

**BOROUGH OF UNION CITY
ERIE COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

AN ORDINANCE OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NUMBER 1049, AS AMENDED, ENTITLED AN ORDINANCE OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA REGULATING THE PARKING OF VEHICLES UPON THE PUBLIC STREETS AND IN THE MUNICIPAL PARKING LOTS OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA, UNDER THE AUTHORITY OF THE PENNSYLVANIA LEGISLATURE, ACT OF APRIL 29, 1959, P.L. 58, AS AMENDED, PROVIDING FOR A DEFINITION OF PARKING ENFORCEMENT OFFICER AND EMPOWERING THE PARKING ENFORCEMENT OFFICER(S) TO ENFORCE PARKING RESTRICTIONS; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, The Borough Council ("Borough Council") of the Borough of Union City (the "Borough") wishes to amend Ordinance No. 1049, as amended, to grant the powers and duties of a parking enforcement officer to the Street Supervisor; and

WHEREAS, the Borough Council desires to assign the Street Supervisor with the power and responsibility to issue parking citations and fines and to tow illegally parked vehicles; and

WHEREAS, the purpose of such an amendment is to partially relieve Borough police officers of such duties and responsibilities in order for said police officers to focus their resources on matters more pertinent to the health and public safety of Borough residents.

NOW THEREFORE on this _____ day of _____, 2015 **IT IS HEREBY ENACTED AND ORDAINED** by the Borough Council of the Borough of Union City, Erie County, Pennsylvania as follows:

Section 1. Section 1(a) of Ordinance 1049, as amended, is amended through the addition of the following definition:

"Parking Enforcement Officer" – Every police officer commissioned by the Borough of Union City, including the Chief of Police, and the Borough Street Supervisor.

Section 2. Section 14(d) of Ordinance 1049, as amended, is amended as follows:

d. An illegally parked vehicle may be towed by the Union City Police Department or the Borough Street Supervisor, or their designee, at the expense of the owner, after and upon the receipt of two (2) parking tickets within three (3) consecutive days, such violations occurring on the same street.

Section 3. Section 15 of Ordinance 1049, as amended, is amended as follows:

PROCEDURES OF POLICE PARKING ENFORCEMENT OFFICERS

a. The Borough shall provide books to the Borough Chief of Police Parking Enforcement Officers which include parking ticket forms for notifying alleged violators of the nature of the violation of this Ordinance. Said books shall include serially numbered sets of tickets and shall be in a form established by the Borough Chief of Police in consultation with the Street Supervisor.

b. The Borough Chief of Police will be responsible for the issuance of such books to Parking Enforcement Officers and shall maintain a record showing the disposition of each serially numbered ticket.

c. Every Borough Police Parking Enforcement Officer upon issuing a ticket to an alleged violator of this Ordinance shall deposit a copy of the ticket with the Borough Chief of Police.

d. Whenever any motor vehicle without a driver is found parked or stopped in violation of the restrictions imposed by this Ordinance, the Police Parking Enforcement Officer finding such vehicle shall take its registration number and any other information which may identify the vehicle or its owner or user, and shall conspicuously affix to such vehicle a parking ticket for the driver to answer the charge against him or her within 24 hours.

e. If a violator of the restrictions on stopping, standing or parking imposed by this Ordinance does not appear in response to a parking ticket affixed to such vehicle within 24 hours, the Borough Chief of Police shall send to the owner of the vehicle to which the parking citation was affixed a letter informing him or her of the violation and warning him or her that in the event such a letter and citation is disregarded for a period of five (5) days from the date of the letter, a citation charging the alleged violation of this Ordinance will be filed with the District Magistrate having jurisdiction.

Section 4. Severability

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 Borough Council of the Borough of Union City that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 5. Effective Date

The provisions of this ordinance shall become effective immediately upon passage.

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DULY ORDAINED AND ENACTED this _____ day of _____, 2015, by the Borough Council of the Borough of Union City, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

Borough Secretary

President of Borough Council

APPROVED this _____ day of _____, 2015.

Mayor of Union City Borough

I certify that the above is a true copy of the Borough of Union City, Erie County, Pennsylvania, Ordinance No. _____ adopted by the Union City Borough Council on _____, 2011 and advertised in the *Corry Journal* on _____, 2015.

Union City Borough Secretary