

## Chapter 150

### VEHICLES AND TRAFFIC

#### ARTICLE I General Provisions

- § 150-1. Definitions and interpretation.
- § 150-2. Manner of adopting permanent traffic and parking regulations.
- § 150-3. Temporary and emergency regulations.
- § 150-4. Experimental regulations.
- § 150-5. Streets closed or restricted for construction, maintenance or special events.
- § 150-6. Authority of police officers.

#### ARTICLE II Traffic Regulations

- § 150-7. Speed limits.
- § 150-8. Traffic control signals.
- § 150-9. Prohibited right turns on red signal.
- § 150-10. Prohibited turns at intersections.
- § 150-11. U-turns.
- § 150-12. One-way streets.
- § 150-13. No-passing zones.
- § 150-14. Through streets.
- § 150-15. Stop intersections.
- § 150-16. Yield intersections.
- § 150-17. Closing of certain streets to certain vehicles.
- § 150-18. Vehicle weight limits.
- § 150-18.1. Stopping and standing.

#### ARTICLE III Parking Regulations

- § 150-19. Vehicles to be parked within marked spaces.
- § 150-20. Angle parking.
- § 150-21. Parking prohibited at all times.
- § 150-22. Parking prohibited certain hours.
- § 150-23. Time limit parking.
- § 150-24. Special purpose parking zones.
- § 150-25. (Reserved)
- § 150-26. Municipal parking lots.
- § 150-26.1. Permit street parking.
- § 150-27. Penalties for parking violations.

#### ARTICLE IV Removal and Impounding of Certain Vehicles

- § 150-28. Applicability and scope.
- § 150-29. Authority to remove and impound.
- § 150-30. Designation of approved licensed salvors; bonding; towing and storage.
- § 150-31. Notification of removal and impounding.
- § 150-32. Payment of towing and storage charges.
- § 150-33. Records of vehicles removed and impounded; disposition of unclaimed vehicles.

MONTOURSVILLE CODE

§ 150-34. Restrictions upon removal of vehicles.

ARTICLE V  
Snow and Ice Emergencies

§ 150-35. Parking prohibited for snow removal.

§ 150-36. Penalty for violation.

ARTICLE VI  
Miscellaneous Provisions

§ 150-37. Violations and penalties.

ARTICLE VII  
Schedules

§ 150-38. Schedule I: Speed Limits.

§ 150-39. Schedule II: Traffic Control Signals.

§ 150-40. Schedule III: Prohibited Right Turns on Red Signal.

§ 150-41. Schedule IV: Prohibited Turns at Intersections.

§ 150-42. Schedule V: U-Turns.

§ 150-43. Schedule VI: One-Way Streets.

§ 150-44. Schedule VII: No-Passing Zones.

§ 150-45. Schedule VIII: Through Streets.

§ 150-46. Schedule IX: Stop Intersections.

§ 150-47. Schedule X: Yield Intersections.

§ 150-48. Schedule XI: Closing of Certain Streets to Certain Vehicles.

§ 150-49. Schedule XII: Vehicle Weight Limits.

§ 150-50. Schedule XIII: Angle Parking.

§ 150-51. Schedule XIV: Parking Prohibited at All Times.

§ 150-52. Schedule XV: Parking Prohibited Certain Hours.

§ 150-53. Schedule XVI: Time Limit Parking.

§ 150-54. Schedule XVII: Special Purpose Parking Zones.

§ 150-55. (Reserved)

§ 150-56. Schedule XIX: Parking Lot Tow-Away Zones.

§ 150-57. Schedule XX: Snow Emergency Routes.

§ 150-58. Schedule XXI: Stopping and Standing Prohibited.

§ 150-59. Schedule XXII: Permit parking.

[HISTORY: Adopted by the Borough Council of the Borough of Montoursville 6-1-1998 by Ord. No. 375. Amendments noted where applicable.]

GENERAL REFERENCES

Street acceptances and vacations — See Ch. A161.

ARTICLE I  
General Provisions

**§ 150-1. Definitions and interpretation.**

- A. Words and phrases, when used in this chapter, except for sections or articles to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa.C.S.A. § 101 et seq. (the Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this chapter the word "street" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.
- B. The term "legal holidays," as used in this chapter, shall mean and include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- C. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**§ 150-2. Manner of adopting permanent traffic and parking regulations.**

All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Borough of Montoursville.

**§ 150-3. Temporary and emergency regulations.**

- A. The Borough Police Department shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
  - (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.
  - (2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.
  - (3) In the case of regular road maintenance and street cleaning.
- B. These temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation shall, upon conviction thereof, be liable to the penalty set forth in the law or elsewhere in this chapter for a violation of such nature.

**§ 150-4. Experimental regulations.**

- A. The Borough Council may, from time to time, designate places upon and along the streets in the Borough where, for a period of not more than 90 days, specific traffic

and/or parking regulations, prohibitions and restrictions shall be in force and effect and shall designate those locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this chapter for a violation of such nature.

- B. The purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

**§ 150-5. Streets closed or restricted for construction, maintenance or special events.**

- A. The Borough Council shall have the authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
- B. The Borough Council shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop or is signaling that vehicle, by a flag or other device, not to proceed.

**§ 150-6. Authority of police officers.**

The police shall have authority to direct traffic on the streets in the Borough, at intersections in public and in other places where the Vehicle Code or this chapter applies.

ARTICLE II  
**Traffic Regulations**

**§ 150-7. Speed limits.**

The speed limit for both directions of traffic along the streets or parts thereof described in Schedule I (§ 150-38), attached to and made a part of this chapter, is hereby established at the rate of speed indicated in said schedule. It shall be unlawful for any person to drive a vehicle at a higher speed than the maximum prescribed for that street or part of a street.

**§ 150-8. Traffic control signals.**

Traffic control signals shall be installed and operated at the intersection of those streets described in Schedule II (§ 150-39), attached to and made a part of this chapter.

**§ 150-9. Prohibited right turns on red signal.**

No person shall make a right turn (or a left turn from a one-way street into another one-way street) when facing a steady red signal at any of the locations described in Schedule III (§ 150-40), attached to and made a part of this chapter.

**§ 150-10. Prohibited turns at intersections.**

It shall be unlawful for the driver of any vehicle to make a turn of the kind designated (left, right, all) at any of the intersections described in Schedule IV (§ 150-41), attached to and made a part of this chapter.

**§ 150-11. U-turns.**

It shall be unlawful for the driver of any vehicle to make a U-turn on any of the streets or parts of streets described in Schedule V (§ 150-42), attached to and made a part of this chapter.

**§ 150-12. One-way streets.**

The streets or parts of streets described in Schedule VI (§ 150-43), attached to and made a part of this chapter, are hereby designated as one-way streets in the direction indicated, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street.

**§ 150-13. No-passing zones.**

No-passing zones are hereby established along those streets or parts of streets described in Schedule VII (§ 150-44), attached to and made a part of this chapter, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no-passing zone described in said schedule.

**§ 150-14. Through streets.**

The streets or parts of streets described in Schedule VIII (§ 150-45), attached to and made a part of this chapter, are hereby established as through streets; and the driver of any vehicle, upon approaching any such street at any intersection thereof (except for such intersections where there are now or shall hereafter be located official traffic signals), shall come to a full stop or yield the right-of-way, as the case may be, before entering any such through street.

**§ 150-15. Stop intersections.**

The intersections described in Schedule IX (§ 150-46), attached to and made a part of this chapter (in addition to intersections with the through streets established by this chapter), are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first-named street as to face traffic approaching the second-named street in

the direction or directions indicated in said schedule. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall come to a full stop before entering any such intersection.

**§ 150-16. Yield intersections.**

The intersections described in Schedule X (§ 150-47), attached to and made a part of this chapter (in addition to intersections with the through streets established by this chapter), are hereby established as yield intersections, and official yield signs shall be erected in such position upon the first-named street as to face traffic approaching the second-named street in the direction or directions indicated. Every driver of a vehicle approaching any such intersection upon the first-named street, in the direction or directions indicated in each case, shall slow down or stop the vehicle and then yield the right-of-way to any vehicle in the intersection or approaching on the second-named street so closely as to constitute a hazard during the time that the driver is moving across or within such intersection.

**§ 150-17. Closing of certain streets to certain vehicles.**

It shall be unlawful for any person to drive any vehicle, except a passenger vehicle (but not including any passenger vehicle drawing any trailer or towing any other vehicle), upon any of the streets or parts of streets described in Schedule XI (§ 150-48), attached to and made a part of this chapter.

**§ 150-18. Vehicle weight limits.**

It shall be unlawful for any person to drive any commercial vehicle or other tractor, trailer or tractor-trailer combination, having a gross weight in excess of that respectively prescribed, upon any of the streets or bridges, or portions thereof, described in Schedule XII (§ 150-49), attached to and made a part of this chapter, except for the purpose of making local deliveries on said streets.

**§ 150-18.1. Stopping and standing. [Added 3-17-2003 by Ord. No. 393; amended 8-21-2003 by Ord. No. 396]**

It shall be unlawful for any person to stop or allow any vehicle to remain or stand, whether said vehicle is attended or unattended, the period of time indicated upon any of the streets or parts thereof described in Schedule XXI (§ 150-58), attached to and made a part of this chapter.

**ARTICLE III  
Parking Regulations**

**§ 150-19. Vehicles to be parked within marked spaces.**

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall

be a violation of this article for any person to park a vehicle or allow it to remain parked otherwise.

**§ 150-20. Angle parking.**

No person shall park a vehicle upon any of the streets or parts thereof described in Schedule XIII (§ 150-50), attached to and made a part of this chapter, except at the angle designated and only within the painted stall lines. On all streets 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.

