

Chapter 125

VEHICLES AND TRAFFIC

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[HISTORY: Adopted by the Council of the Borough of Delmont by Ord. No. 89-11, as amended through 2010. Subsequent amendments noted where applicable.]

ARTICLE I
Vehicle Weight Restrictions

§ 125-1. Purpose.

Restricting the use of designated vehicles above a designated weight on the streets and rights-of-way in the Borough of Delmont.

§ 125-2. Definitions.

A. The definitions contained in the Vehicle Code of the Commonwealth of Pennsylvania shall apply to this chapter.

B. Other definitions are as follows:

EXCESSIVE WEIGHT VEHICLE – Any vehicle whose weight exceeds the weight limitations found in this chapter or the state codes and regulations, whichever is stricter.

§ 125-3. Weight prohibition.

It shall be unlawful to operate or cause to be operated upon any of the highways, streets and/or alleys of the Borough of Delmont any motor vehicle, trailer or semitrailer having a gross weight, including chassis, body and load, of more than six tons.

§ 125-4. Heavy vehicle prohibition; exemption.

- A. It shall be unlawful to operate or cause to be operated upon the highways, streets and alleys of the Borough of Delmont any heavy six-ton tractor equipment without a permit.
- B. Exemption for local delivery of home heating oil and fire equipment due to the need for safety and health of the citizens of the borough.

§ 125-5. Specific street weight restrictions.

The following streets or roads have stricter weight limits than those provided in § 125-3:

- A. Park Street: 10,000 pounds; five-ton.
- B. Mitchell Lane: 8,000 pounds; four ton.

§ 125-6. Permit required.

Any person or entity who wants to have excess weight vehicles or equipment to travel or transverse on borough highways, streets and/or alleys must first acquire a permit from the Borough Secretary and pay to the Borough Secretary a permit fee as shall be fixed by law or as may be determined from time to time by resolution of Borough Council.

§ 125-7. Damage to streets; special requirements by permittees/applicants.

- A. During the traveling or transversing on a borough highway, street and/or alley, the permittee/applicant must make every reasonable precaution not to destroy, damage or alter the structural integrity of the borough highways, streets and/or alleys.
- B. The permittees/applicants must agree to be responsible and indemnify the borough for any damages and/or claims due to or arising from the operation of an excessive weight vehicle as per this article.
- C. The permittees/applicants must provide the following information:
 - 1. Name and address of applicant;
 - 2. Name and address of any entity on whose behalf the vehicle is being operated;
 - 3. The purpose of operation;
 - 4. The streets, highways or alleys that said vehicle will be operated;
 - 5. The true and accurate weight of vehicle(s);
 - 6. Time(s) of said operation.

- D. If, in the opinion of the Borough Secretary or any borough official, said operation of an excessive weight vehicle for an extended time or the weight limits are over six tons, the borough official/Secretary shall require the posting of a protective security/bond to protect the structural integrity of the borough streets.

§ 125-8. Violations and penalties.

Any person violating § 125-6 hereof shall, upon summary conviction before a District Justice, be sentenced to pay a fine of not less than \$100 nor more than \$600, plus costs of prosecution and restitution for any damages. Any person violating any other provision of this article shall, upon summary conviction before a District Justice, be sentenced to pay a fine in accordance with the provisions of the Pennsylvania Motor Vehicle Code regulating overweight vehicles.

**ARTICLE II
Enforcement**

§ 125.9. Powers of Mayor; violations and penalties.

- A. The Mayor 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 parking regulations.
 - 2. In the case of emergency or to facilitate public works or in the case of the conduct of parades or other public events, to restrict or prohibit parking or traffic in limited areas.
- B. Such temporary and emergency regulations shall be enforced by the Mayor and the police of the borough in the same manner as a permanent regulation.
- C. Any person who shall operate a vehicle in violation of any such regulation shall be liable to the penalty set forth in the law or elsewhere in this chapter or any other valid ordinance for a similar violation and, in case of any violation for which no special penalty is set forth in the law or elsewhere in this chapter or any other valid ordinance, to a fine of not more than \$50 and cost of prosecution and, in default of payment of such fine and cost, to imprisonment for not more than 10 days.

§ 125-10. Authority of police officers.

