

**BOROUGH OF CLARKS SUMMIT
COUNTY OF LACKAWANNA
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 2021-03**

**AN ORDINANCE LIMITING PARKING ALONG THE 100 BLOCK
OF CLAREMONT AVENUE IN THE BOROUGH OF CLARKS SUMMIT**

WHEREAS, the Borough of Clarks Summit (the “Borough”) is a Borough and Municipality in the Commonwealth of Pennsylvania organized and governed according to the Borough Code; and

WHEREAS, the Borough Code authorizes Borough Council to regulate, among other things, parking (Section 1202(31)); the streets (Section 1202(12)); the towing of vehicles, (Section 1202(34)); and the general regulation of nuisances and protections for the health, safety and welfare of the public (Sections 1202(4) and 1202(5))(See 53 P.S. §§ 46202(4), (5), (12), (31) and (34)); and

WHEREAS, the Borough Council has been granted broad powers under the Borough Code at 53 P.S. § 46201 to act for the benefit of the public welfare; and

WHEREAS, the Borough Council has determined that it is necessary for the safety of Borough residents and property owners that parking along a certain portion of Claremont Avenue be prohibited;

NOW, THEREFORE, it is hereby ORDAINED and ENACTED by the Borough Council of the Borough of the Borough of Clarks Summit, County of Lackawanna and Commonwealth of Pennsylvania, as follows:

Section 1. Parking Prohibited Along Portion of Claremont Avenue

Parking shall be prohibited on the Northwest side of the 100 Block of Claremont Avenue starting at a point 148 feet below the intersection with School Street and extending 115 feet in the direction of the intersection with South State Street. For further reference, this prohibition on parking will be in front of the properties which are currently located at 107 Claremont Avenue and 113 Claremont Avenue.

Section 2. Penalties for Violations

Unless another penalty is expressly provided by the Pennsylvania Vehicle Code, any person or registered owner of any vehicle who or which violates any provision of this Ordinance shall be subject to a minimum fine in the amount of \$50.00 per incident plus any costs associated with the prosecution of said violation and costs for the towing and storage of vehicles.

Section 3. Nonexclusive Remedies

The Penalties set forth in Section 1 shall be independent, non-mutually exclusive separate remedies, all of which shall be available to the Borough as may be deemed appropriate for carrying out the purposes of this Part. The remedies and procedures provided in this Part are not intended to supplant or replace to any degree the remedies and procedures available to the Borough in the case of a violation of any other Borough of Clarks Summit Code or Codified Ordinances, whether or not such other Code or Ordinance is referenced in this Part, and whether or not an ongoing violation of such other Code or Ordinance is cited as the underlying ground for a finding of a violation of this Part.

Section 4. Severability

If any provision, paragraph, word, section, or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsections shall not be affected and shall remain in full force and effect.

Section 5. Existing Ordinances, Resolutions and Policies

All relevant ordinances, regulations, and policies of the Borough not amended shall remain in full force and effect, including the ordinances relating to the Winter Parking Regulations (§407 of Ordinance No. 2001-02) and the Parking Time Limitation on the North Side of Clark Avenue at S. State Street (§405 of Ordinance No. 2001-02).

Section 6. Effective Date

This Ordinance shall be effective immediately upon passage and approved in the manner prescribed by law.

ORDAINED AND ENACTED into an Ordinance this 7th day of July, 2021

Borough Council of the Borough of Clarks Summit

GERMAINE CAREY
Council President

APPROVED:

Approved this 7th day of July, 2021

HERMAN JOHNSON
Mayor; Borough of Clarks Summit

ATTEST: Adopted by the Clarks Summit Borough Council this 7th day of July, 2021

VIRGINIA KEHOE
Borough Manager/Secretary

SEAL