**§ 150-21. Parking prohibited at all times.**

- A. No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule XIV (§ 150-51), attached to and made a part of this chapter.
- B. No person shall park a vehicle at any time between a sign reading "City Bus" and the nearest intersection.
- C. No person shall park a vehicle at any time between a sign reading "No Parking Here to Corner" and the designated intersection.
- D. Between the hours of 10:00 p.m. and 6:00 a.m., parking upon any of the streets of the Borough shall be restricted as follows: **[Added 1-17-2005 by Ord. No. 407]**
  - (1) Between the hours of 10:00 p.m. and 6:00 a.m., no person shall park or place upon any of the streets the following:
    - (a) Vehicles in excess of 9,000 pounds.
    - (b) Any trailer, loaded or unloaded, to include but not limited to boat trailers with or without a boat.
    - (c) Boats.
    - (d) Motor homes.
    - (e) Dumpsters.
  - (2) Permitted exceptions:
    - (a) Construction trailers parked at a work site with a building permit, which trailer is owned by a contractor working at the site.
    - (b) Dumpsters. Approval to place a dumpster on the street may be obtained from the Borough Office free of charge. Dumpsters placed on the street overnight must have lights that flash at night in both directions.
    - (c) Motor homes, boat trailers and campers. Approval to park a motor home or a boat trailer or camper hooked to a motor vehicle on a street in an area which

is approved for overnight parking for a period not to exceed 48 hours may be obtained free of charge through the Police Department.

- E. No person shall park any vehicle on any street facing in a direction opposite the flow of traffic of the lane nearest said vehicle. [Added 9-22-2006 by Ord. No. 416]

**§ 150-22. Parking prohibited certain hours.**

No person shall park a vehicle upon any of the streets or parts of streets described in Schedule XV (§ 150-52), attached to and made a part of this chapter, during the hours specified in said schedule, on any day except Saturdays, Sundays and holidays.

**§ 150-23. Time limit parking.**

No person shall park a vehicle or allow the same to remain parked upon any of the streets or parts of streets described in Schedule XVI (§ 150-53), attached to and made a part of this chapter, between the hours specified, for longer than the time indicated in said schedule.

**§ 150-24. Special purpose parking zones.**

- A. It shall be unlawful for any person to park any vehicle or to allow the same to remain parked in any special purpose parking zone established in Schedule XVII (§ 150-54), attached to and made a part of this chapter, except as specifically provided for such zone.
- B. Parking reserved for the handicapped. As provided in 75 Pa.C.S.A. § 3354(d):
- (1) When a motor vehicle bearing registration plates issued to handicapped persons or disabled veterans as prescribed in the Pennsylvania Vehicle Code is being operated by or for the transportation of the handicapped person or disabled veteran, the driver shall be relieved of any liability for parking for a period of 60 minutes in excess of the legal parking period.
  - (2) At the request of any handicapped person or disabled veteran, Borough authorities may erect on the highway, as close as possible to their place of residence, a sign or signs indicating that that place is reserved for a handicapped person or disabled veteran, that no parking is allowed there by others and that any unauthorized person parking there shall be subject to a fine.

**§ 150-25. (Reserved) <sup>1</sup>**

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1. Editor's Note: Former § 150-25, Permit parking lots, as amended, was repealed 10-1-2007 by Ord. No. 425.

**§ 150-26. Municipal parking lots. [Amended 5-7-2007 by Ord. No. 422; 10-1-2007 by Ord. No. 425]**

- A. Applicability. This section shall apply to the following:
- (1) The municipal parking lot located at the southeast corner of Broad Street and Stewart Alley.
  - (2) The municipal parking lot located at the northwest corner of Crawford Alley and Stewart Alley.
- B. Parking restrictions on the municipal parking lots. It shall be unlawful for any person to:
- (1) Park a vehicle, allow a vehicle to remain parked or have a vehicle parked in the municipal parking lot for a period or periods which exceed a total of two hours (from 7:00 a.m. to 5:00 p.m.) in any one day.
  - (2) Repark a vehicle, allow a vehicle to be reparked or have a vehicle reparked at the municipal parking lot within three hours of the initial parking in that lot between the hours of 7:00 a.m. and 5:00 p.m.
  - (3) Park a vehicle in the prohibited areas, including but not limited to the access and exit driveways, entrances to private property and turning and maneuvering spaces, and elsewhere than in an individual parking space.
- C. Official signs. Official signs designating the parking restrictions in Subsection B(1) and (2) shall be erected at the municipal parking lots.

**§ 150-26.1. Permit street parking. [Added 5-17-2004 by Ord. No. 401; amended 5-7-2007 by Ord. No. 422]**

- A. Findings and purpose. The Borough of Montoursville finds that:
- (1) Certain residential areas in the Borough of Montoursville are subject to commuter and student vehicle parking, therefore depriving the residents of those areas in which to park their own vehicles.
  - (2) The establishment of a parking permit program for certain affected areas should facilitate the efficient movement of traffic by providing for parking preference during certain hours of the day and days of the week. Therefore, the Borough of Montoursville considers it to be in the best interest of the residents of the Borough to provide for the establishment of a residential permit parking program to insure primary access to available parking spaces by neighborhood residents and to facilitate the efficient movement of traffic.
- B. Definitions. For the purposes of this section, words and terms shall have the following meanings:
- COMMUTER VEHICLE** — A motor vehicle parked by a person not a resident, invited guest or patron of a home occupation or private business in a residential area.

HOME OCCUPATION — An accessory use which is carried on by a member(s) of a family occupying a dwelling unit, which use is clearly incidental to the principal residential use and has been authorized according to the Zoning Ordinance of the Borough of Montoursville.<sup>2</sup>

PERMIT PARKING AREA — A contiguous area containing public highways or parts of public highways primarily abutted by residential property and designated in this section as a residential permit parking area.

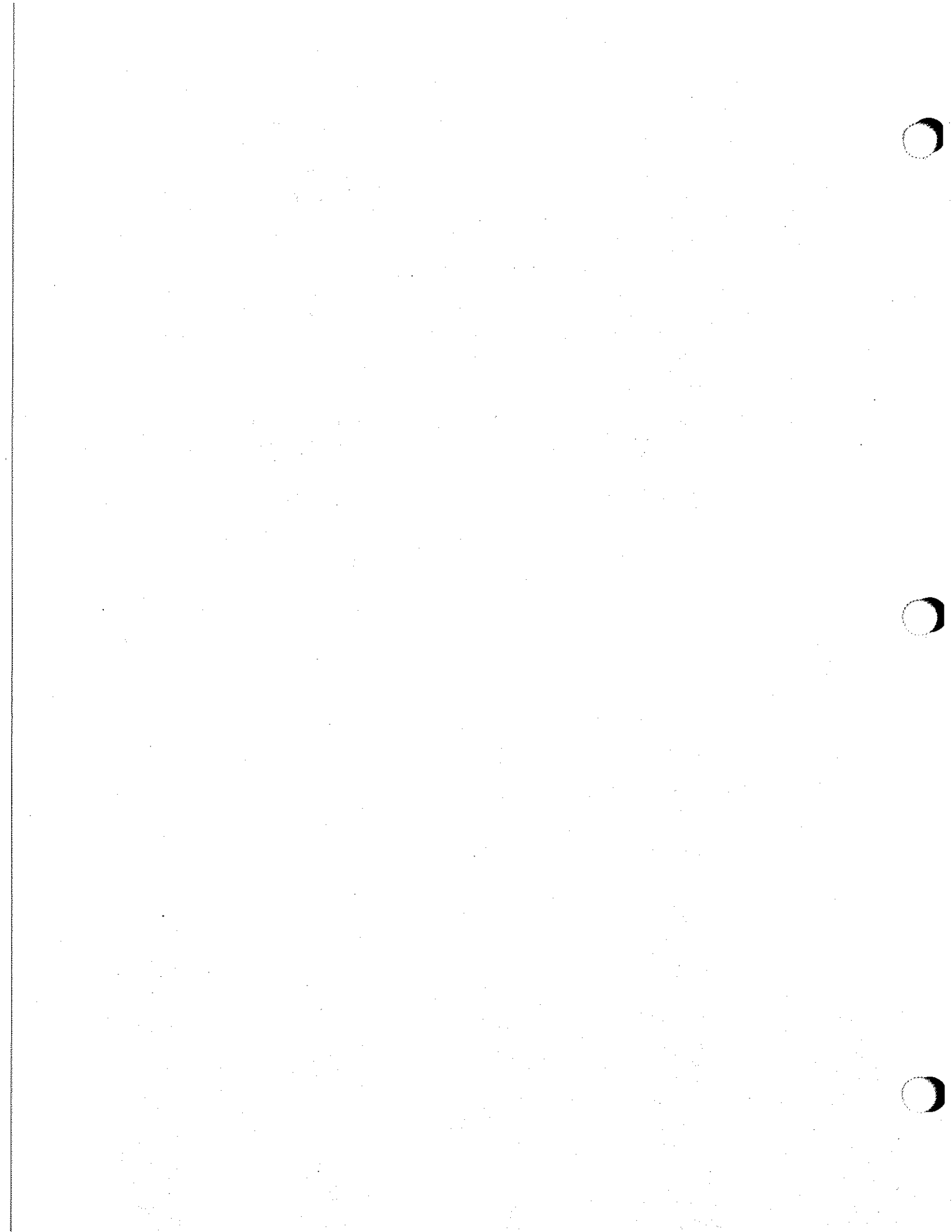
PROPRIETOR — A person who owns or leases real estate within a residential area of which he is not a resident, but who owns or manages a business enterprise or professional office maintained at that address.

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2. Editor's Note: See Ch. 158, Zoning.

RESIDENT — A person who owns or leases real property within a residential area and who maintains either a voting residence, or bona fide occupancy, or both at that address.

