

**AN ORDINANCE OF THE BOROUGH OF LORAIN, CAMBRIA COUNTY, PENNSYLVANIA TO PROHIBIT PARKING ON THE NORTHWESTERLY OR WESTERLY SIDE OF SHOMO STREET FROM RUBY STREET TO EMERALD STREET.**

**WHEREAS**, the Motor Vehicle Code recognizes that it is a proper exercise of police power for a municipality to regulate traffic traveling on any roads within their municipal boundaries; and

**WHEREAS**, the Borough of Lorain wishes to prohibit parking at all times on the northwesterly or westerly portion of Shomo Street between Ruby Street and Emerald Street; and

**WHEREAS**, the Borough of Lorain wishes to erect at least four (4) notice signs warning that parking is prohibited at all times on the northwesterly or westerly portion of Shomo Street between Ruby Street and Emerald Street; and

**WHEREAS**, the Borough of Lorain wishes to erect at least four (4) "NO STANDING OR PARKING THIS SIDE AT ANY TIME" or similar wording on the northwesterly side of Shomo Street that prohibits parking at all times on the northwesterly or northerly side of Shomo Street between Ruby Street and Emerald Street; and

**WHEREAS**, this Ordinance shall have no effect on the provision contained in Lorain Borough Ordinance No. 158, Article II, Section 2, Paragraph 16 which prohibits parking on "[t]he easterly side of Shomo Street, from Ruby Street to Emerald Street."; and

**WHEREAS**, this Ordinance prohibits parking on the northwesterly or westerly side of Shomo Street from Ruby Street to Emerald Street which is the opposite side of Shomo Street where parking is prohibited by Lorain Borough Ordinance No. 158, Article II, Section 2, Paragraph 16; and

**WHEREAS**, the effect of this ordinance and Lorain Borough Ordinance No. 158, Article II, Section 2, Paragraph 16 shall prohibit parking on any side of Shomo Street from Ruby Street to Emerald Street; and

**NOW THEREFORE**, the Borough of Lorain hereby ordains the following:

**I. AUTHORITY**

- A. 75 PA. C.S.A §102 defines "Local authorities" as a county, municipal and other local boards or bodies having authority to enact laws relating to traffic.
- B. 75 Pa. C.S.A. § 3352(a)(2)(viii) prohibits a person from standing or parking a vehicle at any place where official signs prohibit stopping.
- C. 67 Pa. Code §212.114(7) provides that parking may be restricted in the area adjacent to or opposite of any type of driveway or intersection where turning maneuvers would be

restricted if parking were present.

## **II. SCOPE**

- A. To prohibit parking on the northwesterly or westerly side of that portion of Shomo Street from Ruby Street to Emerald Street by erecting "NO STANDING OR PARKING AT ANY TIME" signs on the northwesterly or westerly side of Shomo Street from Ruby Street to Emerald Street.

## **III. ERECTION OF "NO STANDING OR PARKING AT ANY TIME" SIGNS**

- A. At least four (4) "NO STANDING OR PARKING AT ANY TIME" signs shall be erected on the northwesterly or westerly side of that Shomo Street from Ruby Street to Emerald Street.
- B. Any other parking prohibition that is established by any other ordinance adopted by the Borough of Lorain shall remain as enacted, ordained and amended.

## **IV. VALIDITY**

- A. If any clause, sentence or other provisions of this Ordinance should be declared unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the remaining provisions of this Ordinance, and the Borough Council declares that it would have adopted this Ordinance had such unconstitutional, illegal or invalid provisions not been contained herein.
- B. The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance.
- C. It is hereby declared to be the intent of the Borough Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.
- D. All other Ordinances inconsistent with this Ordinance, are hereby repealed insofar, but only insofar, as they are inconsistent herewith.

## **V. EFFECTIVE**

- A. This Ordinance shall become effective immediately.

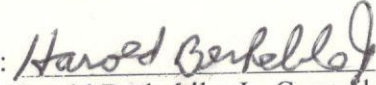


IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Lorain, County of Cambria, Commonwealth of Pennsylvania, this 31<sup>st</sup> day of July 2017, as follows:

ATTEST:

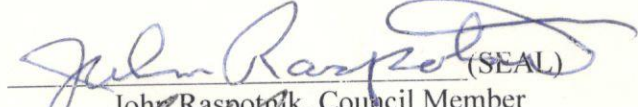
  
Tammy Ramos, Secretary

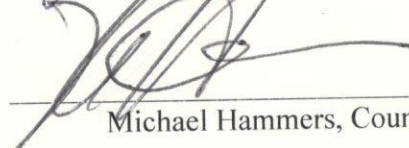
LORAIN BOROUGH

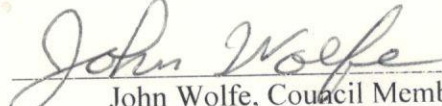
by:  (SEAL)  
Harold Berkebile, Jr. Council President

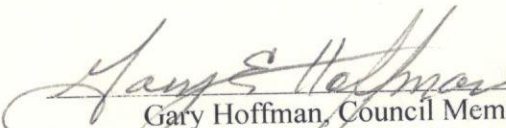
\_\_\_\_\_(SEAL)  
John Custer, Council Member

\_\_\_\_\_(SEAL)  
, Council Member

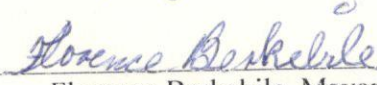
 (SEAL)  
John Raspotnik, Council Member

 (SEAL)  
Michael Hammers, Council Member

 (SEAL)  
John Wolfe, Council Member

 (SEAL)  
Gary Hoffman, Council Member

Approved by Florence Berkebile, Mayor, this 31 day of July, 2017.

by:  (SEAL)  
Florence Berkebile, Mayor

