

CITY OF DUQUESNE

ORDINANCE NUMBER: 2024-001

COUNTY OF ALLEGHENY

PRESENTED BY: City of Duquesne

COMMONWEALTH OF PENNSYLVANIA

FIRST READING: May 7, 2024

SECOND/THIRD READING: June 4, 2024

**AN ORDINANCE OF THE CITY OF DUQUESNE, ALLEGHENY COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES, PURSUANT TO TITLE 75 PA.C.S.A. §102, ET. SEQ., TITLE 67, DEPARTMENT OF TRANSPORTATION, VEHICLE CODE ENFORCEMENT CHAPTER 212.114, VEHICLE CODE TITLE 75 §3354, ET. SEQ., AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.**

**WHEREAS**, the City of Duquesne is a Municipal Corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Third-Class City Code; and

**WHEREAS**, the Legislature of the Commonwealth of Pennsylvania has vested the City of Duquesne with the power and authority to make and adopt all such ordinances, bylaws, rules, and regulations which are consistent with or restrained by the Federal or Pennsylvania State Constitutions, as well as the laws of the Commonwealth of Pennsylvania; and,

**WHEREAS**, the Legislature of the Commonwealth of Pennsylvania vests the City of Duquesne with the power and authority to make laws as to be expedient or necessary for the proper management, care, and control inter alia, of the City, and the maintenance of peace, good government, safety and welfare of the City, its trade, commerce, and manufacturers; and,

**WHEREAS**, the City of Duquesne has the power to regulate the parking of vehicles within the boundaries of the City of Duquesne, pursuant to the laws of Commonwealth of Pennsylvania and the Third-Class City Code; and,

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the City of Duquesne, that Ordinance No. 001 of 2024 is hereby adopted, and any ordinance inconsistent herewith is repealed, and it is hereby ordained and enacted by the authority of the same as follows:

**I. PARKING OF TRAILERS, HOUSE TRAILERS, MOTOR HOMES, BOATS, AND BOAT TRAILERS.**

It shall be unlawful to park any trailers, house trailers, and/or motor homes as defined by § 102 of the Vehicle Code of the Commonwealth of Pennsylvania (75 Pa.C.S.A. § 102) and/or boats or boat trailers within the limits of the public right-of-way of any highway, street road, alley, or cartway in the City, at any time unless specifically zoned for that purpose.

**II. VEHICLES TO BE PARKED WITHIN MARKED SPACES.**

Wherever a space shall be marked off on any highway, street road, alley, or cartway for the parking of an individual vehicle, every vehicle there parked shall be parked within the lines bounding such space.

### **III. STOPPING OR STANDING**

No person shall stop or stand a vehicle at any time, except in accordance with official traffic control devices, upon any of the highways, streets, roads, alleys, or cartways, or parts thereof provided that vehicles licensed for public transportation shall be permitted to stop at authorized stations.

### **IV. ANGLE PARKING.**

No person shall park a vehicle upon any of the highways, streets, roads, alleys, or cartways, or parts thereof except at the angle designated and only within the painted stall lines. On all highways, streets, roads, alley, or cartway or portions thereof where angle parking is now or shall hereafter be authorized, all vehicles parked thereon shall be parked with the front thereof nearest the curb.

### **V. PARKING OF COMMERCIAL VEHICLES PROHIBITED AT ALL TIMES IN RESIDENTIAL AREAS.**

- A. No person shall park a truck, trailer, semitrailer, or other commercial vehicle at any time upon any of the highways, streets, roads, alleys, or cartways or parts thereof outside the commercial or industrial areas set forth in the Zoning Ordinance of the City of Duquesne.
- B. This prohibition shall not apply to vehicles of the Police Department or Fire Department, or commercial vehicles of any public utility company engaged in the performance of public utility work, or vehicles making local deliveries or rendering service to occupants of buildings upon the highways, streets, roads, alleys, or cartways so named.
- C. No person shall park a commercial vehicle, as hereinafter defined, at any time upon any highway, street alley or cartway, or part thereof in the City when so designated. A "commercial vehicle" is defined as any motor vehicle used in a commercial business or enterprise, any motor vehicle on which appears advertising or identification of a business or enterprise or any motor vehicle with more than two axles or exceeding two tons in gross weight.
- D. It shall be unlawful for anyone to store trucks, trailers or commercial vehicles, recreational vehicles, motor homes, travel trailers or campers as defined in this ordinance, on properties in residential zoning districts unless they comply with the following rules:
  - (1) Such storage shall not be located closer than three (3) feet to any side or rear lot line and ten (10) feet of any street line.
  - (2) Travel trailers or campers shall not exceed thirty-five (35) feet in length and eight (8) feet in width.

