CITY OF TITUSVILLE
CRAWFORD COUNTY PENNSYLVANIA

ORDINANCE NO. 3289

AN ORDINANCE OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA; AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TITUSVILLE, INCLUDING SECTION 521.02 – EMERGENCY NO PARKING AUTHORIZED; PUBLICATION OF NOTICE; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council (the "Council") of the City of Titusville, Crawford County, Pennsylvania (the "City") previously adopted Ordinance 1375 § 3 on or about April 7, 1952, pertaining to emergency no parking authorized; publication of notice; and

WHEREAS, certain portions of Ordinance 1375, were codified within Article 521.02 of the Codified Ordinances of the City of Titusville (the "City Code");

WHEREAS, the Council has determined that Ordinance 1375, Article 521.02, no longer accurately reflects the authority and notification procedures of the City upon the proclamation of an emergency or the notification of citizens upon the proclamation of an emergency;

WHEREAS, pursuant to the Third Class City Code, the Mayor may proclaim a state of emergency exists in the City, 53 P.S.§ 11203(d);

WHEREAS, the Third Class City Code provides penalties for the violation of emergency proclamations, 53 P.S.§ 11203(g);

WHEREAS, the Pennsylvania Motor Vehicle Code authorizes local authorities to exercise police powers on streets and highways within their physical boundaries to adopt and enforce said temporary or experimental regulations as may be necessary to cover emergencies, 75 Pa.C.S.A.§ 6109()(20)(b);

WHEREAS, the City is located in Northwest Pennsylvania and has Oil Creek and its two tributaries running through the City;

WHEREAS, the geographic location of the City makes it prone to large snow falls and flooding from the waterways contained therein;

WHEREAS, current technology may enable the Mayor to proclaim an emergency in anticipation of weather systems that could cause a danger to the health, safety and welfare of the citizens of the City;

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens to have complete snow removal of City streets, roads, avenues and highways and to restrict parking on certain roads, avenues and highways upon rising flood water; and

WHEREAS, the citizens of the City must have notice of such restrictions in a prompt, efficient manner.

NOW THEREFORE, this 4th day of October, 2022, **BE IT ORDAINED AND ENACTED** by the City Council, Titusville, Crawford County, Pennsylvania, the following:

Section 1. **Recitals.** That the above recitals are incorporated as if more fully set forth herein.

Section 2. **Amendment of Section 521.02.** That article 521.02 of the City Code, entitled Emergency No Parking Authorized; Publication of Notice, is hereby amended to read as follows:

> The Mayor may order emergency parking restrictions by issuing an emergency declaration due to anticipated flooding, excessive snowfall, natural or manmade disaster or other catastrophe.
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> Prior to issuing such an emergency declaration, the Mayor shall consult the City Manager for recommendations as to which, if any, streets, roads, avenues or highways should be subject to emergency parking restrictions. The emergency declaration shall contain the names of those streets, roads, avenues or highways, and the times and days during which, parking shall be restricted due to the emergency.
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> The City Manager shall cause citizens and residents to be notified of the parking restrictions that are the subject of the Mayors emergency declaration.
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> (i) Notification: Upon the issuance of the emergency declaration, the City Manager cause the citizens and residents to be notified of the names of the streets, roads, avenues and highways upon which parking prohibitions will be enforced, and the times and days that such restrictions will be enforced.
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> (A) Electronic Notification. Such notification will be, at a minimum, on the City's website, and all forms of social media recognized by and used by the City. Such notification on social media platforms will be updated daily as streets, avenues, roads or highways are added to or removed from the prohibition as the emergency declaration may be updated. This information may be shared with local media for dissemination to the public on the media outlet's social media pages or by announcement.
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> (B) Signage. In addition to the Notification set forth above, the City Manager shall cause the appropriate City office to

place temporary signs along the streets, roads, avenues or highways upon which parking is prohibited and shall provide notice of the dates and times of the parking restrictions. The signs shall be such a size, design and color that citizens can clearly see the parking prohibitions. Upon the end of the declared emergency or removal of the street, road, avenue or highway from the parking prohibition list, the signs shall be removed by the appropriate City office.

(ii) The procedures outlined in this ordinance shall last only as long as the declared emergency and shall not exceed five (5) days unless extended by City Council.

(iii) Towing. The City is authorized to cause a vehicle to be towed upon the finding that the vehicle has been parked in the same location and cited twice in any twenty-four (24) hour period. The City Police Department shall determine when a vehicle is to be towed, and shall keep detailed records of the where the vehicle was prior to being towed, and as to the place of storage of the vehicle. The City Police Department shall provide that information to the vehicle owner as soon as practicable after the vehicle is towed.

(iv) Penalties. A vehicle owner may be cited for violating the parking restrictions issued pursuant to this Ordinance no more than once every twelve hours. Any individual who violates this ordinance shall commit a summary offense, and shall, upon conviction thereof, be sentenced to pay a fine of not more than $50.00 per violation. In addition, a vehicle owner shall be responsible to pay any towing and storage charges charged by the tow truck operator.

Section 3. Severability. The provisions of this ordinance are severable. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the City Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 4. Effective Date. This Ordinance shall become effective twenty (20) days after adoption.

DULY ORDAINED AND ENACTED this 4th day of October, 2022, by the City Council of the City of Titusville, Crawford County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Neil Fratus

Neil Fratus, City Clerk

APPROVED

Jon Crouch

Jon W. Crouch, Mayor

I certify that the above is a true copy of the City of Titusville, Crawford County, Pennsylvania, Ordinance No. 3289 adopted by the City Council of the City of Titusville on October 4, 2022 and advertised in the Titusville Herald on Sept. 23, 2022.

Heather M. Stewart

Secretary

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