

Ordinance 89-7

Parking

4/24/89

NOTICE IS HEREBY GIVEN THAT THE HOPEWELL TOWNSHIP BOARD OF COMMISSIONERS WILL CONSIDER THE ADOPTION OF THE FOLLOWING ORDINANCE AT A SPECIAL MEETING OF THE BOARD OF COMMISSIONERS ON MONDAY, APRIL 24, 1989 AT 7:30 PM AT THE HOPEWELL TOWNSHIP MUNICIPAL BUILDING, CLARK BOULEVARD, ALIQUIPPA, PA 15001

ORDINANCE NO. 89-7

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA ESTABLISHING REGULATIONS FOR PARKING AREA MAINTENANCE AND SETTING PENALTIES FOR VIOLATIONS OF SAID REGULATIONS

I. Purpose.

The Township of Hopewell, believing that certain action is reasonably required to preserve and safeguard the public health, safety, welfare and morals, and being desirous of providing for the cleanliness, maintenance and preservation of parking areas and other areas provided for or acquired in connection with any subject premises, does hereby enact this chapter regulating the use and maintenance of parking areas, accessory areas or other open space used in connection therewith.

II. Definitions.

The following terms, when used herein, shall have the following meanings:

ACCESSORY AREAS--Any buffer zones, setbacks, side and rear yards or other areas, whether surfaced or natural, or any space used in connection with the subject premises.

GARBAGE--Any material, goods, wares, merchandise, ingredients, parts or by-products thereof which are sold, offered for sale, manufactured, processed, repaired or assembled by business or commercial firms or private individuals, which have been discarded and contain waste matter from any animal, fish, fowl, fruit or vegetable matter resulting from said use, storage and growth of food, garden and tree fruits and vegetables; yard trimmings (properly packed grass, small tree branches, cuttings from shrubs, brush or hedges and leaves), tin, glass or other food containers, discarded combustible and noncombustible waste materials, soil, ashes, residue from combustible materials, newspapers, paper, rags, cartons, boxes, excelsior, straw, rubber, leather, metals, mineral matter, crockery, dust and sweepings from buildings

GARBAGE CONTAINER--A covered container which is rodent-, varmint- and insectproof.

INVITEE--Any employee, visitor, customer or any other person upon a subject premises, whether invited or not, directly or indirectly.

PARKING AREA--Space provided for the parking of a vehicle, together with the means of ingress and egress thereto and the roads and driveways of any subject premises.

POTHOLE--Holes and cracks occurring on any paved or unpaved surface of a parking area.

SUBJECT PREMISES--Any premises which contain, in whole or in part, any parking area servicing any shopping center, industrial, commercial, professional, educational or entertainment with a recreational use; or any premises which contain, in whole or in part, any parking area in conjunction with apartments or other multiple-dwelling units; or any premises which contain, in whole or in part, any parking area servicing any area regularly used for purposes or functions to which the general public is invited, directly or indirectly; the ingress and egress thereto; roads and driveways therein; buffer zones; setbacks or other open space in connection with any of the above-described uses; or any other open areas provided for in connection with the issuance of a certificate of occupancy, variance or conditional use permit which is required pursuant to the Zoning Code of the Township of Hopewell or any law applicable to such premises or use thereof.

TRASH CONTAINER--A container with a swing cover to receive hand-carried discarded paper and trash.

USER--Any owner, tenant, trustee, receiver, executor, administrator or other person who controls, in whole or in part, any subject premises.

Required maintenance.*

It shall be unlawful for any user of a subject premises to fail to comply with the following:

A. Keep the same free and clear of dirt, debris, rubbish, garbage and other obstructions and to keep the same properly repaired and maintained.

B. All roads, sidewalks, driveways and parking areas used in connection with the subject premises must be kept in proper repair, free from potholes, free from dirt where paved and free from refuse, snow and ice, except that snow may be piled on subject premises so long as it does not interfere with the internal circulation and parking of the parking area and does not hinder driver vision when entering or leaving the subject premises.

C. Keep all water drains and water drainage systems for said parking area driveways and roads therein clean and in good working order.

D. Provide sufficient off-street parking spaces. In determining whether sufficient parking spaces have been provided, consideration shall be given to the necessity of providing additional areas for passageways, driveways and turning which shall be furnished and trees which may be necessary. All such spaces shall be deemed to be required spaces on the lot on which they are situated and shall not be encroached upon or reduced in any manner. All parking spaces with additional passageways, driveways and turning areas, except when provided in connection with one-family residences, shall be surfaced with a dustless, durable, all weather pavement parking surface, as approved by the Planning Commission and as recommended by the Township Engineer, and shall be clearly marked for car spaces.

