

ORDINANCE NO. 418

AN ORDINANCE AMENDING TELFORD BOROUGH'S CODE OF ORDINANCES BY
ADDING SECTION 209 TO CHAPTER 10 – HEALTH AND SAFETY, AND SECTION 410
TO CHAPTER 15 – MOTOR VEHICLES AND TRAFFIC

The Borough Council of The Borough of Telford, Montgomery and Bucks Counties, Pennsylvania, hereby ordains:

Section 1 – Adoption of The Borough of Telford Code of Ordinances

Whereas, the Borough Council of Telford Borough has previously enacted and ordained “The Borough of Telford Code of Ordinances” which established requirements within Telford Borough, and now has identified a need to amend the Sections identified below:

Section 2 – Amendments

The following portions of “The Borough of Telford Code of Ordinances” are hereby revised as follows:

A. Amend Chapter 10 – Health and Safety, Part 2 – Storage of Property Nuisances by adding the following Section:

§10-209 Recreational Equipment within the Street/Road Right-of-Way

1. No person shall place or cause to have placed any piece of recreational equipment within the Right-of-Way associated with any Borough street or State road within Telford Borough.
The Right-of-Way shall be deemed to include an adjacent sidewalk.
2. Any person who does so shall be in violation of this Ordinance, and shall remove the piece of recreational equipment within forty-eight (48) hours after written notice from the Borough is delivered to the address at which the violation has occurred. If the subject recreational equipment is not removed from the Right-of-Way within forty-eight (48) hours, the property owner may be subject to enforcement action and fines in accordance with the Code of Ordinances.
3. Telford Borough may, at its discretion, after the forty-eight (48) hour Notification Period has expired, remove the recreational equipment and invoice the property owner for all costs associated with enforcement and removal of the recreational equipment plus ten percent (10%).

B. Amend Chapter 15 - Motor Vehicles and Traffic, Part 4 - General Parking Regulations by adding the following Section:

§15-410 Parking on Unapproved Surfaces

1. Any motor vehicle subject to state registration requirements and/or designed to traverse any Borough street or state road within Telford Borough (“motor vehicle”) shall be subject to the following restrictions:
 - A. No portion of a motor vehicle shall be parked on any unapproved surface, or a surface not designed to support the motor vehicle.
 - B. For parking in a street or road, no portion of a motor vehicle shall be parked outside of the cartway.
 - C. No portion of a motor vehicle shall be parked on a sidewalk, or on the area between a sidewalk and the cartway.
2. Upon any violation of this restriction, the registered owner of the motor vehicle may be subject to enforcement action pursuant to the requirements of the Vehicle Code for the Commonwealth of Pennsylvania, and the Code of Ordinances, including applicable fines, removal and/or storage of the motor vehicle in accordance with Chapter 15 - Part 5 of the Code of Ordinances, together with reimbursement to the Borough for all costs incurred in the removal and storage of the motor vehicle.

Section 3 – Inconsistent Ordinances Repealed

Ordinances and/or Resolutions of Telford Borough or parts thereof ,which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4 – Saving Clause

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any Ordinance or Resolution hereby repealed as stated in Section 3 of this Ordinance; nor shall any legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5 – Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid; such infirmity shall not affect nor impair the remaining provisions, sentences, clauses or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Telford that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included therein.

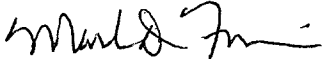
Section 6 – Effective Date.

This Ordinance shall become effective thirty (30) days after it is enacted by the Telford Borough Council.

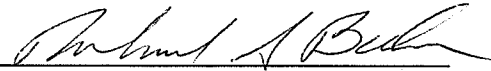
ENACTED and ORDAINED this 1st day of JULY, 2019

ATTEST:

BOROUGH OF TELFORD

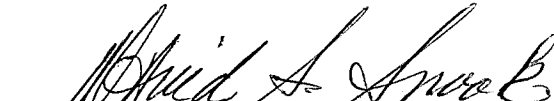


Mark D. Fournier
Borough Secretary



Robert S. Baker
Council President

EXAMINED and APPROVED this 1st day of JULY, 2019.


David Snook, Mayor