

**BOROUGH OF SHARON HILL
COUNTY OF DELAWARE
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 1415**

AN ORDINANCE OF THE BOROUGH OF SHARON HILL, DELAWARE COUNTY PENNSYLVANIA, PROVIDING A DEFINITION FOR COMMERCIAL TRUCKS AND RESTRICTING THE PARKING AND STOPPING OF COMMERCIAL VEHICLES ON ANY STREET IN THE RESIDENTIAL DISTRICT; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sharon Hill Borough Council desires to restrict the parking and stopping of certain defined commercial vehicles on residential streets in the Borough of Sharon Hill to promote safety and to protect residential areas from the overburden and intrusion of commercial vehicle parking on residential streets and to promote and preserve property values. keep residential areas of Sharon Hill Borough free from the parking of commercial trucks such as semi-trailer trucks and tractor-trailers; and,

WHEREAS, Council has determined that it is in the best interests of the health, safety, and general welfare of Sharon Hill Borough to regulate the parking of commercial that Ordinance prohibits the parking of trucks and commercial vehicles in areas of the Borough which are zoned residential; and,

WHEREAS, Council finds that Commercial trucks are parking overnight in residential streets

WHEREAS, Council desires to exclude the parking of commercial trucks on residential streets with the exception of commercial vehicles which are operated and maintained by residents.

NOW THEREFORE, this _____ Day of 2024 the Council of the Borough of Sharon Hill hereby **ORDAINS** :

SECTION I. No person shall park any commercial or recreational vehicle, as defined below upon any street, alley, or highway within the physical boundaries of the Borough of Sharon Hill . Further The Code of the Borough of Sharon Hill shall be amended to add a section entitled “ Commercial Vehicle Parking” which shall provide as follows

DEFINITION: The term “COMMERCIAL VEHICLE “ as used this section whether stationary or movable shall be defined as follows:

(1) Any Truck, Trailer, semitrailer, recreational vehicle or vehicle in excess of 80 inches wide and/or

(2) Any truck trailer, semitrailer, or recreational vehicle in excess of 20 feet in length, alone or in combination with any other vehicle, trailer or attachment and /or

(3) Any truck, trailer, or vehicle in excess of eight feet in height and or

(4) Any truck, trailer, or vehicle in excess of 8,000 pounds

(5) Any vehicle regardless of size that causes a visual obstruction that would create a hazard to the public safety and welfare.

(a) In determining whether a vehicle causes a visual obstruction that would create a hazard to public safety and welfare, relevant factors shall include but not be limited to, the location of the vehicle in relation to an intersection, whether the vehicle is parked on an angle and the type, size and location of the items stored, carried, fixed or attached to any portion of the exterior of the vehicle which obstruct the view of emergency personnel from being able to see any property.

SECTION II. EXCEPTIONS;

A. Any commercial vehicle actively engaged in making local deliveries or rendering service.

B. Public Utility company vehicle engaged in any public utility work

C. Any Municipal or other governmental vehicle or emergency vehicle engaged in the performance of their official duties

D. Any vehicle serving official Borough purposes, public school purposes, emergency services response vehicles or vehicles fitted for the disabled and handicapped (with a handicapped license plate or placard).

E. Any vehicle for recreation purposes shall be permitted to be parked for a period of time not to exceed 24 hours.

G. Any construction vehicle parking in an active work zone

H. Any properly registered resident owned or operated commercial vehicle which has a valid permit from the borough permitting street parking.

SECTION III. DISCRETION OF THE CHIEF OF POLICE

The Chief of Police after conferring with the Borough Engineer, has the right to limit certain truck parking of certain vehicles, based on height and size, in areas of the Borough considered to be sight hazards or for other safety reasons. These areas of the Borough shall be designated by Resolution.

SECTION IV.EXEMPTIONS

Any resident who owns and/or operates a commercial vehicle as defined herein, and who resides in a residential property which does not have a driveway may apply to the Borough for exemption from the provisions of this article

SECTION V VIOLATIONS AND PENALTIES.

Unless another penalty is expressly provided for by the Pennsylvania Vehicle (75 Pa.C.S.A sec 101 et seq.) Any person violating any provision of this article shall pay a fine for the violation in an amount established by the Sharon Hill Council and set forth in the Sharon Hill fee Schedule which fines may be amended from time to time by resolution. If the Borough prosecutes any violation of this chapter and a person is convicted of a violation in a summary proceeding, the person shall pay the costs of prosecution in addition to the applicable fine

SECTION VI. SEVERABILITY

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION VII REPEALER

All ordinances, resolutions, or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.

SECTION VIII: EFFECTIVE DATE

This Ordinance shall take effect and be in force FIVE (5) days following its legal enactment.

ENACTED and ORDAINED this _____ day of _____, 2024

BY: _____

Tanya Allen
President of Council

BY: _____

Hykeem Green
Mayor

ATTEST: _____

Ieasa Nichols
Borough Manager