(3) Only one (1) travel trailer or camper shall be permitted to be stored outdoors in any required yard setback areas of a lot on any residential zoning district. A boat, camper, recreational vehicle (RV), or any other similar vehicle are permitted to be parked within any public street or public alley within this City for no longer than forty-eight consecutive hours.

(4) No travel trailer or camper stored in conformance with this subsection shall remain in such storage for longer than twelve (12) consecutive months.

(5) Any such vehicle stored in accordance with this subsection shall not be occupied and shall not be provided with utility connections other than required for vehicle maintenance and shall not be used for storage of any non-recreational material.

(6) The within section shall not apply to the storage of any construction vehicles engaged in construction for an active construction site.

(7) Only one (1) commercial vehicle of a rated capacity not exceeding two (2) tons with two (2) axles, owned, or used by a resident of the premises, shall be permitted to be regularly parked or garaged on a lot in any residential zoning district.

(8) No person shall park or leave standing any motor vehicle upon any residential lawn area. A lawn area is defined as the property from the front of a residential house, condominium, or cooperative to the street line other than a driveway, walkway, concrete or blacktopped surface parking space.

(9) Except for the purpose of loading or unloading, or providing a service to an abutting property, it shall be unlawful for a person to park on any public street or public alley within this City any vehicle which is classified as a Class 4 through Class 8 as defined by the Federal Highway Administration. Exceptions to this can be made to City Council and will be determined on a case-by-case basis.

(10) The parking or emplacement within any public street or public alley within this City of any storage trailer or container, cargo trailer or container, portable "pod" or any similar unit or object, whether or not equipped with wheels, is prohibited. Exceptions to this provision can be made to the City Council and will be determined on a case-by-case basis.

(11) This section does not apply to any commercial vehicle making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located in a residential district, or when such vehicle is parked in connection with

and in aid of the performance of a service to property in the district, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any structure for which a building permit has previously been obtained, when time in addition to the two-hour period is necessary to complete such work.

**VI. REGISTRATION, CERTIFICATE OF INSPECTION, LICENSING, AND DEFECTIVE EQUIPMENT.**

A. It is unlawful to park on any public street within this City a motor vehicle which does not display a currently valid registration plate issued by the Department of Transportation of the Commonwealth of Pennsylvania.

B. It is unlawful to park on any public street within this City a motor vehicle which does not display a currently valid certificate of inspection and license issued by an official inspection station duly appointed by the Department of Transportation of the Commonwealth of Pennsylvania.

C. It is unlawful to park on any public street within this City a motor vehicle which is not in condition for safe operation because of absent or defective equipment.

**VII. LOADING AND UNLOADING OF GOODS.**

The loading and unloading of goods, wares and merchandise is hereby restricted to such length of time as is absolutely necessary for the purpose of loading or unloading of such goods, wares, and merchandise. For the purpose of enforcement of this section, such loading or unloading of any vehicle shall not be considered as parking; provided that, without having first obtained permission from the Chief of Police to do so, no person shall load or unload a vehicle from any place upon any street or alley in the City of Duquesne where parking is prohibited; or shall allow a vehicle to remain, for loading or unloading, in any place upon any street or alley where parking is limited as to time, for longer than the time for which parking is permitted; or shall load or unload upon any street or alley in such a way that one lane for vehicular traffic shall not be kept open at all times. Where such permission is granted by the Chief of Police, he may, at his discretion, block off the portion of the street or alley affected by such loading or unloading.

