

ORDINANCE 2019-02

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, CHAPTER 187, STREETS AND SIDEWALKS AT ARTICLE VIII, TEMPORARY RIGHT-OF-WAY OBSTRUCTIONS; AND CHAPTER 209, VEHICLES AND TRAFFIC, AT ARTICLE III, PARKING REGULATIONS AND ARTICLE IIIB, PARKING REGULATIONS FOR RECREATIONAL VEHICLES AND COMMERCIAL VEHICLES.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("Board") of Lower Allen Township ("Township"), Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

Section 187-62, Intent, shall be deleted in its entirety and replaced with a new **Section 187-62, Intent**, as follows:

- A. It is the intent of the Board of Commissioners to protect the health and safety of the residents and visitors of Lower Allen Township by restricting or prohibiting the use of public rights-of-way for temporary obstructions. After a review of safety issues, the Board of Commissioners has determined that placement of temporary obstructions in the public right-of-way is a hazard to the public safety, since they can obstruct the sight-distance of motorists using the public street and obstructs public rights-of-way for use by emergency vehicles. Moreover, it also obstructs snow plows and other Township maintenance crews from their public responsibilities. Further, the continued use of temporary right-of-way obstructions may result in the damage to the property of Township residents.

Section 187-64, Prohibited Conduct, shall be amended as follows:

1. Amending the language in subsection B to include the underlined language:

B. It shall be unlawful for any person to place any obstruction in the public right-of-way that projects into the required eight feet of height clearance over Township sidewalks or 14 feet of height clearance over Township cartways including, but not limited to, basketball goals.
2. Adding Subsection C as follows:

C. No roll-off container, storage pod or similar container shall be placed upon any street or public right-of-way. Any person seeking a temporary exemption from this article may make said application to the Township Manager, who will review the application for the following criteria:

 - Will the placement create a safety hazard or sight distance obstruction.
 - Valid reasons why the ROW obstruction can't be placed on the property instead of the street.
 - Reasonable duration of the placement.
 - Potential interference with road maintenance, leaf collection, snow and ice removal, or stormwater drainage.

SECTION II

209, Vehicles and Traffic, of the Code of Lower Allen Township shall be amended as follows:

§ 209-29.12 Word usage and definitions shall be amended by adding or amending the following definitions:

Buses

Standard - Any Type A-2, B, C, or D multi-passenger vehicle used for scheduled transport, including public, tour, school, charter, or promotional campaign designed to carry 10 or more passengers and with a Gross Vehicle Weight Rating of 10,000 pounds or more.

Small - Any Type A-1 multi-passenger vehicle used for scheduled transport, including public,

tour, school, charter, or promotional campaign designed to carry 10 or more passengers and with a Gross Vehicle Weight Rating of less than 10,000 pounds.

Recreational Vehicle

A self-propelled motorcoach; travel trailer, whether solid-sided or pop-up and whether connected to a power source by fifth-wheel or tongue; towing trailers for transportation of boats, motorcycles, snowmobiles, personal water craft, and/or recreational devices including all-terrain vehicles (ATVs); detachable living quarters made mobile by attachment to another motor vehicle. The term shall not include a motor home when located in a mobile home park or when otherwise complying with the concept of a detached dwelling house.

Slide-Outs

A section of a recreational vehicle designed to slide out or move away from the main frame or wall of the recreational vehicle so as to add additional inside living area to the recreational vehicle.

§ 209-29.13 Recreational Vehicle Storage shall be amended by adding the following underlined language:

A. Except as specifically provided herein with respect to large recreational vehicles, currently licensed wheeled vehicles in operating condition, including recreational vehicles of 30 feet or less in overall length, used for transportation of an occupant of a residential premises may be parked within the front, rear or side yards of a residential premises, provided the location thereof is approved under ~~this chapter~~ Chapter 220, Zoning, as an impervious off-street parking space. Such vehicles may be parked on the residential street for no more than 72 hours for the purpose of loading, unloading, or cleaning.

B(4) Such vehicles may be parked on a residential street for no more than 72 hours for the purpose of loading, unloading, and cleaning.

E. All recreational vehicles stored on a residential property must be currently licensed, registered, and, if required by law, inspected.

F. Recreational vehicles may not have slide-outs extended while parked on a public street.

§ 209-29.17, Buses

A. Standard Buses are not permitted to park in Residential Zones (R-1, R-2, R-3, MUN) at any time.

B. Currently licensed and registered Small Buses may be parked only on a driveway or pad constructed of impervious material, the dimensions of which at least encompass the entire length and width of the bus parked thereon. Small Buses are not permitted to park on any residential street at any time.

C. Restrictions in this section shall not apply to micro-coaches, micro-buses, or high-capacity vans.

§ 209-64 Schedule XV: Parking Prohibited Certain Hours and/or Days shall be amended by deleted the following language:

Carlisle Road	Even	12:00 midnight to 4:00 p.m. /December and February	To Kent Drive
Carlisle Road	Odd	12:00 midnight to 4:00 p.m. /January and March	To Kent Drive

And adding the following language:

20 th Street	Even	12:00 midnight to 4:00 p.m. /December and February	From Carlisle Road to Kent Drive
20 th Street	Odd	12:00 midnight to 4:00 p.m. /January and March	From Carlisle Road to Kent Drive

SECTION III

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION IV

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 a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION V

This Ordinance shall take effect immediately.

Enacted and Ordained this 24th day of June, 2019.

Attest:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

(Assistant) Secretary

(Vice) President