homes and neighborhoods. The Borough Council has determined that the following language shall replace Chapter 530 Section 41 of the Ordinances to remediate the foregoing.

2. Title.

The Ordinance shall be renamed to RESTRICTIONS ON THE PARKING AND STORING OF LARGE VEHICLES.

3. Definitions.

For the purpose of this Ordinance, the following terms shall have the meanings ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise:

- a. "Large vehicles" shall mean the following recreational, commercial or private vehicles, as defined in 75 Pa.C.S.A. § 102, and as amended from time to time: Articulated Bus, Combination, Construction Truck, construction trailer, contractor trailer, Driveaway-towaway Operation, Farm Equipment, Full Trailer, House Trailer, Limousine (capable of carrying ten or more passengers), Maxi-cube Vehicle, Mobile Home, Motor Carrier Vehicle, Motor Home, Recreational Vehicle or Trailer, Semitrailer, Stinger-steered Automobile or Boat Transporter, Tow Dolly, Tow Truck, Trailer, Truck-camper, Truck Trailer, and Truck Tractor.
- b. "Motor Vehicle" shall mean a vehicle which is self-propelled except a self-propelled wheel chair, an electric personal assistive mobility device, or a vehicle which is propelled solely by human power. Motor Vehicles include Large Vehicles as defined herein.

c. "Nuisance" shall mean any condition, structure or improvement which constitutes a danger or potential danger to the health, safety or welfare of citizens of the Borough or causes a blighting effect in neighborhoods.

d. "Park or Parking" shall mean the halting of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

e. "Person" shall mean a natural person, firm, partnership, association, corporation or other legal entity.

f. "Recreational Vehicle" shall mean a vehicle used customarily for human habitation or recreational activities during tours or vacation periods including, but not limited to, travel homes, travel trailers, motor homes, tiny houses, truck campers, tent campers, trailers, boats and trailers, snowmobiles and trailers, jet ski and trailers, and any other similar vehicle.

g. "Private Vehicle" shall mean a vehicle used for domestic non-commercial use.

h. "Street" shall mean any road, avenue, highway, court, cul-de-sac, alley, public way, un-ordained right of way, or public square used as a public thoroughfare within the municipal limits of the Borough of Bellefonte.

i. "Trailer" shall mean a vehicle designed to be towed by a motor vehicle.

j. "Truck" shall mean any large commercial motor vehicle which is or may be used for attaching or pulling a trailer. This term shall also refer to but not be limited to, a tractor trailer and/or truck tractor, straight body truck, stake-body truck, flatbed truck, storage truck, refrigerator truck, any large commercial motor vehicle, dump truck, tow truck, tri-axel vehicle, and/or any heavy motor vehicle designed for carrying or pulling heavy loads.

k. "Truck trailer" shall mean any motor vehicle which attaches to a trailer and which is primarily used for the transportation of goods, merchandise and materials, and which, when in combination or on its own, totals thirty (30) feet or more in length. This term is commonly referred to as a "tractor trailer" or an "18 wheel" vehicle. This term is not meant to include vehicles which are making local deliveries in permitted areas.

ARTICLE II

1. Street Parking of Large Vehicles Restricted

a. No person shall park, cause to be parked, or permit to be parked any Large Vehicle on any street within the municipal limits of the Borough of Bellefonte.

2. Exceptions.

The regulations set forth in this Ordinance shall not apply to:

a. Emergency Vehicles as defined by 75 Pa.C.S.A. § 102.

- b. Borough-owned Motor Vehicles.
- c. Motor Vehicles operated by the U.S. Postal Service.
- d. Motor Vehicles actively engaged in the construction or repair of streets, curbs, sidewalks, or utilities.
- e. A large vehicle may be parked on a street or in any driveway on a residential lot with the permission of the owner of such lot for the purpose of loading or unloading the vehicle, for general maintenance of the vehicle, and for visiting not to exceed 24 hours.
- f. the parking of any truck or truck trailer or tri-axle vehicle for the purpose of the delivery or pick-up of merchandise, material, or goods provided that the parking of said vehicle shall terminate immediately upon conclusion of the delivery or pick-up of merchandise, material or goods

3. **Off-Street Parking or Storage of Large Vehicles Restricted**

- a. The off-street parking or storage of large vehicles shall not be permitted.

b. Exceptions.