E. Keep all prescribed lights in good working condition and lighted as required by law. All parking areas and appurtenant passageways and driveways serving the subject premises shall be illuminated adequately during the hours between sunset and sunrise. After 10:00 p.m., throughout the entire lot, forty percent (40%) of the lights in the parking area of the subject

premises shall remain lighted until sunrise. Adequate shielding shall be provided by users of the subject premises to protect adjacent residential zones from the glare of illumination and from that of automobile headlights.

F. Keep all sidewalks, fences, buffer zones, side and rear yards and setbacks clean and the grass, shrubbery, retaining walls, slopes and other space in connection therewith in a well-maintained order. All curbs, fences, screening or signs shall also be properly maintained.

G. Keep the parking lines for parking spaces required properly painted and marked.

H. Keep all exterior areas free and clear of the storage of goods, wares and merchandise except for reasonable periods of loading and unloading.

I. Keep all garbage stored in the designated place or places and in proper garbage receptacles.

J. Keep placed at convenient locations proper trash receptacles which shall be sufficiently serviced to prevent an overflow.

Enforcement; violations and penalties; action by township.

A. This chapter shall be administered and enforced by the Zoning Officer of the Township of Hopewell.

B. Upon determination by the Zoning Officer that a violation of this chapter exists, he shall serve upon the user of the subject premises a written notice of said violation and shall mail a copy of said notice to the owner of record of said subject premises at the address shown on the last preceding assessment role. If said violation is not corrected within five (5) days of the issuance of said notice, the Zoning Officer is authorized, empowered and permitted to apply for relief before any court of competent jurisdiction by the filing of a complaint alleging the violation hereof.

C. In addition to the remedy provided for in section B. above, any person, firm, partnership or corporation who or which violates any provision of this chapter shall, upon conviction, be subject to a fine of not more than three hundred dollars (\$300.) or to imprisonment for not more than fifteen (15) days, or to both such fine and imprisonment. The imposition of any such penalty for violation of this chapter shall not excuse such violation or permit the continuance thereof. The application of the above penalty or penalties of the prosecution for a violation of the provisions hereof shall not be held to prevent the removal, repair or correction of those conditions prohibited by this chapter or to prevent conformance to the standards and regulations of this chapter by such legal means as may be proper.

D. Each day that a violation continues under the provisions of this chapter shall be considered to be a separate offense.

Interpretation of provisions; repealer.

This chapter shall not act as a limitation upon any other ordinance, law, rule, regulation or certificate which may affect any premises subject to

this chapter or any penalty, fine or liability thereunder, but is in addition thereto. Any ordinance, regulation, order, certificate or part thereof which is inconsistent with the provisions of this chapter is, to the extent of such inconsistency, hereby repealed.

April Ordained and enacted into an Ordinance this 27 of _____, 1989.

BOARD OF COMMISSIONERS
OF HOPEWELL TOWNSHIP

By 
President

ATTEST:


Secretary



Beaver County Times

P.O. BOX 400
BEAVER, PA 15009-0400
AREA CODE 412 775-3200



LEGAL ADVERTISING INVOICE

TOWNSHIP OF HOPEWELL
CLARK BOULEVARD
ALIQUIPPA PA 15001

04/14/89 414.40

PROOF CHARGE IS \$2.00 FOR AFFIDAVIT, \$2.00 FOR CLERICAL FEE

ACCOUNT	INVOICE DATE	DESCRIPTION	LINES	TIMES	PROOF	TOTAL CHARGES
94249600	04/14/89	ORDINANCE NOTICE	342	1	4.00	
4/10/89						
DATES APPEARED						

PROOF OF PUBLICATION

The **Beaver County Times**, a daily newspaper of general circulation published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, was established in 1946, and has been issued regularly, except legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on

4/10/89

BEAVER NEWSPAPERS, INC.

By

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for such county and state, personally appeared

EDWIN S. METZGER
CONTROLLER

, who being duly sworn according to law says that he is of BEAVER NEWSPAPERS, INC.; that neither affiant nor said corporation is interested in the subject matter of the attached advertisement; and that all of the allegations of the foregoing statement including those as to the time, place and character of publication are true.

Sworn to and subscribed before me

this 14TH day of APRIL 1989

Muriel L. Hupp

NOTARIAL SEAL
MURIEL L. HUPP, NOTARY PUBLIC
BRIDGEWATER BOROUGH, BEAVER COUNTY
MY COMMISSION EXPIRES JULY 13, 1993

Member, Pennsylvania Association of Notaries
BEAVER COUNTY TIMES

The costs of advertising and proof,
has been paid.

414.40

BEAVER NEWSPAPERS, INC.

By

P.O. BOX 400

BEAVER, PA. 15009