- C. Signs/time period. The areas established by the Borough within the permit parking areas described herein shall be designated by signs erected thereon as "Permit Parking Only." The signs shall indicate the days, hours and conditions, if any, under which parking shall be by permit only. If the time is not designated on the sign the restriction shall be for a twenty-four-hour period.
- D. Designation of permit parking areas. It shall be unlawful for anyone not having a permit to park a motor vehicle on any street or parts of streets described in § 150-59, Schedule XXII, during the period August 15 through June 15, Monday through Friday of each week, between the hours of 8:00 a.m. to 3:00 p.m.
- E. Application for residential parking permit.
  - (1) Application for residential parking permits may be made to the Borough by any adult who resides in, or by a proprietor of, property immediately adjacent to a street or other location within a residential parking permit area.
  - (2) Each parking permit application shall contain the following information:



- (a) The name, address, date of birth, social security number, and phone number of the applicant; and
  - (b) The owner of the property's name, address and phone number if not the same as the applicant.
- F. Issuance of permit. Upon receipt of the application and determination by the Borough that the information upon the application shows that the applicant is entitled to a residential/visitor permit for a motor vehicle, the Borough shall issue to the applicant a residential/visitor parking permit.
- G. Number of permanent permits. Each residence may have a permanent permit for each vehicle registered to that mailing address.
- H. Permanent visitor permits. Each residence may, at the discretion of the Chief of Police, be issued permanent visitor permits. The Chief of Police will consider applications for visitor permits on a case-by-case basis. Any resident who disagrees with the determination of the Chief of Police may appeal in writing to the Mayor, whose determination shall be final.
- I. Temporary visitor permits. Upon completion of an application, residents may obtain temporary visitor permits allowing visitors to park in a designated residential permit parking area. The temporary visitor parking permits may be issued only to a bona fide resident of a residence in the residential permit parking area. The visitor parking permits shall be valid for a maximum of 48 hours.
- J. Parking permits for home occupations. A maximum of two permanent visitor permits, in addition to the permits allowed in Subsection G above, may be issued to a proprietor or person conducting a home occupation upon completion of an application and payment of the fee established pursuant to resolution of Council.
- K. Responsibility of permit holders or users:
- (1) A parking permit shall not authorize its holder to stand or park a motor vehicle in any place where or any time when stopping, standing or parking a motor vehicle is prohibited or set aside for other specified types of vehicles, nor shall the permit exempt its holder from the observance of any traffic or parking regulation.
  - (2) A parking permit shall not guarantee or reserve to the holder a parking space within a designated permit parking area.
  - (3) The parking permits issued pursuant to this section shall be hung from the vehicle's inside rearview mirror, so as to be clearly visible and readable through the front windshield from the outside of the vehicle.
- L. Violations.
- (1) It shall constitute a violation of this section for any person to permit a motor vehicle to stand or park in a permit parking area without displaying a current and valid permit at any time when parking is restricted to parking by permit only.

- (2) It shall constitute a violation of this section for any person to display other than the current and valid permit while standing or parking in a permit parking area at any time when parking is restricted to parking only by permit.
  - (3) It shall constitute a violation of this section for any person falsely to represent himself as eligible for a parking permit or to furnish false information in an application to the Chief of Police in order to obtain a parking permit.
  - (4) It shall constitute a violation of this section for any person, other than a resident of or visitor to a residence or business in a permit parking area, to use or display a residential parking permit. Any such use or display by a person not visiting a residence or business in a permit parking area shall constitute a violation of this section by the permit holder and by the person who so used or displayed the parking permit.
  - (5) It shall constitute a violation of this section for any permit holder to represent to any other individual that the permit guarantees or reserves to the holder a particular parking space within a designated permit parking area.
- M. Revocation of permits. The Chief of Police shall have authority to revoke any parking permit of any permit holder found to be in violation of any provision of this section. Upon written notification to him of the revocation, the permit holder shall surrender the permit to the Chief of Police. Failure to do so, once requested, shall constitute a violation of this section.
- N. Duplicate or replacement permit. Any parking permit which has been issued pursuant to this section which has been lost, stolen or destroyed may be replaced for a fee to be set by resolution by Council.
- O. Falsification/transferability of permits. Any person who falsifies, duplicates, forges, alters, transfers or attempts to transfer any parking permit issued pursuant to this section or who obtains a duplicate or replacement parking permit under false pretenses shall be subject to arrest and prosecution under the applicable provisions of the Pennsylvania Crimes Code.

**§ 150-27. Penalties for parking violations.**

Any person who violates any provision of this article shall, upon conviction, be sentenced to pay a fine of \$25 and costs; provided, however, that it shall be the duty of the police officers of the Borough to report to the Borough Secretary all violations of any provision of this article, indicating, in each case, the section violated, the license number of the vehicle involved in the violation, the location where the violation took place and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this article. The notice shall contain instructions to the owner or driver of the vehicle that if he will report to the office of the Borough Secretary and pay the sum of \$10 within 96 hours after the time of the notice, that act will save the violator from prosecution and from payment of the fine and costs prescribed in the first sentence of this section.

ARTICLE IV  
**Removal and Impounding of Certain Vehicles**

**§ 150-28. Applicability and scope. [Amended 5-7-2007 by Ord. No. 422; 10-1-2007 by Ord. No. 425]**

This article is enacted under authority of § 6109(a)(22) of the Vehicle Code<sup>3</sup> and gives authority to the Borough to remove and impound vehicles that are parked in violation of the parking regulations of the Borough or overtime on any street or in metered parking lots, unmetered parking lots, permit parking lots or municipal parking lots in violation of any provision of this chapter.

**§ 150-29. Authority to remove and impound.**

The Borough shall have authority to remove and impound or to order the removal and impounding of any vehicle parked overtime or otherwise illegally parked, provided that the circumstances of its parking were within the conditions stated in § 150-28 of this article and provided that no such vehicle shall be removed or impounded except in strict adherence to the provisions of this article.

**§ 150-30. Designation of approved licensed salvors; bonding; towing and storage.**

Removal and impounding of vehicles under this article shall be done only by approved licensed salvor that shall be designated from time to time by the Borough Council or the Pennsylvania Department of Transportation. Every such licensed salvor shall submit evidence to the Borough Council that it is bonded or has acquired liability insurance in an amount satisfactory to the Borough Council as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the custody of the licensed salvor for the purpose of towing or storage. The approved licensed salvor shall submit to the Borough Council its schedule of charges for towing and storage of vehicles under this article, and when the schedule is approved by the Borough Council, those charges shall be adhered to by the approved licensed salvor. No different schedule of charges shall be adopted without approval of the Borough Council, and no different charges shall be demanded of or collected from any person whose vehicle is removed or impounded under this article by any approved licensed salvor. The Borough Council shall delete from its list of approved licensed salvors any salvor that makes any unapproved charge in connection with any vehicle removed or impounded under this article.

**§ 150-31. Notification of removal and impounding.**

Within 12 hours from the time of removal of any vehicle under authority granted by this article, notice of the fact that the vehicle was removed shall be sent by the Borough to the owner of record of the vehicle. The notice shall designate the place from which the vehicle was removed, the reason for its removal and impounding and the garage in which it was impounded.

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3. Editor's Note: See 75 Pa. C.S.A. 6109 et seq.

**§ 150-32. Payment of towing and storage charges.**

In order to claim a vehicle, the owner shall pay all towing and storage charges. The payment of the towing and storage charges authorized by this article shall, unless payment is made under protest, be final and conclusive and shall constitute a waiver of any right to recover the money so paid. If payment of any towing or storage charges is made under protest, the offender shall be entitled to a hearing before a District Justice. Payment of towing and storage charges shall not relieve the owner or driver of any vehicle from liability for any fine or penalty for the violation of the provision of this chapter for which the vehicle was removed or impounded.

**§ 150-33. Records of vehicles removed and impounded; disposition of unclaimed vehicles.**

- A. The Borough shall cause a record to be kept of all vehicles impounded under this article and shall be able at all reasonable times to furnish the owners or the agents of the owners of those vehicles with information as to the place of storage of the vehicle.
- B. If, after a period of 15 days the vehicle in storage remains unclaimed, the vehicle will be declared abandoned and will be dealt with in accordance with the provisions of Chapter 73 of the Motor Vehicle Code (75 Pa.C.S.A. § 7301 et seq., as amended).

**§ 150-34. Restrictions upon removal of vehicles.**

No vehicle shall be removed under the authority of this article if, at the time of the intended removal, the owner or the person for the time being in charge of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately.

ARTICLE V  
**Snow and Ice Emergencies**

**§ 150-35. Parking prohibited for snow removal.**

Parking on any street within the Borough of Montoursville is hereby prohibited during any snowstorm, and until snow removal or snow plowing is completed upon that street.

**§ 150-36. Penalty for violation.**

Any person violating the provisions of § 150-35 of this article shall be subject to a penalty of \$10 for each and every offense, provided that such penalty of \$10 is paid within four days of the issuance of the notice of violation. In the event that the penalty is not paid within four days as aforesaid, said person shall then be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$20, together with costs of prosecution, nor more than the maximum fine for summary offenses as the same may be from time to time provided for in the Pennsylvania Motor Vehicle Code.

ARTICLE VI  
Miscellaneous Provisions

**§ 150-37. Violations and penalties.**

Unless another penalty is expressly provided by the Vehicle Code (75 Pa.C.S.A. § 101 et seq.) or except as herein specified, every person convicted of a violation of a provision of this chapter, or any supplement thereto, shall be liable to a penalty of \$25 and costs of prosecution.