**VIII. PARKING ON PUBLIC PROPERTY**

- A. It shall be unlawful for any unauthorized person to park any motor vehicle on any public property of the City of Duquesne in parking areas which are restricted or otherwise reserved for use by City officials and employees.
- B.
- C. It shall be unlawful for any person to park any motor vehicle on any public property of the City of Duquesne, except persons conducting City-related business, between 8:00 a.m. and 9:00 p.m., Monday through Sunday.
- D. For purposes of this section, City-related business includes the use of all City facilities at the Municipal Complex, including parks and fields.
- E. It shall be unlawful to park or otherwise leave unattended any motor vehicle on any grounds

or parking areas of the City of Duquesne for periods exceeding three hours, except people conducting City-related business.

- F. This section shall not apply to public parking areas designated as such with parking meters.
- G. Any motor vehicle found on public property of the City of Duquesne in violation of this section shall be removed and impounded.
- H. Regulations controlling and restricting the movement and parking of vehicles are hereby established upon all parking lots, parks, playgrounds and other municipally owned or leased properties in accordance with this chapter.
- I. For purposes of this section, an "electric vehicle charging station" means a public parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.
- J. Any parking space with an electric charging station used for charging plug-in electric drive vehicles must have signage indicating that the space is for the exclusive use of plug-in electric drive vehicles. Only plug-in electric drive vehicles may park in such parking spaces, subject to the following limitations:
  - (1) The use of a charging station shall be available on a first-come first-serve basis.
  - (2) All vehicles parked in a space containing an electric vehicle charging station must be connected to and using the charging station equipment to charge the vehicle.
  - (3) Plug-in electric drive vehicles may be parked in electric vehicle charging station spaces, while charging, between the hours of 9:00 p.m. and 8:00 a.m.
  - (4) It shall be unlawful to park or otherwise leave unattended any motor vehicle at an electric vehicle charging station for periods exceeding three hours.

J. Every vehicle standing or parked upon a two-way highway, street, alley, or cartway shall be positioned parallel to and with the right-hand wheels within twelve inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder.

K. Every vehicle standing or parked upon a one-way highway, street, alley or cartway, shall be positioned parallel to the curb or edge of the highway, street, alley, or cartway in the direction of authorized traffic movement with its right-hand wheels within 12 inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb or, in the absence of a curb, as close as practicable to the left edge of the left-hand shoulder.

**IX. PARKING RESTRICTIONS AT INTERSECTIONS, PUBLIC OR PRIVATE DRIVEWAYS, FLASHING SIGNAL, STOP SIGN, YIELD SIGN, OR TRAFFIC CONTROL DEVICE AT THE SIDE OF A ROADWAY.**

It shall be unlawful to park:

- A. Within fifteen (15) feet of a fire hydrant; and,

- B. within twenty (20) feet in front of a public or private driveway; and
- C. within thirty (30) feet of any flashing signal, stop sign, yield sign, or traffic control device located at the side of a roadway; and,
- D. within twenty (20) feet of a driveway of a fire station; and,
- E. within fifty (50) feet of the nearest rail of a railroad crossing;
- F. on a crosswalk or within an intersection; and,
- G. parking shall be prohibited alongside or opposite any excavation, or obstruction when stopping, standing, or parking, which in any way would obstruct traffic on any highway, street, road, alley, cartway or part thereof.
- H. No parking shall be permitted on Grant Avenue between 3<sup>rd</sup> and 4<sup>th</sup> Street between the hours of two (2) PM. To four (4) PM. On weekdays for the loading and unloading of school students.

**X. VIOLATIONS AND PENALTIES.**

Any person who violates one (1) or more sections of this ordinance shall be subject to a fine of not more than six hundred dollars (\$600.00) for each separate offense and/or confinement in the County Jail for a period of not more than ninety (90) days.

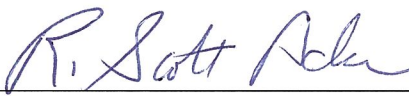
This Ordinance shall be effective immediately upon enactment by the Town Council of the City of Duquesne, and shall remain in effect until revised, amended or revoked and may be amended by the Town Council of the City of Duquesne.

**ORDAINED AND ENACTED** by the Council of the City of Duquesne, County of Allegheny and Commonwealth of Pennsylvania, in a regular meeting of Council and public session, this 4<sup>th</sup> day of June, 2024.

ATTEST:

  
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 Douglas Sample, City Manager

CITY OF DUQUESNE:

  
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 R. Scott Adams, Mayor