The following are exceptions to this regulation:

- i. Each vehicle shall be stored fully within the rear yard, or within an interior side yard (the side of the yard between two buildings within the same block)
- ii. When stored within a rear yard, the vehicle shall meet the setback requirements of an accessory building.
- iii. When stored in an interior side yard, the vehicle shall not project beyond the front wall of the house.
- iv. When a storage area is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the storage area shall not project beyond the front yard setback required on the lot to the rear of such corner lot. In no instance shall a storage area be located nearer than ten feet to a street right-of-way line.
- v. Vehicles shall not be used to store flammable or explosive fuels or materials that are contrary to federal, state or local regulations.
- vi. Vehicles shall be fully operable and kept in good repair, and shall display the current license plate and/or registration as may be appropriate under state law for the particular type of vehicle. For the purpose of this subsection, the term "current" shall mean having an expiration date not more than six months old in the case of a semiannual or seasonal license.
- vii. At no time shall a recreational vehicle be used for living or housekeeping purposes, nor shall it be connected to water, gas, electrical or sanitary sewer facilities, except for the purpose of heating, cooling or battery charging preparatory to departure, or for general vehicle maintenance purposes.

Article III

Temporary RV Parking Permit Terms & Conditions

1. The purpose of authorizing issuance of temporary Recreational Vehicle parking permits is to allow an out-of-town visitor who owns a recreational vehicle to park on a street directly in front of (or on the side of the property if it is a corner lot) the residence or in the front yard area to which the out-of-town visitor is visiting for a limited time period, in order to provide flexibility in administration, as deemed appropriate by the Chief of Police, or his/her designee.
2. This permit is issued to the undersigned ONLY for their sole use. The permit is non-transferable. Parking permits must be properly displayed at all times in the lower driver's side of the windshield or nearest window or the RV for which it has been issued so that it is clearly visible from the exterior of the vehicle. Permits shall be displayed on the side of the RV for which it has been issued so that it is visible from the street, which is usually the left side. Failure to properly display temporary permits could subject the vehicle to citation and/or towing.
3. The Borough reserves the right to revoke the permit when, in the sole opinion of the Borough, the permit is being misused by the applicant.
4. Parking of an RV on a street beyond the dates listed on the permit is prohibited and may result in fines and the recreational vehicle being towed at the owner's expense. Temporary exceptions may be made by obtaining authorization from the Bellefonte Police Department.
5. Each out-of-town visitor desiring a temporary Recreational Vehicle parking permit shall file with the Police Department a completed Borough application form, signed under penalty of perjury, containing the following:
 - The name, address, and phone number of the registered owner of the designated recreational vehicle;
 - The name, address, and phone number of the applicant(s) for the permit;
 - The registration from the Pennsylvania Department of Transportation, or equivalent agency for another state, for the recreational vehicle;
 - The name, address, and phone number of the resident who is being visited;
 - The license number, make, and model of the designated recreational vehicle;
 - The dates for which the permit is requested; and
 - Additional information the parking services department may require.

Article IV

Temporary Construction or Contractor Trailer Parking Terms and Conditions

A. Construction or contractor Trailers may be placed on a street directly in front of (or on the side of the property if it is a corner lot) the residence for which construction is occurring, provided that the following requirements are met:

(1) Application is made to the Borough office stating the location of the placement of the Construction Trailer and the period of time it will be on the street. The Borough reserves the right, in its sole opinion, to not issue a permit if the location is deemed to be hazardous or unsafe.

(2) A fee set forth by Council resolution shall be paid upon application to the Borough.

(3) No construction or contractor trailer placed on a street shall exceed eight feet in width or take up more than one parking space.

(4) Any construction or contractor trailer placed in a street shall have reflective material on the end that faces the direction of traffic and shall have at least one orange marker cone positioned at the corner facing the direction of traffic.

B. No construction or contractor trailer shall be used for more than 30 days without permit renewal. This section does not apply to construction trailers that may be placed on private property in the rear yard area. The Borough reserves the right to revoke the permit when, in the sole opinion of the Borough, the permit is being misused by the applicant.

ARTICLE V

The provisions of any ordinances in effect upon the date of passage of this Ordinance which are contradictory to the terms hereof are hereby revoked and rendered null and void.

The provisions of this Ordinance are 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 the legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

ARTICLE VI

PENALTIES

1. Any person who violates the provisions of this ordinance shall be subject to a summary offense before the magisterial district justice. Upon finding of a violation, a fine shall be imposed of not more than \$350, together with court costs. Any large vehicle parked on a street in violation of this ordinance may also be towed at the owner's expense.
2. Each day in which a violation occurs or continues shall be deemed a separate violation hereof.

This Ordinance shall take effect month/day/2020.

ENACTED AND ORDAINED by the Bellefonte Borough Council on this ____ day of _____, 2020.

ATTEST:

**BOROUGH COUNCIL OF
THE BOROUGH OF BELLEFONTE**

By: _____
Secretary

By: _____
Council President

Approved this ____ day of _____, 2020 .

Mayor