

**Ordinance No. 331**

**MOTOR VEHICLES AND TRAFFIC ORDINANCE**

AN ORDINANCE RATIFYING PRIOR AND EXISTING TRAFFIC STUDIES, ORDINANCES, AND SIGNS; CONSOLIDATING PRIOR AND EXISTING TRAFFIC ORDINANCES AND SIGNS INTO A SINGLE ORDINANCE; AND UPDATING AND REVISING PENALTIES FOR VIOLATIONS.

WHEREAS, the Borough Council of the Borough of South Connellsville has previously completed traffic studies, enacted traffic ordinances, and installed traffic signs; and

WHEREAS, such studies, ordinances, and signs are located in multiple locations and not subject to easy identification and reference; and

WHEREAS, the Borough Council of the Borough of South Connellsville desires to consolidate all of said ordinances and signs into one unitary ordinance for ease of identification and reference; and

WHEREAS, the Borough Council of the Borough of South Connellsville wishes to update and revise its traffic ordinances to be consistent with current best practices and policy and in accordance with the Pennsylvania Motor Vehicle Code.

NOW, THEREFORE, the Borough Council of South Connellsville, Fayette County, Pennsylvania, does hereby ordain as follows:

**PART 1  
GENERAL REGULATIONS**

**101. Definitions And Interpretation.**

- A. Words and phrases, when used in this Ordinance, except for sections or Ordinances to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa. C.S.A. §101, et seq., except that in this Ordinance the word “street” may be used interchangeably with the word “highway,” and shall have the same meaning as the word “highway” as defined in the Vehicle Code.
- B. The term “legal holidays” as used in this Ordinance shall mean and include: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
- C. In this Ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**102. Manner Of Adopting Permanent Traffic And Parking Regulations.**

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as Ordinances of ordinances, as amendments to ordinances, or as amendments to this Ordinance, except where the law specifically authorizes less formal action.

**103. Provisions To Be Continuation Of Existing Regulations.**

All prior and pre-existing traffic studies, ordinances, and signs previously installed, enacted, placed, or installed by the Borough, or its representatives, are hereby ratified and, with the exception of all penalty provisions, shall be consolidated into this Ordinance. All such prior and pre-existing ordinances and signs shall be entered into the appropriate sections hereunder, consistent with the wording and intent of such respective prior or pre-existing ordinance or sign.

The provisions of this Ordinance, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Ordinance, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Ordinance shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

**104. Temporary And Emergency Regulations.**

A. The Borough Council shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

1. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations;
2. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than seventy-two (72) hours.

B. Such temporary and emergency regulations shall be enforced in the same manner as permanent regulations. Any person who shall operate or park a vehicle in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall, upon conviction thereof, be subject 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 pay a fine as per the Pennsylvania Motor Vehicle Code, and costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than five days.

**105. Experimental Regulations.**

The Borough Council may, from time to time by resolution, designate places upon and along the highways in the Borough of South Connellsville where, for a period of not more than ninety (90) days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this Ordinance. No

person shall operate or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section.

Any person who shall violate any provision of this section shall, upon conviction thereof, be subject 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 pay a fine as per the Pennsylvania Motor Vehicle Code, and costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than five 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 relative to traffic and parking.

**106. Traffic On Streets Closed Or Restricted For Construction, Maintenance Or Special Events.**

- A. Borough Council shall have authority to close any street or specific Ordinance of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
- B. Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.
- C. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine as per the Pennsylvania Motor Vehicle Code, and costs of prosecution and, in default of payment of such fine and costs, to imprisonment for not more than five days.

**107. Use Of Streets By Processions And Assemblages.**

- A. For the purpose of this section, the words "assemblage" and "procession" shall have the following meanings:

**ASSEMBLAGE** - a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street;

**PROCESSION** - a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

- B. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Borough Council, which shall be issued without fee. Application for the permit shall be made at