ARTICLE VII  
Schedules

**§ 150-38. Schedule I: Speed Limits.**

In accordance with the provisions of § 150-7, speed limits are hereby established upon the following described streets or parts thereof:

Name of Street	Speed limits (mph)	Location
Arch Street	25	From Broad Street to Loyalsock Avenue
Loyalsock Avenue	25	From Broad Street to Montour Street
Mill Street	15	From Broad Street to the Susquehanna River
Nicely Avenue [Added 3-17-2003 by Ord. No. 393]	15	From Willow Street to Fairview Drive
Park Road	15	From Loyalsock Avenue to end of Park Road
Pool Road	15	From Loyalsock Avenue to end of Pool Road
State Highway SR 2014	35	From Station 541+56 to Station 556+84 and from Station 557+94 to Station 597+10
State Highway SR 2014	25	From Station 556+84 to Station 557+94
State Highway SR 2014	40	From Station 498+24 to Station 541+56

**§ 150-39. Schedule II: Traffic Control Signals.**

In accordance with the provisions of § 150-8, traffic control signals shall be installed and operated at the following described intersections:

**Intersection**

Broad Street and Loyalsock  
Broad Street and Montour Street  
Broad Street and Walnut Street  
Broad Street and Willow Street  
Loyalsock Avenue and Montour Street  
Loyalsock Avenue and Claire Road

**Intersection**

Loyalsock Avenue and Fairview Drive

**§ 150-40. Schedule III: Prohibited Right Turns on Red Signal.**

In accordance with the provisions of § 150-9, no person shall make a right turn (or a left turn from a one-way street onto another one-way street) when facing a steady red signal at any of the locations described below:

Name of Street	Direction of Travel (Reserved)	Prohibited Right Turn on Red Signal Onto
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**§ 150-41. Schedule IV: Prohibited Turns at Intersections.**

In accordance with the provisions of § 150-10, no driver of any vehicle shall make a turn of the kind designated below at any of the following intersections:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
Walnut Street	South	Left	All	Lyter Elementary School Parking Lot
Washington Street	North	Right turn only	All	Broad Street
Washington Street	South	Right turn only	All	Broad Street

**§ 150-42. Schedule V: U-Turns.**

In accordance with the provisions of § 150-11, no driver of any vehicle shall make a U-turn on any of the streets or parts thereof described below:

Name of Street	Location (Reserved)
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**§ 150-43. Schedule VI: One-Way Streets.**

In accordance with the provisions of § 150-12, the following described streets or parts thereof are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction of Travel	Limits
Crawford Alle	West	From Montour Street to Loyalsock Avenue
Lloyd Alley	South	From Cherry Street to Broad Street
Stewart Alley	North	From Broad Street to Cherry Street
Stewart Alley	South	From Broad Street to Church Alley

Name of Street	Direction of Travel	Limits
Tombs Lane [Added 1-4-1999 by Ord. No. 379]	South	From Church Alley to Jordan Avenue
Updegraff Alley	North	From Crawford Alley to Cherry Street

**§ 150-44. Schedule VII: No-Passing Zones.**

In accordance with the provisions of § 150-13, no-passing zones are hereby established upon the following described streets or parts thereof:

Name of Street	Direction of Travel	Limits
		(Reserved)

**§ 150-45. Schedule VIII: Through Streets.**

In accordance with the provisions of § 150-14, the following described streets or parts thereof are hereby established as through streets:

Name of Street	Limits
	(Reserved)

**§ 150-46. Schedule IX: Stop Intersections.**

In accordance with the provisions of § 150-15, the following described intersections are hereby established as stop intersections, and stop signs shall be installed as provided therein:

Stop Sign on	Direction of Travel	At Intersection of
5th Alley	Both	North Montour Street
7th Alley	East	North Montour Street
8th Alley	East	North Montour Street
Airport Road	Both	South Loyalsock Avenue
Allen Street	Both	Pine Street
Allen Street	Both	Weldon Street
Allen Street	Both	Weaver Street
Allen Street	North	Fairview Drive
Allen Street	South	Elm Street
Allendale Drive	North	Sunset Drive
Allendale Drive	South	Fairview Drive
Apple Alley	South	Broad Street
Arthur Road	Both	Cypress Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Arthur Road	Both	Chestnut Street
Arthur Road	Both	Allen Street
Arthur Road	Both	Walnut Street
Arthur Road	East	Willow Street
Arthur Road	Both	Tule Street
Bennett Street	Both	Weldon Street
Bennett Street	Both	Weaver Street
Bennett Street	North	Pine Street
Bennett Street	Both	Spruce Street
Bennett Street	South	Mulberry Street
Branch Lane	South	Crawford Alley
Broad Street		
Brushy Ridge Road	West	Fairview Drive
Cedar Street	Both	Cypress Street
Cedar Street	Both	Allen Street
Cedar Street	East	Fairview Drive
Cedar Street	East	Willow Street
Cedar Street	West	Tule Street
Charles Street	East	Howard Street
Cherry Alley	North	Crawford Alley
Cherry Alley	Both	Broad Street
Cherry Alley	South	Church Alley
Cherry Street	Both	North Washington Street
Cherry Street	Both	Willow Street
Cherry Street	Both	North Montour Street
Cherry Street	East	North Arch Street
Cherry Street	West	Walnut Street
Cherry Street	West	Loyalsock Avenue
Chestnut Street	North	Spruce Street
Chestnut Street	Both	Weaver Street
Chestnut Street	North	Fairview Drive
Chestnut Street	Both	Claire Road
Chestnut Street	South	Mulberry Street
Church Alley	Both	Stewart Alley
Church Alley	Both	Streibeiigh Lane
Church Alley	Both	South Washington Street
Church Alley	Both	South Montour Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Church Alley	Both	Larch Alley
Church Alley	Both	Swartz Alley
Church Alley	Both	South Loyalsock Avenue
Church Alley	Both	South Arch Street
Church Alley	Both	Lloyd Alley
Church Alley	Both	Winger Alley
Church Alley	East	Updegraff Alley
Church Alley	West	Winters Lane
Church Alley	West	Maple Alley
Church Alley	West	Cherry Alley
Claire Road	Both	Walnut Street
Claire Road	East	Fairview Drive
Claire Road	Both	Allen Street
Crawford Alley	Both	Spruce Alley
Crawford Alley	East	Fairview Drive
Crawford Alley	Both	Cherry Alley
Crawford Alley	Both	North Loyalsock Avenue
Crawford Alley	West	North Washington Street
Crawford Alley	West	Tomilson Alley
Crawford Alley	West	Branch Alley
Crawford Alley	West	North Montour Street
Crawford Alley	West	Larch Alley
Crawford Alley	West	Maple Alley
Cypress Street	Both	Pearl Boulevard
Cypress Street	Both	Claire Road
Cypress Street	Both	Spruce Street
Cypress Street	Both	Weldon Street
Cypress Street	South	Elm Street
Eck Lane	North	Broad Street
Edwards Alley	Both	North Montour Street
Elm Street	Both	Chestnut Street
Elm Street	Both	North Arch Street
Elm Street	East	Maple Street
Elm Street	Both	Willow Street
Elm Street	Both	Walnut Street
Elm Street	Both	Bennett Street
Elm Street	Both	Tule Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Elm Street	Both	North Montour Street
Fairview Court	South	Fairview Drive
Fairview Court	West	Route 87
Fairview Drive	South	Broad Street
Fourth Street	East	North Montour Street
Fourth Street	Both	Beech Alley
Fourth Street	West	North Washington Street
Franklin Street	East	Maple Street
Franklin Street	West	Winters Lane
Howard Street	North	Broad Street
Jordan Avenue	Both	Reading Lane
Jordan Avenue	Both	Streibeach Lane
Jordan Avenue	Both	South Washington Street
Jordan Avenue	Both	South Montour Street
Jordan Avenue	Both	South Loyalsock Avenue
Jordan Avenue	West	Winter Lane
Konkle Alley	North	Broad Street
Konkle Alley	Both	Church Alley
Larch Alley	Both	Crawford Alley
Larch Alley	Both	Church Alley
Larch Alley	Both	Broad Street
Larch Alley	North	North Loyalstock Avenue
Lloyd Alley	Both	Broad Street
Lloyd Alley	Both	North Alley
Lloyd Alley	South	Crawford Alley
Locust Street	East	Tule Street
Locust Street	South	Claire Road
Maple Alley	North	Crawford Alley
Maple Alley	Both	Broad Street
Maple Alley	South	Jordan Avenue
Maple Street	Both	Cherry Street
Maple Street	Both	Mulberry Street
Maple Street	Both	Jordan Avenue
Maple Street	North	Cedar Street
Maple Street	South	Broad Street
Mayr Street	Both	Weldon Street
Mayr Street	North	North Loyalsock Avenue

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Mayr Street	South	Spruce Street
Monroe Road	Both	Allen Street
Monroe Road	East	Fairview Drive
Monroe Road	West	Tule Street
Mulberry Street	Both	North Montour Street
Mulberry Street	Both	North Washington Street
Mulberry Street	East	Fairview Drive
Mulberry Street	East	North Arch Street
Mulberry Street	Both	Willow Street
Mulberry Street	West	Walnut Street
Mulberry Street	West	Arch Street
Mulberry Street	West	North Loyalsock Avenue
North Arch Street	Both	Mulberry Street
North Arch Street	North	Weaver Street
North Arch Street	South	Broad Street
North Washington Street	Both	Mulberry Street
North Washington Street	North	North Loyalsock Avenue
North Washington Street	Both	Broad Street
Nicely Avenue	Both	North Montour Street
Nicely Avenue	East	Fairview Drive
Nicely Avenue	Both	Bennett Street
Nicely Avenue	Both	Cypress Street
Nicely Avenue	Both	Chestnut Street
Nicely Avenue	Both	North Arch Street
Nicely Avenue	Both	Walnut Street
Nicely Avenue	Both	Willow Street
Nicely Avenue	Both	Allen Street
North Alley	East	Lloyd Alley
North Alley	Both	North Montour Street
Park Road	South	North Loyalsock Avenue
Pearl Boulevard	Both	Walnut Street
Pearl Boulevard	East	Fairview Drive
Pearl Boulevard	Both	Allen Street
Pearl Boulevard	Both	Chestnut Street
Pearl Boulevard	Both	Bennett Street
Pearl Boulevard	Both	Willow Street
Pearl Boulevard	West	North Loyalsock Avenue

