

**BOROUGH OF CLARKS SUMMIT  
COUNTY OF LACKAWANNA  
COMMONWEALTH OF PENNSYLVANIA  
ORDINANCE NO. 2021-04**

**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;

WHEREAS, the Borough Council had previously adopted Chapter 15 of the Borough Code (relating to “Motor Vehicles and Traffic”) on or about November 2, 1983 through Ordinance 1983-05;

WHEREAS, the Borough Council has been notified that properties situated along the 100 Block of Claremont Avenue in the Borough have experienced an infiltration of stormwater runoff;

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;

WHEREAS, the Borough Council had previously adopted Ordinance No. 2021-03 which prohibited parking along the Northwest side of the 100 Block of Claremont Avenue;

WHEREAS, since the enactment of Ordinance No. 2021-03, the Borough Council has fielded complaints from the owners of properties situated along the 100 Block of Claremont Avenue who have requested reconsideration of the aforementioned legislation;

WHEREAS, after conferring with residents and the Borough's Engineer, the Borough Council had determined that Ordinance No. 2021-03 should be repealed and replaced in order to appropriately address issues relating to stormwater run-off along Claremont Avenue; and

WHEREAS, the Borough Council has identified the need to add a designated handicapped parking space in front of the property located at 103 Claremont Avenue, Clarks Summit, Pennsylvania 18411.

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 85 feet below the intersection with School Street and extending 328 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 with odd-numbered addresses, including the properties with the mailing addresses of 105, 107, 113 and 115 Claremont Avenue. Handicapped parking will be permitted for one (1) vehicle in front of the property with a mailing address of 103 Claremont Avenue.

**Section 2.     Handicapped Parking Sign**

One (1) designated handicapped parking space will be placed on the Southeast side of the 100 Block Claremont Avenue in front of the property with a mailing address of 103 Claremont Avenue, Clarks Summit, Pennsylvania, 18411.

**Section 3.     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 4. Nonexclusive Remedies**

The Penalties set forth in Section 3 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 5. 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 6. Existing Ordinances, Resolutions and Policies**

This ordinance shall fully repeal and replace Ordinance No. 2021-03. All other relevant ordinances, regulations, and policies of the Borough not amended shall remain in full force and effect.

**Section 7. 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 29<sup>th</sup> day of SEPTEMBER 2021

**Borough Council of the Borough of Clarks Summit**



**GERMAINE CAREY**  
Council President

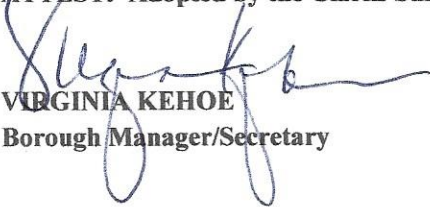
**APPROVED:**

Approved this 29<sup>th</sup> date of SEPTEMBER 2021



**HERMAN JOHNSON**  
Mayor; Borough of Clarks Summit

**ATTEST:** Adopted by the Clarks Summit Borough Council this 29<sup>th</sup> date of SEPTEMBER 2021



**VIRGINIA KEHOE**  
Borough Manager/Secretary

