

**BOROUGH OF HIGHSPIRE
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 644 of 2022

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE
BOROUGH OF HIGHSPIRE, DAUPHIN COUNTY, PENNSYLVANIA,
ESTABLISHING RESTRICTIONS ON THE OPERATION AND
PARKING OF LARGE VEHICLES AND MOTOR VEHICLES.**

BE IT HEREBY ORDAINED AND ENACTED, by the Borough Council of the Borough of Highspire, IN THE COUNTY OF Dauphin and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same, in accordance with the provisions of the Act of Assembly of the Commonwealth of Pennsylvania, as follows:

SECTION 1 DEFINITIONS

The following words, terms or phrases shall have the meanings ascribed to them in this section.

- A. Commercial Vehicles – Any motor vehicle registered as a commercial vehicle and/or any vehicle which requires as a prerequisite to the operation of such Large Vehicle, the possession of a Pennsylvania Commercial Driver’s License, including, but not limited to, tractor trailers and/or truck tractors, straight body trucks, flat-bed trucks, storage trucks, refrigerator trucks, and tri-axles. For the purpose of this Ordinance, the term commercial vehicle excludes police, fire, or emergency vehicles, Borough vehicles, and any motor vehicle in the continuous process of making deliveries to or picking up items from a property on the highway or street.
- B. Enforcement Agency – The Highspire Police Department shall be designated as the enforcement agency under this Ordinance.
- C. Governing Body – The Council of the Borough of Highspire.
- D. Large Vehicles – Any and all recreational, commercial or private vehicles (as defined herein) having a registered gross weight in excess of eleven thousand (11,000) pounds or having a width in excess of ninety-six (96) inches.
- E. Motor Vehicle – A vehicle which is self-propelled except a self-propelled wheelchair, an electric personal assistive mobility device, or a vehicle which is propelled solely by human power. Motor Vehicles include Large Vehicles as defined herein.
- F. Private Vehicle – A vehicle used for domestic non-commercial use.
- G. Recreational Vehicle – A vehicle used customarily for human habitation or recreational activities during tours or vacation periods including, but not limited to, travel homes, travel trailers, motor homes, truck campers, tent campers, trailers, boats and trailers, snowmobiles and trailers, and any other similar vehicle.

SECTION 2 – LARGE VEHICLES

- A. Restrictions In Stopping, Parking Or Leaving Standing Large Vehicles On Any Street or Alley. It shall be unlawful for any person to park or leave standing any type of motorized or non—motorized Large Vehicle having a registered gross weight in excess of eleven thousand (11,000) pounds or having a width in excess of ninety-six (96) inches upon any street or alley withing the Borough of Highspire. Such motorized or non-motorized large Vehicles may be parked temporarily in those area for purposes of loading and unloading construction materials or equipment, household goods, furniture, residential refuse or recycling, or other merchandise, property or wares used in connection with a residence or other building, in which case the motorized or non-motorized Large Vehicle shall be removed immediately after the loading or unloading operation is completed. A period of twenty-four (24) hours shall be the maximum period of time permitted for such operations. Non-motorized Large Vehicles, referred to above, used in connection with the operation of a business and for commercial purposes may not be parked for loading and unloading purposes in those areas, unless temporarily parked in conjunction with the construction, maintenance, removal, repair or remodeling of a building located within fifty (50) feet of the parked Large Vehicle.
- B. Additional Restrictions for Large Vehicles.
1. Laying Lines Across Sidewalks or Streets Prohibited. It shall be unlawful for any cords, hoses or lines of any kind to be laid or maintained across any public sidewalk, street, alley or cartway, except for the purpose of routine maintenance or loading or unloading of Large Vehicles.
 2. Restrictions on Operation of Auxiliary Equipment. It shall further be unlawful to operate any equipment auxiliary to any such Large Vehicle, such as generators, air compressors, air conditioners, or similar equipment, between sunset and sunrise.
 3. Restrictions on Permanent Parking or Storage.
 - a. It shall be unlawful for any person to permanently park or leave standing any type of Large Vehicle within the Borough, except that a Large Vehicle may be stored, unoccupied, upon private property, including, but not limited to storage on private roads owned by or leased to the owner of such Large Vehicle, and in such areas, all Large Vehicles stored on private property must be located on a black top or concrete surface. All common parking areas and access roads or areas that are created or expanded after the adoption of this Ordinance shall be constructed of a hard, homogeneous, all-weather surface such as concrete or asphalt or equivalent; shall be graded to provide convenient vehicular access and proper drainage; and shall be maintained in good and usable condition. All existing common parking areas and access roads or areas shall be constructed and maintained with an aggregate base, concrete or asphalt all-weather surface. The parking of Large Vehicles on any surface or the accessing of parking areas across any surface that is not in accordance with these regulations is strictly prohibited.
 - b. Large Vehicles may be stored on driveways located in the front of properties. If a driveway exists on the side or rear of a property, the Large Vehicle must be stored on the side or rear of the property and not in the front of the property.
 - c. No Large Vehicles shall be stored or parked so as to encroach upon or extend over any public

sidewalk.

SECTION 3 – OCCUPATION FOR LIVING PURPOSES PROHIBITED

It shall be unlawful for any Recreational Vehicle to be occupied for living purposes within the Borough of Highspire.

SECTION 4 – PENALTY. A floating fine of Twenty-five Dollars (\$25.00) to Three Hundred Dollars (\$300.00) will be assessed for violation of this Ordinance.

SECTION 5 – REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed insofar, but only insofar, as they are inconsistent herewith.

SECTION 6 SEVERABILITY. The provisions of this Ordinance are severable, and if any of its provisions for any reason shall be declared invalid, the decision of the Court shall not affect or impair any of the remaining provisions of the Ordinance. It is hereby declared to be the intent of Council of the Borough of Highspire that this Ordinance would have been adopted had such invalid provisions or provisions not been included therein.

SECTION 7 – EFFECTIVE DATE. This Ordinance shall become effective five (5) days upon enactment.

ORDAINED AND ENACTED this 17th day of January, 2023.

BOROUGH COUNCIL
BOROUGH OF HIGHSPIRE

Attest:

Michael J. Anderson, Council President

Mark L. Stonbraker, Borough Secretary

APPROVED this 17th day of January, 2023 by the Mayor of the Borough of Highspire, Dauphin County, Pennsylvania.

By: _____
Von E. Hess, Mayor

The Proposed Ordinance will be considered for adoption at the regular meeting of the Highspire Borough Council on January 17, 2023 at 7:00 p.m. at the Highspire Borough Municipal Building. All interested residents are encouraged to attend.