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Peters Alley	Both	North Montour Street
Pine Street	Both	Tule Street
Pine Street	Both	Walnut Street
Pine Street	Both	Cypress Street
Pine Street	Both	Chestnut Street
Pine Street	East	Willow Street
Pine Street	West	North Loyalsock Avenue
Pool Road	South	North Loyalsock Avenue
Reading Lane	North	Broad Street
South Arch Street	North	Broad Street
South Arch Street	Both	Jordan Avenue
South Washington Street	Both	Jordan Avenue
Sixth Alley	Both	North Montour Street
Spruce Alley	North	Crawford Alley
Spruce Alley	South	Broad Street
Spruce Street	Both	North Arch Street
Spruce Street	Both	Allen Street
Spruce Street	Both	North Washington Street
Spruce Street	Both	North Montour Street
Spruce Street	Both	Willow Street
Spruce Street	Both	Tule Street
Spruce Street	East	Connector Road
Spruce Street	Both	Walnut Street
Spruce Street	West	North Loyalsock Avenue
Stewart Alley	North	Broad Street
Stewart Alley	North	Cherry Street
Stewart Alley	North	Crawford Alley
Streibeigh Lane	North	Broad Street
Sunset Circle	South	Sunset Drive
Sunset Drive	West	Fairview Drive
Swartz Alley	North	Broad Street
Swartz Alley	South	Jordan Avenue
Third Street	Both	North Montour Street
Third Street	West	North Washington Street
Tomb Lane	Both	Church Alley
Tomb Lane	Both	Jordan Avenue
Tomb Lane	North	Broad Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Tomilson Alley	Both	Broad Street
Tule Street	Both	Spruce Street
Tule Street	Both	Claire Road
Tule Street	Both	Pearl Boulevard
Tule Street	Both	Weaver Street
Tule Street	Both	Broad Street
Tule Street	North	Cherry Street
Tule Street	North	Fairview Drive
Tule Street	North	Nicely Avenue
Tule Street	South	Nicely Avenue
Tule Street	South	Mulberry Street
Updegraff Alley	North	Cherry Street
Updegraff Alley	South	Broad Street
Vine Street	North	North Loyalsock Avenue
Vine Street	South	Weldon Street
Walnut Street	Both	Weaver Street
Walnut Street	North	Fairview Drive
Walnut Street	Both	Spruce Street
Walnut Street	Both	Spruce Street
Weaver Street	Both	Walnut Street
Weaver Street	Both	North Arch Street
Weaver Street	East	Willow Street
Weaver Street	Both	Cypress Street
Weaver Street	West	North Loyalsock Avenue
Weiss Avenue	East	Walnut Street
Weiss Avenue	West	Chestnut Street
Weldon Street	Both	Chestnut Street
Weldon Street	East	Connector Road
Weldon Street	Both	North Montour Street
Weldon Street	Both	North Arch Street
Weldon Street	Both	North Washington Street
Weldon Street	Both	Tule Street
Weldon Street	Both	Willow Street
Weldon Street	Both	Walnut Street
Weldon Street	Both	Cypress Street
Weldon Street	West	North Loyalsock Avenue
Willow Street	Both	Nicely Avenue

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Willow Street	North	Fairview Drive
Willow Street	Both	Pearl Boulevard
Willow Street	Both	Mulberry Street
Willow Street	Both	Spruce Street
Winger Alley	North	Church Alley
Winger Alley	Both	Broad Street

**§ 150-47. Schedule X: Yield Intersections.**

In accordance with the provisions of § 150-16, the following described intersections are hereby established as yield intersections, and yield signs shall be installed as follows:

<b>Yield Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
		(Reserved)

**§ 150-48. Schedule XI: Closing of Certain Streets to Certain Vehicles.**

In accordance with the provisions of § 150-17, it shall be unlawful for any person to drive any vehicle, except a passenger vehicle (but not including any passenger vehicle drawing any trailer or towing any other vehicle), upon any of the streets or parts thereof described below:

<b>Name of Street</b>	<b>Limits</b>
	(Reserved)

**§ 150-49. Schedule XII: Vehicle Weight Limits.**

In accordance with the provisions of § 150-18, gross weight limits are hereby established as indicated for commercial vehicles or other tractor, trailer or tractor-trailer combinations, upon the streets, bridges or portions thereof described below, except for the purpose of making local deliveries on said streets, bridges or portions thereof:

<b>Name of Street or Bridge</b>	<b>Max. Gross Weight (pounds)</b>	<b>Location</b>
Arch Street	38,000	Entire length
Nicely Avenue [Added 3-17-2003 by Ord. No. 393]	14,000	From Willow Street to Fairview Drive
Tule Street	38,000	From Broad to Cherry Street
Walnut Street	38,000	Entire length
Willow Street	38,000	Entire length

**§ 150-50. Schedule XIII: Angle Parking.**

In accordance with the provisions of § 150-20, no person shall park a vehicle upon any of the streets or parts thereof described below, except at the angle designated:

Name of Street	Side	Angle (degrees)	Location
		(Reserved)	

**§ 150-51. Schedule XIV: Parking Prohibited at All Times.**

In accordance with the provisions of § 150-21, no person shall park a vehicle at any time upon any of the following described streets or parts thereof:

Name of Street	Side	Location
Arch Street	Both	From Broad Street north to Cherry Street
Arch Street	Both	From Jordan Avenue south to the railroad tracks
Arch Street	East	From Broad Street south for 50 feet
Arch Street	East	From Jordan Avenue north for 50 feet
Arch Street	West	From Broad Street south to Jordan Avenue
Bennett Street	East	From Mulberry Street north to Pine Street
Broad Street	Both	From Loyalsock Avenue west to the west Borough line
Broad Street	Both	From a point 200 feet west of Montour street to Arch Street
Broad Street	Both	From a point 200 feet west of Walnut Street to the east Borough line
Cedar Street	North	From Fairview Drive west to a point 50 feet west of Maple Street
Cherry Street [Amended 7-2-2007 by Ord. No. 423]	South	From Walnut Street east for 200 feet
Clair Road	Both	From North Loyalsock Avenue east for 200 feet
Crawford Alley	Both	From North Washington Street west to North Loyalsock Avenue
Elm Street	North	From Montour Street west to end of Elm Street
Elm Street	North	From Walnut Street east to Tule Street
Fairview Drive [Added 3-17-2003 by Ord. No. 393]	Both	From Broad Street to Sunset Drive
Fairview Drive	West	From Cedar Street north to McCall Middle School driveway
Fourth Street	South	From Updegraff Alley east to Montour Street

Name of Street	Side	Location
Loyalsock Avenue <b>[Amended 9-21-1998 by Ord. No. 377]</b>	Both	From Airport Road north to Fairview Drive
Loyalsock Avenue <b>[Repealed 9-21-1998 by Ord. No. 377]</b>		
Loyalsock Avenue <b>[Repealed 9-21-1998 by Ord. No. 377]</b>		
Maple Street	East	From Jordan Avenue north to Church Alley
Maple Street	East	From Spruce Street to Weldon Street
Montour Street	Both	From Broad Street north to Crawford Alley
Montour Street <b>[Amended 2-15-1999 by Ord. No. 382; 5-17-2004 by Ord. No. 401]</b>	West	From Jordan Avenue south to South Alley
Montour Street	East	From a point 140 feet south of Mulberry Street to a point 140 feet north of Mulberry Street
Montour Street	East	From Broad Street south to Jordan Avenue
Montour Street	West	From Broad Street to Church Alley
Montour Street	West	From Crawford Alley north to Loyalsock Avenue
Mulberry Street	North	From an unnamed alley 175 feet east of Tule Street to a point 276 feet west therefrom
Mulberry Street <b>[Added 11-1-2004 by Ord. No. 404]</b>	North	From Montour Street west to Washington Street between posted signs
Mulberry Street	South	From Arch Street east to Walnut Street
Mulberry Street <b>[Added 11-1-2004 by Ord. No. 404]</b>	South	From Montour Street west to Loyalsock Avenue
Mulberry Street	South	From Walnut Street to a point 175 feet east of Tule Street
Mulberry Street <b>[Repealed 11-1-2004 by Ord. No. 404]</b>		
Nicely Avenue <b>[Added 3-17-2003 by Ord. No. 393]</b>	Both	From Willow Street to Fairview Drive
Park Road	East	From Pool Road north for 350 feet
Park Road	West	From Pool Road north for 475 feet
Pool Road	South	From Park Road east for 340 feet
Spruce Street	North	From Loyalsock Avenue east to Bennett Street
Spruce Street	South	From Tule Street west to Walnut Street
Streibeigh Lane	Both	From Jordan Avenue north to Broad Street
Third Street	South	From North Montour Street west to North Washington Street

Name of Street	Side	Location
Tule Street	West	From a point 300 feet south of Spruce Street south to Elm Street
Walnut Street	Both	From Cherry Street south to Broad Street
Walnut Street	East	From Cherry Street north to Fairview Drive
Washington Street	Both	From Jordan Avenue south to the railroad tracks
Washington Street	East	From Cherry Street north to Loyalsock Avenue
Washington Street	East	From Broad Street south to Jordan Avenue
Willow Street	Both	From Broad Street north to Crawford Alley
Winters Lane	Both	From Broad Street south to the railroad tracks

**§ 150-52. Schedule XV: Parking Prohibited Certain Hours. [Amended 8-7-2000 by Ord. No. 386; 5-17-2004 by Ord. No. 401]**

In accordance with the provisions of § 150-22, no person shall park a vehicle between the hours specified below of any day, except Saturdays, Sundays and holidays, upon any of the streets or parts thereof described below:

Name of Street	Side	Hours/Days	Location
Arch Street	East	7:30 a.m. to 9:00 a.m. and 2:30 p.m. to 4:00 p.m./Mon. through Fri. from August 15 through June 15	From Cherry Street north to Mulberry Street, excluding school buses
Cherry Street	South	7:30 a.m. to 9:00 a.m. and 2:30 p.m. to 4:00 p.m./Mon. through Fri. from August 15 through June 15	From Montour Street east to Arch Street
Montour Street	East	7:00 a.m. to 5:00 p.m./Mon. through Fri.	From Jordan Avenue south to South Alley
Tule Street	West	7:00 a.m. to 5:00 p.m./Mon. through Fri.	From Spruce Street south for 450 feet
Willow Street	West	2:30 p.m. to 4:00 p.m./Mon. through Fri. from August 15 through June 15	From Weaver Street south to the intersection of Nicely Avenue