The police officers of the borough are hereby given authority as follows:

- A. Authority to act within any of the laws, being either federal, state, county or borough laws, codes, ordinances, rules of criminal or civil procedure or statutes applicable.
- B. Authority to control, direct traffic on the highways, streets, alleys or easements within the jurisdiction of the borough.

- C. Shall have the authority and the right to arrest, without a warrant or upon probable cause, where a person is engaging in conduct or ongoing conduct that threatens the personal security of any person, one's self or endangers the public or private property. This authority is granted to include and supplement any other rules of criminal procedure applicable to this type of arrest.
- D. To make any other arrests in summary cases or any other type of criminal case pursuant to the Pennsylvania Consolidated Statutes, as amended, including but **not** limited to Section 5503, disorderly conduct; Section 5505, public drunkenness; Section 5507, obstructing highways or other public passages; the purchase, consumption, possession or transportation of liquor or malt or brewed beverages; or the arrest of juveniles as is permitted at law.

ARTICLE III
Stop Intersections; Street Names; Handicapped Parking

§ 125.11. Stop intersections established.

The following intersections are hereby established to be two-way stop intersections, and official stop signs shall be erected (or are hereby confirmed as heretofore erected) in such a position as to face traffic approaching the second-named street, upon first-named street in the direction or directions hereby indicated. All vehicles approaching any stop intersection upon the first-named street in the direction or directions hereby indicated in each case shall come to a full stop, within a reasonable distance, before entering such intersection.

Stop Street	Through Street	Direction of Travel
Aurora Street	Church Street	Southbound
Aurora Street	Terrace Drive	Northbound
Berry Lane	East Pittsburgh Street	Eastbound and Southbound
Berry Lane	East Pittsburgh Street	Westbound and Southbound
Berry Lane	Freeport Street	Westbound
Berry Lane	Unnamed alley	Westbound
Bierer Street	Greensburg Street	Westbound
Cherry Blossom Drive	Apple Hill Drive	Eastbound
Christy Road	Church Street	Westbound
Church Street	Freeport Street	Southbound
Circle Drive	Church Street	Westbound
Circle Drive at Crest Drive	Greensburg Street	Westbound
Delmont Avenue	Bierer Street	Northbound
Delmont Avenue	Bierer Street	Southbound
Delmont Avenue	East Pittsburgh Street	Northbound
Fairview Street	Delmont Avenue	Eastbound
Harrison Avenue	West Pittsburgh Street	Northbound
Jones Street	West Pittsburgh Street	Westbound and Southbound

Stop Street	Through Street	Direction of Travel
Legion Lane	East Pittsburgh Street	Southbound
Legion Lane	Freeport Street	Northbound
Manor Street	Abbe Place	Northbound
Maple Drive	Athena Drive	Westbound
Maple Drive	Church Street	Eastbound
Monticello Drive	Monticello Drive	Northbound
Old William Penn Highway	Old William Penn Highway	Eastbound and Westbound
Overly Street	East Pittsburgh Street	Northbound
Park Drive	Athena Drive	Westbound
Park Drive Ext.	Park Drive	Northbound
Pine Street	Abbe Place	Westbound
Pine Street	Route 66	Eastbound
Pine Street Ext.	Abbe Place	Eastbound
Pine Street Ext.	Manor Street	Westbound
Sandra Drive	Park Drive	Westbound
School Street	Bierer Street	Northbound
School Street	Crest Drive	Southbound
Spring Street	Bierer Street	Northbound
Spring Street	Bierer Street	Southbound
Spring Street	East Pittsburgh Street	Northbound
Stotler Drive	Route 66	Eastbound and Northbound
Stotler Drive Ext.	Manor Street	Eastbound
Suncrest Drive	Crest Drive	Westbound
Terrace Drive	Athena Drive	Westbound
Terrace Drive	Church Street	Eastbound
Terrace Drive	Church Street	Westbound
Tollgate Drive	Tollgate Drive	Southbound
Valley Stream Drive	Old William Penn Highway	Northbound (2 stop signs)
Valley Stream Drive	White Oak Drive	Southbound
White Oak Drive	Valley Stream Drive	Westbound
Cupp Way	Crest Drive	Northeasterly

§ 125.12. Violations and penalties.

Any person violating any of the provisions of this Article III shall, upon summary conviction before a District Justice, be sentenced to pay a fine of not less than \$50 and not in excess of \$400 plus costs of prosecution and, in default of payment thereof, shall undergo imprisonment for not more than five days.

