

UNION TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE TOWNSHIP OF UNION, BERKS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF UNION, CHAPTER 185 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE VI ENTITLED "SNOW AND ICE EMERGENCY", TO AMEND SECTION 185-30 ENTITLED "DECLARATION OF SNOW AND ICE EMERGENCY" TO SET FORTH PROVISIONS FOR ENFORCEMENT AND THE PENALTIES FOR VIOLATION.

WHEREAS, Union Township is a Second Class Township in the Commonwealth of Pennsylvania; and

WHEREAS, as a Second Class Township, Union Township is governed by the Second Class Township Code of Pennsylvania; and

WHEREAS, pursuant to the Second Class Township Code, Article XXIII, the Board of Supervisors may regulate roads and parking; and

WHEREAS, by Ordinance 2008-2 enacted March 17, 2008, the Board of Supervisors of Union Township enacted regulations to authorize the Chairperson of the Board of Supervisors to declare a snow and ice emergency; and

WHEREAS, Ordinance 2008-2 was codified within the Code of the Township of Union at Chapter 185 entitled "Vehicles and Traffic", Article VI entitled "Snow and Ice Emergency", Section 185-30 entitled "Declaration of Snow and Ice Emergency"; and

WHEREAS, the Board of Supervisors enacted Ordinance No. 2024-02 on March 20, 2024, which amended Section 185-30 in its entirety in order to designate certain streets as snow emergency routes and to add regulations for snow emergency routes; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of Union Township to further amend the Code of the Township of Union, Chapter 185 entitled "Vehicles and Traffic", Article VI entitled "Snow and Ice Emergency", Section 185-30 entitled "Declaration of Snow and Ice Emergency" to set forth provisions for enforcement and the penalties for violation of Section 185-30.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Union, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The Code of the Township of Union, Chapter 185 entitled "Vehicles and Traffic", Article VI entitled "Snow and Ice Emergency", Section 185-30 entitled "Declaration of Snow and

Ice Emergency” is amended to add new letters C., D., E., F., and G., which shall read in their entirety as follows:

- C. The Police Department operating within the Township’s jurisdiction, the Township Manager, or the Township Roadmaster and/or the Township Deputy Roadmaster, are hereby authorized to have any motor vehicle standing, stopped, or parked on any snow emergency route in violation of Section 185-30.B(1) towed away at the expense of the owner of said vehicle.
- D. All vehicles removed at the request of the Township shall be stored at the towing company's storage facility.
- E. By the next business day, from the time of removal of any vehicle parked, notice of the fact of the removal and impounding shall be sent, in writing, by the Township to the registered owner of the vehicle. The notice shall advise the location from where such vehicle was removed, the reason for its removal, and the location of the storage facility where the vehicle is impounded.
- F. The Board of Supervisors or its designee is hereby authorized to barricade any street and redirect traffic whenever necessary to plow, clear or otherwise remove snow. It shall be unlawful for any person to bypass or run through or over any such barricade.
- G. Any person who violates any provision of this Section 185-30 shall, upon conviction, be sentenced to pay a fine of \$50 and costs, and any costs for towing and storing of the vehicle.

SECTION 2. Repeal of Ordinances and Resolutions.

Any ordinance or resolution or part of ordinances or resolutions conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 3. Severability.

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the within Ordinance. The Board of Supervisors of Union Township, Berks County, Pennsylvania, hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective

of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 4. Effective Date.

This Ordinance shall become effective five (5) days after enactment, as provided by law.

SECTION 5. Code of Ordinances.

The Code of Ordinances of Union Township shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of the Code of the Township of Union, Chapter 185 entitled "Vehicles and Traffic" upon enactment.

ORDAINED AND ENACTED into law by the Township of Union Board of Supervisors this 16th day of October, 2024.

ATTEST:

TOWNSHIP OF UNION
BOARD OF SUPERVISORS



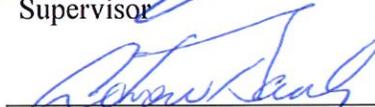
Deborah Olivieri
Secretary of Union Township



Chairman



Supervisor



Supervisor

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2024-03 adopted by the Board of Supervisors of Union Township, Berks County, Pennsylvania, at a public meeting held on October 16, 2024, pursuant to notice as required by law.

Dated: October 17, 2024


Township Secretary