**§ 150-53. Schedule XVI: Time Limit Parking. [Amended 8-7-2000 by Ord. No. 386; 5-17-2004 by Ord. No. 401]**

In accordance with the provisions of § 150-23, no person shall park a vehicle or allow the same to remain parked upon any of the streets or parts thereof described below, between the hours specified, for longer than the time indicated below:

Name of Street	Side	Time Limit; Hours/Days	Location
Broad Street	Both	2 hrs.; 7:00 a.m. to 5:00 p.m./All	From Loyalsock Avenue east to a point 200 feet west of Montour Street
Broad Street [Added 10-1-2007 by Ord. No. 425]	North	5 mins.; 8:00 a.m. to 5:00 p.m./All	From the northeast corner of Broad Street and Stewart Alley east a distance of approximately 25 feet to the marked crosswalk
Montour Street	East	30 mins.; 7:00 a.m. to 5:00 p.m./All	From Cherry Street north 200 feet
Washington Street	West	2 hrs.; 7:00 a.m. to 5:00 p.m./All	From Broad Street south to Church Alley

**§ 150-54. Schedule XVII: Special Purpose Parking Zones.**

In accordance with the provisions of § 150-24, the following are hereby established as special purpose parking zones:

Name of Street	Side	Authorized Purpose or Vehicle (Reserved)	Location

**§ 150-55. (Reserved) <sup>4</sup>**

**§ 150-56. Schedule XIX: Parking Lot Tow-Away Zones. [Amended 5-7-2007 by Ord. No. 422; 10-1-2007 by Ord. No. 425]**

In accordance with the provisions of § 150-28, the following parking lots shall be designated as tow-away zones:

**Intersection**

Northwest corner of Crawford Alley and Stewart Alley

Southeast corner of Broad Street and Stewart Alley

4. Editor's Note: Former § 150-55, Schedule XVIII: Permit Parking Lots, as amended, was repealed 10-1-2007 by Ord. No. 425.

**§ 150-57. Schedule XX: Snow Emergency Routes.**

In accordance with the provisions of § 150-35, the following streets or parts thereof are hereby designated as snow emergency routes:

Name of Street	Limits (Reserved)
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**§ 150-58. Schedule XXI: Stopping and Standing Prohibited. [Added 3-17-2003 by Ord. No. 393; amended 8-21-2003 by Ord. No. 396]**

In accordance with the provisions of § 150-18.1, Stopping and Standing shall be prohibited in the following locations as indicated:

Name of Street	Side	Time Limit; Hours/Days	Location
Arch Street	East	7:30 a.m. to 9:00 a.m. and 2:30 p.m. to 4:00 p.m./Monday through Friday from September 1 through June 1	From Cherry Street to Mulberry Street, excluding school buses
Crawford Alley	Both	All times	From Loyalsock Avenue to Stewart Alley
Mulberry Street	South	All times	From Arch Street to Chestnut Street
Nicely Avenue	Both	All times	From Willow Street to Fairview Drive
Walnut Street	East	All times	From Spruce Street to Elm Street

**§ 150-59. Schedule XXII: Permit parking. [Added 5-17-2004 by Ord. No. 401]**

In accordance with the provisions of § 150-26.1, the following are hereby established as permit parking zones between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, from August 15 through June 15.

Name of Street	Side	Location
Arch Street	West	From Cherry Street to Mulberry Street
Bennett Street	West	From Mulberry Street north to Spruce Street
Cherry Street	Both	From North Montour Street west to Updegraff Alley
Cherry Street	North	From North Arch Street west to North Montour Street
Chestnut Street	Both	From Mulberry Street north to Spruce Street

Name of Street	Side	Location
Elm Street	Both	From Montour Street east to Walnut Street
Montour Street	East	From a point 200 feet north of Cherry Street to 140 feet south to Mulberry Street
Montour Street	East	From Crawford Alley north to Cherry Street
Mulberry Street	North	From Montour Street east to Walnut Street
<b>Mulberry Street [Added 11-1-2004 by Ord. No. 404]</b>	North	From Montour Street west to Washington Street between posted signs
<b>Mulberry Street [Repealed 11-1-2004 by Ord. No. 404]</b>		
North Arch Street	Both	From Mulberry Street north to Spruce Street

## Chapter 154

### WATER

#### ARTICLE I

##### Water System Regulations

- § 154-1. Short title.
- § 154-2. Purpose.
- § 154-3. Terms defined.
- § 154-4. Water connections required; private wells prohibited.
- § 154-5. Rates and charges.
- § 154-6. Billing.
- § 154-7. Application for service.
- § 154-8. Separate service line required.
- § 154-9. Service lines, main to curb stop.
- § 154-10. Service lines, main to premises.
- § 154-11. Meters.
- § 154-12. Fire hydrants.
- § 154-13. Accuracy tests.
- § 154-14. Leaks, defective plumbing or waste.
- § 154-15. Opening, closing or interfering with valves and stop cocks.
- § 154-16. Connections or outlets between main and meter not permitted.
- § 154-17. Turning off water.
- § 154-18. Supply of water.
- § 154-19. Cross connections.
- § 154-20. Changing of rules and regulations.
- § 154-21. Violations and penalties.

§ 154-22. Codification.

§ 154-23. (Reserved)

§ 154-24. (Reserved)

§ 154-25. (Reserved)

§ 154-26. (Reserved)

§ 154-27. (Reserved)

§ 154-28. (Reserved)

§ 154-29. (Reserved)

#### ARTICLE II

##### Private Water Wells

§ 154-30. Purpose.

§ 154-31. Definitions.

§ 154-32. Permit required.

§ 154-33. Application for permit.

§ 154-34. Restriction on wells.

§ 154-35. Certification by owner or contractor.

§ 154-36. Requirements for existing wells.

§ 154-37. Interconnections.

§ 154-38. Inspections and testing.

§ 154-39. Well abandonment.

§ 154-40. Variances.

§ 154-41. Rules and regulations.

§ 154-42. Enforcement and penalties.

§ 154-43. Severability.

§ 154-44. When effective.

[HISTORY: Adopted by the Borough Council of the Borough of Montoursville 10-3-1988 by Ord. No. 321. Amendments noted where applicable.]

## GENERAL REFERENCES

Plumbing — See Ch. 110.

Sewers — See Ch. 118.

**ARTICLE I  
Water System Regulations****§ 154-1. Short title.**

This article shall be known as and may be cited as the "Water System Regulation Ordinance of the Borough of Montoursville."

**§ 154-2. Purpose.**

This article provides for the fixing of rates and charges pertaining to water service in the Borough of Montoursville, fixes the responsibility for the payment of charges for the consumption of water and related services and provides for the collection of the same, adopts rules and regulations for water service throughout the water system of the Borough of Montoursville and prescribes penalties for violations.

**§ 154-3. Terms defined.**

The term "water system" as used herein means the wells, pumping stations, reservoirs, treatment equipment, distribution lines and all related equipment, which serve the inhabitants of the Borough of Montoursville and which are owned by the Borough of Montoursville.

**§ 154-4. Water connections required; private wells prohibited. [Amended 8-17-1998 by Ord. No. 376]**

- A. All owners of properties abutting any street or alley in which there is a water main or in which a water main may be constructed shall make connection at their own expense to such waterline for the purpose of conducting water to such property. Any such property owner shall be given at least 45 days' notice of the requirement for connection of his property to the borough water system. Upon failure of such owner to make such connection, the borough may make the same and collect the cost thereof from the owner by a municipal claim or by an action of assumpsit.
- B. No private water wells shall be drilled or used in the Borough of Montoursville except in accordance with Article II of this chapter. [Amended 3-15-1999 by Ord. No. 383]

**§ 154-5. Rates and charges.**

- A. The Borough Council may from time to time fix the rates to be charged for water furnished to individuals, copartnerships, associations or corporations within the Borough of Montoursville.
- B. The Borough Council may from time to time by resolution fix the charges for a tapping or service connection fee which shall be assessed against the property owner whenever

such owner connects said property with a water main constructed or owned by the Borough of Montoursville. [Amended 3-3-1997 by Ord. No. 370]

- C. The Borough Council may from time to time set the amount of a fee for a permit which shall be required prior to connecting to the borough water system or for a permit which shall be required due to any change in occupancy of a property.
- D. The Borough Council may from time to time determine the amount of a service charge which shall be made for turning on water when water has been shut off at the request of the owner or for nonpayment of charges or for violation of rules and regulations, provided that there is a serviceable curb box and stop in front of the premises. Where there is no serviceable curb stop and box, the property owner shall be required to pay all costs connected with shutting off and turning on the water.
- E. The Borough Council or other borough official authorized by Borough Council may assess charges against property owners for special services rendered, for damage to borough owned equipment or any other unlawful activity and such charges must be paid by said property owner. Upon failure of the property owner to pay such charges within a reasonable time after presentation of the same, the water service may be turned off, and the claim may be collected from the owner by a municipal claim or by an action of assumpsit.
- F. The Borough Council may from time to time set an amount for an annual service charge for fire hydrants located outside the Borough of Montoursville.
- G. The minimum fee included in the rates shall be chargeable when water service is available, whether or not any water has been consumed during the billing period.