§ 125.13. Street and alley designation.

The naming of previously unnamed roadways in the Borough of Delmont shall be as follows:

- A. Postal Way: All that certain alley located on the northerly edge of the parcel known as the “Old Delmont School Building,” said alley extending from Greensburg Street to School Street.

§ 125-14. Handicap parking designations.

- A. The Borough shall provide for specific space or places for parking by handicap persons who have a handicap person parking privilege by the Commonwealth of Pennsylvania. Only vehicles parked in the spaces shall openly display handicap parking certificate or designation from the interior rearview mirror or on the dashboard.
- B. Specific handicap parking locations are as follows:
 - 1. One space, not to exceed 10 feet, located at 7 Freeport Street, as marked.

ARTICLE IV
Speed Limits

§ 125-15. Speed restriction in certain locations.

- A. It shall be unlawful for any person operating a motor vehicle on any of the following named streets and alleys to travel more than 25 miles per hour:
 - 1. Park Drive.
 - 2. Maple Drive.
 - 3. Terrace Drive.
 - 4. Circle Drive.
 - 5. Church Street.
 - 6. Freeport Street.
 - 7. East Pittsburgh Drive.
 - 8. Crest Drive.
 - 9. Greensburg Street.
 - 10. West Pittsburgh Street.
 - 11. Stotler Drive,
 - 12. Manor Street.
 - 13. Abbe Place.
 - 14. East White Oak Drive.
 - 15. West White Oak Drive.
 - 16. Lou Anne Lane.
- B. Official signs shall be erected in such a position as to face traffic approaching the sign indicating the 25 miles-per-hour speed limit.

§ 125-16. Violations and penalties.

Any person violating any of the provisions of this article shall, upon summary conviction before a District Justice, be sentenced to pay a fine in accordance with the provisions of the Pennsylvania Motor Vehicle Code relating to travel in excess of posted speed limits.

ARTICLE V
Prohibited Turns; One-Way Traffic

§ 125-17. Left turns.

It shall be unlawful for any person operating a motor vehicle to make a left turn at the following:

- A. Northbound traffic on Stotler Drive turning onto Route 66.

§ 125-18. Right turns on red.

It shall be unlawful for any person operating a motor vehicle to make a right-hand turn on red at the following intersections:

- A. Southbound on Route 66 on to Manor Road.
- B. Southbound on Route 66 on to Greensburg Street.

§ 125-19. One-way roadways.

It shall be unlawful for any person operating a motor vehicle to operate his vehicle in any direction other than those set forth as follows on the specific designated roadways within the Borough as follows:

Street	Direction	From
Postal Way	West	
Cupp Way	Southwest	
Spring Street	South	East Pittsburgh Street to Bierer Street

§ 125-20. Violations and penalties.

Any person violating any of the provisions of this article shall, upon summary conviction before a District Justice, be sentenced to pay a fine in accordance with the provisions of the Pennsylvania Motor Vehicle Code relating to prohibited turns and one-way traffic.

§ 125-21. Yielding.

All motor vehicle traffic at the following designated places within the Borough:

- A. Traffic on the interior circle of Park Drive shall yield to exterior circle traffic entering from the non-looped roadway of Park Drive heading northeast at the Park Drive Triangle.

ARTICLE VI

Parking of Uninspected Vehicles

§ 125-22. Uninspected and unlicensed vehicles.

It shall be unlawful for any person to park or allow to remain parked, on any street or alley in the borough:

- A. Any motor vehicle not bearing a current and valid registration plate of the Commonwealth of Pennsylvania or other authorized jurisdiction; or
- B. Any motor vehicle, bearing a current and valid registration plate of the Commonwealth of Pennsylvania and not having been duly inspected as evidenced by an authentic and current inspection sticker issued by authority of the Commonwealth.

§ 125-23. Violations and penalties.

Any person violating any of the provisions of this Article VI shall, upon summary conviction before a District Justice, be sentenced to pay a fine of not less than \$70 and not more than \$600 and cost of prosecution and, in default of payment thereof, shall undergo imprisonment for not more than 20 days.

ARTICLE VII

Vehicle Repair; Noise

§ 125-24. Repair of parked motor vehicle.

