

## **Chapter 239**

### **VEHICLES AND TRAFFIC**

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**[HISTORY: Adopted by the Board of Supervisors of the Township of Fairview 10-1-1984 by Ord. No. 3-1984. Amendments noted where applicable.]**

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#### **ARTICLE I** **General Regulations**

##### **§ 239-1. Definitions and interpretation.**

- A. Words and phrases, when used in this chapter, except for sections on articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code (the Act of June 17, 1976, P.L. 162 No. 81),<sup>1</sup> as amended, except that, in

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1. Editor's Note: See 75 Pa.C.S.A. § 101 et seq.

this chapter, 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 chapter shall mean and include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- C. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**§ 239-2. Adoption of permanent traffic and parking regulations.**

- A. All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Township of Fairview, except where the law specifically authorizes less formal action.
- B. The exercise of all police powers granted pursuant to Chapter 61 of the Vehicle Code and the operation of any and all mechanical, electrical and electronic devices, including, but not limited to, VASCAR-PLUS, is hereby approved for all public roadways in the Township.

**§ 239-3. Temporary and emergency regulations.**

- A. The Board of Supervisors 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; and
  - (2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.
- B. These temporary and emergency regulations shall be enforced by the Board of Supervisors and the police department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation shall be guilty of a violation and, upon conviction, shall be liable to the penalty set out in the law or elsewhere in this chapter for a violation of that nature, and, in case of violation for which no specific penalty is set out in the law or elsewhere in this chapter, to a fine of \$25 and costs.

**§ 239-4. Experimental regulations.**

The Board of Supervisors may, from time to time, designate places upon and along the streets in the Township where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate those locations by proper signs and markings. Those regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall drive 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 violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this chapter for a violation of that nature, and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this chapter, to a fine of \$25 and costs, provided that the purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

**§ 239-5. Traffic on closed or restricted streets.**

- A. The Board of Supervisors shall have authority to close any street or specific part 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. The Board or Supervisors 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 of \$25 and costs.

**§ 239-6. Authority of police officers.**

The police officers of the Township shall have authority to direct traffic on the streets in the Township, at intersections in public and in other places where the Vehicle Code or this chapter applies.

**ARTICLE II  
Traffic Regulations**

**§ 239-7. Maximum speed limits established on certain streets.**

- A. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

<b>Street</b>	<b>Between</b>	<b>Maximum Speed Limit (miles per hour)</b>
Birch Street	Route 309 and Summit Road	25
Circle Road	Entire street	25
Deerpath Drive	Entire street	25
Farmhouse Road	Kirby Avenue and Highland Circle	25
Forest Road	Pine Street and Spruce Street	25
Garden Avenue	Entire street	25
Lee Avenue	Main Road and Woodcrest Road	25
Memorial Road (Harwin Drive)	North Main Street and intersection of Dale Drive and Park Lane Drive	25
North Main Street	Entire street	25
Pinetree Road	Farmhouse Road and Longmeadow Lane	25
Spruce Street	Route 309 and Kirby Avenue	25
Summitview Drive	Entire street	25
Wheatfield Lane	Kirby Avenue and Village Green Circle	25
Woodcrest Road	Entire street	25

- B. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

**§ 239-8. Maximum speed limits established in parks.**

- A. A speed limit of 25 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Township.
- B. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

**§ 239-9. Stop intersections established.**

- A. The following intersections are established as stop intersections and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by

Section 3323(b) of the Vehicle Code,<sup>2</sup> and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that section of the law.

<b>Stop Street</b>	<b>Intersecting or Through Street</b>	<b>Direction of Travel</b>
Brown Street	Route 309	East
Pine Street	Forest Road	East
Pinetree Road	Farmhouse Road	North
Village Green Circle	Farmhouse Road	North and south
Wheatfield Lane	Kirby Avenue	East
Wilkes Lane	Garden Avenue	North and south

- B. Any person who violates any provision of this section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

### ARTICLE III Stopping, Standing and Parking

#### § 239-10. Vehicles to be parked within marked spaces.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this article for any person to park a vehicle or allow it to remain parked otherwise.

#### § 239-11. Parking prohibited at all times in certain locations.

Parking shall be prohibited at all times in the following locations:

<b>Street</b>	<b>Side</b>	<b>Between</b>
Memorial Road	East and west	Posted signs
Shady Tree Drive [Added 12-4-2006 by Ord. No. 2-2006]	East	From Spruce Street to the entrance of the Fairview Elementary School on Shady Tree Drive, and from said entrance of the aforesaid school to the entrance of the Fairview Township municipal building
State Route 309 [Added 10-6-2003 by Ord. No. 5-2003]	Both	From Kirby Avenue North to Liberty Street

2. Editor's Note: See 75 Pa.C.S.A. § 3323.

<b>Street</b>	<b>Side</b>	<b>Between</b>
State Route 309, all trucks Class 2 or above [Added 2-6-1989 by Ord. No. 2-1989]	Both	From Kirby Avenue south to the Township line
All designated fire lanes in the parking area of any shopping mall located in Fairview Township		

**§ 239-12. Violations and penalties. [Amended 2-3-1986 by Ord. No. 2-1986<sup>3</sup>]**

Unless otherwise provided, any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than \$15 and costs, provided that it shall be the duty of the police officers and of parking enforcement personnel of the Township to report to the Board of Supervisors all violations of any provision of this article, indicating in each case the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this article.

**ARTICLE IV**  
**Snow and Ice Emergency**

**§ 239-13. Declaration of snow and ice emergency.**

In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes named in § 239-15 of this article, the Board of Supervisors, in its discretion, may declare a snow and ice emergency (designated in this article as a "snow emergency"). Information on the existence of a snow emergency may be given by the Township through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media.

**§ 239-14. Restrictions on snow emergency routes during emergency.**

After any snow emergency is declared, it shall be unlawful, at any time during the continuance of the emergency, for any person:

- A. To park a motor vehicle or to allow that vehicle to remain parked anywhere on any snow emergency route designated in § 239-15 of this article; or
- B. To drive any motor vehicle on any such snow emergency route, unless that vehicle is equipped with snow tires or chains.

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 239-15. Snow emergency routes designated.**

The following are designated as snow emergency routes:

<b>Street</b>	<b>Between</b>
Kirby Avenue	Route 309 and Route 437
Route 309	North Township line and south Township line

**§ 239-16. Violations and penalties.**

- A. If, at any time during a period of snow emergency declared under § 239-13 of this article, a person shall park a motor vehicle or allow a motor vehicle to remain parked anywhere upon a snow emergency route, that person shall be guilty of a violation of this article and, upon conviction, shall be sentenced to pay a fine of not more than \$15 and costs.
- B. If, at any time during a period of snow emergency declared under § 239-13 of this article, a person shall drive a motor vehicle upon a snow emergency route without having that vehicle equipped with snow tires or chains, that person shall be guilty of a violation of this article and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

**ARTICLE V**  
**Interpretation**

**§ 239-17. Provisions to be continuation of existing regulations.**

The provisions of this chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this chapter 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.