**§ 154-6. Billing.**

- A. All bills for water consumed will be rendered quarterly, or as determined by Borough Council from time to time. ~~The water consumed shall be determined by meter registration or by estimated bills.~~ All water consumed ultimately shall be determined by meter registration unless the meter has been found to be registering inaccurately or has failed to register, in which case a bill will be rendered based on previous average consumption for a similar period when the meter was in order, giving proper consideration to any change in facilities or practices that may have occurred, or by such other fair and reasonable method as may be based on the best information available. All meters may be actually read direct from the meter once a year.
- B. In cases of excessive meter registration, no adjustment will be made of bills rendered prior to the billing period in which complaint was made or of bills of a previous consumer, whether tenant or owner.
- C. Bills are due and payable upon presentation. The net bill will be allowed for a period of 30 days, after which the gross bill shall become due. A penalty of 10% shall be assessed on the unpaid balance.
- D. Water service may be discontinued to any consumer who allows a bill for water to remain unpaid for longer than 3 1/2 months following the gross due date. In the event

that water service is discontinued due to nonpayment of bills, all delinquent and current bills, plus such additional service charge as may be determined by Borough Council, must be paid before water service will be resumed.

- E. At the option of the borough, unpaid bills for water service may be collected by a municipal claim or by an action of assumpsit.
- F. Failure to receive a bill shall not exempt any consumer from his obligation to pay. The presentation of a bill to the customer is only a matter of accommodation and not a waiver of this rule.
- G. Metered water consumers may take the water allowed by their minimum quarterly rate at any time during the quarterly billing period, but failure to use their full allowance in any one billing period shall not entitle them to any rebate or allowance to use an excess in any other quarterly billing period.
- H. When the premises are vacant and/or unoccupied, the owner must give notice at the Borough Water Office so that the water may be turned off, and he will be responsible for all charges for water service until such notice is given.<sup>1</sup>
- I. Any consumer upon receipt of a bill, having reason to doubt its accuracy, shall bring or mail said bill, within 10 days from the receipt of the same, together with a written reason to the Borough Water Office in Borough Hall, and such bill shall be promptly investigated by proper personnel. Failure to timely protest the bill will negate your right to do so.
- J. The property owner is responsible to pay for all water taken by all tenants or occupants at a premises, and the Borough will bill the property owner. **[Amended 3-6-2006 by Ord. No. 412]**

#### § 154-7. Application for service.

- A. Any property owner desiring the introduction of a service line or lines from the Borough of Montoursville mains into his premises must first make a written application on the form furnished by the Borough of Montoursville at least one week before service is required, pay the required tapping fee, state the street and house number or location, the name of the owner and tenant, the purpose for which service will be used, the exact time when the trench from main to the property and when his service will be ready for making the connection and shall guarantee that such service will be used continuously for at least one year, or be responsible for a one year bill, as will be determined by Borough Council.
  - (1) The application must be signed by the owner of the premises, or his duly authorized agent.
  - (2) Whenever a service line is laid in contemplation of the erection of a building on the premises in question, and said line is not attached for the period of one year

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1. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

immediately following the granting of a permit, the borough shall have the right to disconnect the water at the main and charge the owner for the cost of such service.

- B. Any property owner desiring a supply of water from an existing service must make a written application on the form furnished by the Borough of Montoursville, at least three days before service is required, which must be properly approved by Borough Council or its duly authorized representative before the water will be turned on.
- C. Application for a supply of water may be received from a tenant under the condition that the owner of the property sign an Agreement of Guaranty that the tenant will pay for all water metered to the premises when due and payable.
- D. In making application for a supply of water, each consumer contracts and agrees to be bound by this article, by Borough of Montoursville rules and regulations for water service, as amended and such other rules and regulations as may be promulgated.
- E. A new application must be made on any change in occupancy of property, as described in any application, and the borough may discontinue the water supply until such new application has been made, approved and the required permit granted, unless otherwise provided for by this article (See § 154-11).
- F. Where special service charges are fixed or cost of service of any kind is estimated, payment must be made at the time application is submitted and before the service is granted.
- G. The borough may refuse to serve an applicant if it does not have adequate facilities to render the service desired, if the service is of such character that is likely to result in unfavorable service to other customers, if the applicant's installation of piping is regarded as hazardous or of such character that satisfactory service cannot be given or for other just cause.

**§ 154-8. Separate service line required.**

- A. Each separate consumer shall be supplied through a separate service line.
- B. For the purposes of this article, a consumer shall be the owner or tenant contracting for a supply of water to a property in the following classifications:
  - (1) A building under one roof and occupied as one business or residence.
  - (2) A combination of buildings in one common enclosure occupied by one family or business.
  - (3) One side of a double house having a solid vertical partition wall.
  - (4) One side or part of a house occupied by one family even though the water closet and/or other fixtures be used in common.
  - (5) Each apartment in a building containing more than one apartment.

- (6) Each apartment or office or business in a building having more than one apartment and/or office and/or business.
- C. No owner or tenant of any premises supplied with water by the borough will be allowed to supply other persons or families or other premises, except by written permit authorized by the Borough Council of the Borough of Montoursville, unless otherwise deemed necessary by the Borough Water Department. consumers who violate this rule may have their water shut off after a notice of 24 hours and it may remain so until the borough is satisfied that the rules and regulations will be observed.
- D. In the event that authorization has been granted by the borough for more than one customer to be supplied through a single service, any violation of the rules of the borough by either or any of said consumers shall be deemed a violation as to all and the borough may take such action as could be taken against a single consumer, except that such action shall not be taken until the innocent consumer who is not in violation of the borough's rules has been given reasonable opportunity to attach his pipes to a separately controlled service connection.

**§ 154-9. Service lines, main to curb stop.**

- A. Upon approval of application for a new service connection, the borough will require the applicant to pay the current established fee. After proper payment, the borough, or a person acting on behalf of the borough, will tap the main, install the service line from the main to the curb stop, install the curb stop and install the curb box. Thereafter, the borough shall maintain the service line from the main to the curb stop and shall maintain the curb stop. The borough shall not be responsible to maintain the curb box or the service line from the curb stop to the structure or facility. [Amended 1-4-1993 by Ord. No. 350A]
- B. Existing service lines will be maintained by the borough for that portion of the service line from the main to the curb box providing the existing line meets all of the following conditions:
- (1) The existing service line is of sufficient depth (52 inches) so as not to be subject to freezing.
  - (2) The service lines shall be of Type K copper, free of lead goose-necks and soldered connections. In addition, any curb stop and curb box shall be only those approved by the borough. [Amended 1-4-1993 by Ord. No. 350A]
  - (3) The service lines shall be bedded in a minimum of 10 inches of concrete sand before backfilling. Backfill shall be sufficiently tamped in accordance with PennDOT specifications. [Amended 1-4-1993 by Ord. No. 350A]
- C. Failure to meet conditions. [Amended 1-4-1993 by Ord. No. 350A]
- (1) In the event that an existing service line or curb stop does not meet one or all of the above conditions, repairs or replacement shall be the responsibility of the property owner.

- (2) In the event that a leak is detected in an existing service line, the borough shall give the property owner five days' notice in which to effect repairs or replacement with all costs to be the responsibility of the property owner. For purposes of this subsection notice shall be deemed to have been given if the borough orally notifies one or more of the property owners or leaves written notification at the property, whether or not anyone is present or sends notice by certified mail, return receipt requested.
  - (3) In the event that the leak is not repaired by the property owner within five days after notice, the borough, or a person acting on behalf of the borough, may make the repairs at the owner's expense. Upon failure of the property owner to pay the expenses incurred, the borough may collect the costs thereof from the owner by municipal claim or action in assumpsit.
  - (4) The borough, or a person acting on behalf of the borough, reserves the right to waive notification to the property owner and repair any leak in a service line between the curb and the main when the borough, in its sole discretion, considers the leak to be of a magnitude causing excessive waste, damage or causing a hazardous situation. All expense for said repairs shall be the responsibility of the property owner. Upon failure of the property owner to pay the expenses incurred the borough may collect the costs thereof from the owner by municipal claim or action in assumpsit.
- D. Service lines will not be installed when the service line passes over or through premises which at the time may be the property of persons other than the owner of the premises to be supplied, unless the owner of the premises supplied assumes all liability and furnishes a right-of-way agreement in a form satisfactory to Council or its duly authorized representative.

**§ 154-10. Service lines, main to premises.**

- A. The service line beyond the main shall be installed and maintained by and at the expense of the owner. All leaks between the main and meter must be repaired promptly by the property owner. The portion of the service line installed by the owner shall not be less in size and quality than the service line in the street and shall be laid not less than four feet six inches below the surface and shall not be covered until the tap at the curb box is made and service line tested. If any defects in workmanship or material are found, the service shall not be turned on until such defects are remedied. All plumbing connections should be able to withstand a pressure of at least 150 pounds per square inch.
- B. No service line shall be laid in the same trench with a sewer or gas service connection.
- C. Plumber installation of meter horn or meter adapter shall be made at the time the final plumbing is completed or where water is to be used for other than building purposes.
- D. It shall be the responsibility of the property owner to maintain in good condition the service line from the curb stop to the premises and to maintain in good condition the curb box. Upon detection of any leak between the curb stop and the premises, the borough shall give the property owner five days' notice in which to effect repairs or

replacement with all costs to be the responsibility of the property owner. For purposes of this subsection, notice shall be deemed sufficient if the borough orally notifies one or more of the property owners or leaves written notification at the property whether or not anyone is present or sends notice by certified mail, return receipt requested. In the event repairs have not been made by the property owner within five days or when the borough, in its sole discretion, considers the leak to be of a magnitude causing excessive waste, damage or causing a hazardous situation, then the borough may shut off the service to the premises until such time as the repairs have been completed. **[Amended 1-4-1993 by Ord. No. 350A]**

- E. The borough reserves the right to inspect the plumbing on any premises and, if it shall be found not in conformity with the rules of the borough, to refuse water service until the objectionable or improper work is corrected.
- F. All abandoned service lines will be detached from the main within a period of 15 days of termination of service. The property owner shall be responsible for detaching the service main. If the service main is not detached within 15 days, the borough, or a person acting on its behalf, may detach the service main at the expense of the owner. **[Amended 1-4-1993 by Ord. No. 350A]**

#### § 154-11. Meters.

- A. The borough through its Water Department will determine the location for all meters.
- B. If it is determined that the meter is to be placed within the building, the property owner will provide, free of charge and expense to the borough, a readily accessible place near the entrance of the service line for the meter and stops at the inlet side of the meter and outlet side of the meter of a type approved by the borough. The borough reserves the right to determine when a meter pit outside the building is necessary, as well as the location, size and type of construction, the cost of which shall be the responsibility of the owner. **[Amended 1-4-1993 by Ord. No. 350A]**
- C. The borough shall determine the size of meter to be installed, but in no case shall the meter be more than one commercial size below the size of the service line. A five-eighths-inch meter shall be the smallest meter to be installed on a service line for domestic use.
- D. The borough will furnish meters and connections. The meter and connections shall remain the property of the borough, and access to the same for reading of the meter, inspection, testing, repairs, etc., must be permitted at all reasonable times by the owner or proper arrangements shall be made for doing the above.
- E. The owner must, at all times, properly protect the meter from injury by frost, hot water or any other cause and will be held responsible for repairs to meter made necessary due to negligence of said owner. The owner shall be responsible for and shall reimburse the borough for all damages due to freezing, hot water or external causes.
- F. Under no circumstance shall any owner or other person interfere with the water meter or the dials and workings thereof, remove the wire seal, remove the touchpad or connecting

wires or tamper with the meter in any way without the prior approval of the borough.  
[Amended 1-4-1993 by Ord. No. 350A]

- G. Commercial meters of 1 1/2 inch and larger will be a continuous charge to the owner at the rate of 1/40 per quarter of actual meter cost paid by the Borough Water Department.