It is unlawful to repair a parked motor vehicle on borough streets or parking areas unless in case of emergency arising while such vehicle is being operated upon a street or alley of the borough and that such vehicle cannot be moved to another location.

§ 125-25. Jake brake or engine brake prohibition.

No person or entity shall be permitted to operate or allow to be operated an internal powered combustion engine powered vehicle on any public ways, including but not limited to streets, alleys, easements or rights-of-way established for vehicle operation, within the borough while said vehicle or vehicle operator is utilizing an engine brake without exhaust muffler sufficient to prevent the creation of excessive or loud noises by said vehicle. The slowing of a vehicle through the use of

engine brakes, jake brakes, without the proper exhaust system thereby creating loud and excessive noises represents a public nuisance and a hazard to persons and property within the borough.

§ 125-26. Violations and penalties.

Any person violating any provisions of Article VII shall, upon summary conviction before a District Justice, be sentenced to a fine not less than \$50 and not more than \$500 and the costs of prosecution or other costs incurred by the borough in pursuing the prosecution under this article; and then, in default of payment thereof, shall undergo imprisonment for not more than 20 days, plus reimbursement of costs of incarceration and prosecution.

**ARTICLE VIII
Parking Locations**

§ 125-27. Prohibition of parking in certain locations.

It shall be unlawful for any person operating a motor vehicle on any of the following named streets or alleys to park and/or stand as is hereinafter specifically designated. This article shall only be effective where posted. Prohibition is as follows:

A. No parking.

1. East side of Freeport Street from the intersection of Church Street, south 238 ½ feet to a point being the intersection of Freeport Street and an unnamed alley (as posted).
2. Freeport Road from the intersection of Freeport Street on the westerly side of Freeport Road and north along Freeport Road 217 feet (as posted).
3. From the intersection of East Pittsburgh Street and Delmont Avenue, south along both the easterly and westerly sides of Delmont Avenue for a distance of 40 feet from said intersection.
4. From the intersection of West Pittsburgh Street and extending in a southerly direction on both sides of Harrison Avenue for its entire length.
5. From the West Side of Freeport Street 380 feet from the intersection of West Pittsburgh Street and Freeport Street, thence north on the westerly side of Freeport Street a distance of 520 feet (as posted).
6. On the westerly side of Greensburg Street from the intersection of Route 66 and Greensburg Street, thence north along the westerly side of Greensburg Street a distance of 179 feet, to a point being the property line between the convenience store and a residential property.

7. On the west side of Greensburg Street beginning approximately 58 feet [from the end point set forth in Subsection A(6)], thence north along the westerly side of Greensburg Street a distance of 421 feet to an unnamed alley being adjacent to the Southwest Bank parcel.
8. Within 15 feet of the end of each unnamed alley within the borough.
9. No parking within 15 feet of the corner of any intersecting street where said curb is painted yellow.
10. On the west side of Greensburg Street a distance of approximately 130 feet running in a southerly direction from an unnamed alley adjacent to the Southwest Bank parcel, being the entire frontage of the Southwest Bank parcel, designated as Tax Map Parcel No. 25-02-13-0-064.
11. On both the easterly and westerly sides of Spring Street extending a distance of 20 feet in a northerly direction from the intersection of Spring Street with Highland Street.
12. On both the northerly and southerly sides of Highland Street extending a distance of 20 feet in an easterly direction from the intersection of Highland Street with Spring Street.
13. Both sides of that portion of Valley Stream Drive extending from West Pittsburgh Street in a southerly direction to its intersection with White Oak.
14. Both sides of that portion of Valley Stream Drive extending from its intersection with White Oak in a southeasterly direction to its terminus at Rose Court North.
15. Both sides of Monticello Drive beginning at its point of intersection on West Pittsburgh Street and extending for the entire length thereof.
16. Both sides of East White Oak Street for the entire length thereof.
17. Both sides of West White Oak Street for the entire length thereof.
18. Both sides of Lou Anne Lane Street for the entire length thereof.

B. Time/Calendar; No Parking Prohibitions.

1. From December 15 through March 1 from 4:00 A.M. to 8:30 A.M., no vehicles shall be permitted to park on the easterly portion of Greensburg Street from the intersection of State Route 66 and Greensburg Street to its intersection with East Pittsburgh Street.

2. From December 15 through March 1 from 4:00 A.M. to 8:30 A.M., no vehicles shall be permitted to park on the northerly portion of East Pittsburgh Street from its intersection with Greensburg Street to the intersection with State Route 66.
3. Parking shall be limited to two-hour parking on the west side of Greensburg Street from the southeasterly corner of property now or formerly of Frank and Barbara Blazek, identified as Tax Map Parcel No. 25-02-13-0-060, thence along the westerly side of Greensburg Street in a northerly direction to the point of intersection of East Pittsburgh Street and Greensburg Street.
4. Parking shall be limited to two-hour parking on the east side of Greensburg Street from the most northerly corner at the intersection of Bierer Street and Greensburg Street, thence along the easterly side of Greensburg Street in a northerly direction to the point of the intersection of East Pittsburgh Street and Greensburg Street.
5. Parking shall be limited to two-hour parking on the easterly side of Greensburg Street from the line of an unnamed alley at the southwesterly corner of property now or formerly of Scott James Hill, Sr., and Judith A. Hill, further identified as Tax Map Parcel No. 25-04-01-0-138, thence along the easterly side of Greensburg Street in a northerly direction to another unnamed alley at the northwesterly corner of property now or formerly of George W. Visnick and Betty Jean Visnick, further identified as Tax Map Parcel No. 25-02-13-0-142. **(Added 7/13/10 by Ordinance 2010-2)**

C. Special Designated Parking Areas.

Except where otherwise prohibited by state or local law, the following portions of streets or roadways shall be designated and utilized solely for local and residential parking only:

1. On the westerly side of Greensburg Street from its point of intersection with State Route 66, thence North along the westerly side of Greensburg Street to the northeasterly corner of property now or formerly of James and Melissa Hans, identified as Tax Map Parcel No. 25-02-13-0-061.
2. On the easterly side of Greensburg Street from its point of intersection at Postal Way, thence North along the easterly side of Greensburg Street to its point of intersection with Bierer Street.

D. Handicapped Parking. Delmont Borough Council may, from time to time by motion duly passed, designate certain pieces or portions of streets within the borough as “Handicap Parking Only” in accordance with application made and documentation and verification received.

§ 125-28. Violations and penalties.

Any person violating any provision of this article shall, upon summary conviction before a District Justice, be sentenced to pay a fine in accordance with the provisions of the Pennsylvania Motor Vehicle Code relating to illegal stopping, standing or parking of a vehicle.

ARTICLE IX
Signage

§ 125-29. Municipal sign protection and enforcement.

- A. Designation. It is hereby directed that where required for the placement and erection of any necessary official municipal signs as defined under any borough ordinances or the Pennsylvania Motor Vehicle Code, these signs shall be deemed official municipal signs.
- B. Sign requirements. It is hereby directed that there shall be placed and erected any necessary, appropriate and official signs as defined and in such a manner as is required by the Vehicle Code of Pennsylvania, conspicuously posted to give notice of the provisions of this chapter.

§ 125-30. Prohibition against removal, defacing or damaging of official municipal signs.

It shall be unlawful for any persons or entities to remove, deface or damage any official municipal signs.

§ 125-31. Continuing effect of defaced or removed official municipal signs.

It shall be deemed that upon the erection and placement of any official municipal signs and where said sign had been in place and visible for a period not less than 30 days, it shall be deemed that in the event the official municipal sign is defaced, removed or damaged to such a degree as being unreadable or unintelligent in its meaning, it shall be deemed that the prohibition or restrictions provided for by ordinance or Pennsylvania Statutes shall continue to be in effect as if the sign before said sign's defacing, removal or damage.

§ 125-32. Violations and penalties.

Any person violating the provisions of Article IX shall, upon conviction before a District Justice, be sentenced to pay a fine not less than \$300, plus costs of prosecution and restitution for labor costs to repurchase, replace or repair any affected official municipal signs and, upon default of payments as set forth by this penalty, shall be imprisoned for not less than 14 days, plus fines, restitution and costs.

§ 125-33. Sign requirements.

It is hereby directed that there shall be placed and erected any necessary, appropriate and official signs as defined and in such a manner as is required by the Vehicle Code of Pennsylvania, conspicuously posted to give notice of the provisions of the this chapter. However, should the signs be defaced or removed by persons other than the Borough of Delmont, this chapter shall continue to be effective providing the signs were in place for a period of not less than 30 days before the sign's defacing or removal.