**§ 154-12. Fire hydrants.**

- A. All fire hydrants shall be furnished, installed and maintained by the Borough Water Department.
- B. No person other than those authorized by Borough Council, a member of the Fire Department of the Borough of Montoursville or other cooperating public Fire Company in active performance of duty shall, without a permit from the Borough of Montoursville, use, open or otherwise interfere with any fire hydrant in the Montoursville Water System.
- C. The Borough of Montoursville may, under extraordinary circumstances, grant a permit for the use of water from a fire hydrant. Such permit must be obtained from the Borough Secretary and must have the prior approval of the Water Committee of the Borough Council and Water Commissioner. Any such use must conform in all respects with the rules and regulations for such use as established by the Montoursville Borough Council and/or the Borough Water Department.
- D. No fire hydrant shall be used during freezing weather for other than fire fighting purposes, unless previously authorized by the Water Committee.
- E. Obstructions.
- (1) No person shall obstruct the access to any fire hydrant by placing or permitting any post, tree, shrub, rocks, debris, building material or other obstruction to remain within the following specified distances of the front, sides and rear of the hydrant; the unobstructed distance on sidewalks shall not be less than four feet on each side and to the rear of the center of the hydrant, except where hydrants are placed on streets having sidewalks less than five feet in width where the clear distance to the rear will be correspondingly limited.
  - (2) The unobstructed distance on roadway in front of fire hydrant shall be not less than 12 feet on each side of the center of the hydrant, which clear width shall extend to the unobstructed portion of the roadway.
  - (3) Property owners shall, within five days after receiving notice to so do, remove any obstacle in violation of this regulation.
- F. Where damage to a fire hydrant or other property is done by any person having a permit to take water from said hydrant, the holder of the permit shall pay such damages and all costs and expenses as may be incurred by reason thereof, to the Borough Treasurer on demand. Where damage to a fire hydrant or other property is done by a person not having a permit, he shall be subject to pay for all damages, costs and expenses incurred by reason thereof and shall, in addition, be subject to the penalties hereinafter provided for violation of this article.

**§ 154-13. Accuracy tests.**

- A. At the written request of an owner or a consumer, the borough will make a test of the accuracy of the meter supplying his premises.
- B. A deposit determined by Council from time to time will be required before the meter is tested, which sum will be returned if the meter is found to be registering more than 3% against the consumer on a flow equal to one-eighth (1/8) of the diameter of the service; otherwise, the deposit will be retained by the borough to cover the cost of the test.
- C. The borough reserves the right to test at any reasonable time any meter deemed necessary.

**§ 154-14. Leaks, defective plumbing or waste.**

- A. The borough shall not be liable for any damage resulting from leaks, broken pipes or from any other cause, occurring to or within any house or building, and it is expressly agreed that no claims shall be made against the borough for damage caused by the bursting or breaking of any main or service pipe or of any attachment thereto.
- B. All water passing through a meter shall be charged for at the regular rate, and no allowance will be made for excessive consumption due to leaks or waste, unless authorized by Borough Council.

**§ 154-15. Opening, closing or interfering with valves and stop cocks.**

No person, except an employee of the Borough Water Department or other duly authorized person, shall open, close or in any way interfere with any valve or stopcock in the Montoursville Water System.

**§ 154-16. Connections or outlets between main and meter not permitted.**

No connections or outlet will be permitted on the service pipe or pipes, supplying any premises, between the street main and the meter. All water used must pass through the meter.

**§ 154-17. Turning off water.**

- A. The Borough Council or its duly authorized representative reserves the right at all times, after due notice, to shut off the water for nonpayment of water bills or for neglect or refusal to comply with these rules and regulations and to assess such charges as may be determined by Borough Council for the resumption of service.
- B. Service under an application may be discontinued for any of the following reasons:
  - (1) Misrepresentation in application as to property or fixtures to be supplied or the use to be made of the water supply.
  - (2) Use of water for any property or purposes other than described in the application.

- (3) Waste of water through improper or imperfect pipes, fixtures or otherwise.
  - (4) Failure to maintain in good order, connection, service lines or fixtures beyond the main and owned by the applicant.
  - (5) Molesting any service pipe, meter, curb stop or seal or any appurtenance of the Water System of the Borough of Montoursville.
  - (6) Vacant and/or unoccupied premises.
  - (7) Violation of any rules of the Borough of Montoursville.
  - (8) Failure to make payments of any charges against the property that are due and payable to the Borough Water Works.
  - (9) Refusal of access to property for purpose of inspecting, reading, caring for or removing meters.
- C. The Borough Council, or its duly authorized representative, shall have the right to turn off the water without notice in case of breakdowns or for other unavoidable causes, or for the purpose of making necessary repairs, connections, etc. Reasonable notice will be given when practicable. In no case shall the borough be liable for any damage or inconvenience suffered therefrom.

**§ 154-18. Supply of water.**

- A. The Borough of Montoursville shall not be liable for a deficiency or failure in the supply when occasioned by shutting off water to make repairs or connections or from any failure throughout the water system.
- B. The Borough Council, or its duly authorized representative, reserves the right to restrict the supply and use of water as circumstances may require regardless of use for which intended, in case of scarcity, or whenever the public welfare may require it and to provide for the distribution of the available supply in such manner as may be determined to be in the public welfare.
- C. Restrictions on water usage. [Amended 1-4-1993 by Ord. No. 350A]
- (1) When the borough, in its sole discretion, or when any state or federal agency determines that there is a period of water scarcity or a need to curtail water usage or to ration water, the borough may establish usage limits and restrictions.
  - (2) When the borough, in its sole discretion, determines that a user is wasting or permitting the unreasonable waste of water, the borough may issue a cease and desist order the violation of which will subject the user to the penalties set forth in § 154-21.
- D. The Borough of Montoursville shall not be liable for any claim or damage arising from a shortage of water, the breaking of machinery or facilities or any cause beyond its control.

- E. It shall be expressly understood and agreed by and between the borough and parties receiving water service for private fire control or sprinkler systems that the borough does not assume any liability as insurers of property or person and that the agreement does not contemplate any special service, pressure, capacity or facility, other than the ordinary conditions of the borough as the same exist from day to day. It is further agreed that the parties receiving water service for private fire control or sprinkler systems in consideration thereof and intending to be legally bound do hereby release, waive, discharge and covenant not to sue the Borough of Montoursville, its agents, servants and employees from all liability for any loss, damage or injury to property or persons which may result from any negligent act or omission whatsoever in the supplying of water service for private fire control or sprinkler systems.

**§ 154-19. Cross connections.**

No connections shall be made between pipes or containers carrying water supplied by the borough and pipes or containers carrying water from any other source unless the proposed cross-connection has been approved by the Borough Council of the Borough of Montoursville and State Department of Health.

**§ 154-20. Changing of rules and regulations.**

The Borough Council reserves the right to change or amend, from time to time, the rules and regulations for the use of water.

**§ 154-21. Violations and penalties. [Amended 1-4-1993 by Ord. No. 350A]**

- A. Any person who shall violate a provision of this article or who shall fail to comply with any of the requirements thereof or who shall exceed the authorization of any permit issued under the provisions of this article or who shall violate rules and regulations promulgated pursuant to this article may be subject to one or all of the following penalties or enforcement actions:
- B. Any person who shall violate a provision of this article or who shall fail to comply with any of the requirements thereof or who shall exceed the authorization of any permit issued under the provisions of this article or who shall violate the rules and regulations shall, upon conviction thereof before a District Justice, be subject to the penalty set forth in Chapter 1, General Provisions, Article II, General Penalty. Each day shall be deemed a separate offense. [Amended 3-3-1997 by Ord. No. 370]
- C. Any person who shall violate a provision of this article or who shall fail to comply with any of the requirements thereof or who shall exceed the authorization of any permit or who shall fail to make any payment required by this article or who shall violate the rules and regulations shall be subject to the termination of water service or an action in equity, or both.
- D. Any person who shall fail to make payment of any moneys due the borough pursuant to the provisions of this article shall be subject to collection by an action in assumpsit or by municipal lien, or both.

**§ 154-22. Codification.**

This article represents a codification of the ordinances, rules and regulations concerning potable water within the Borough of Montoursville and may be advertised as such.

**§ 154-23. (Reserved)**

**§ 154-24. (Reserved)**

**§ 154-25. (Reserved)**

**§ 154-26. (Reserved)**

**§ 154-27. (Reserved)**

**§ 154-28. (Reserved)**

**§ 154-29. (Reserved)**

**ARTICLE II**  
**Private Water Wells**  
**[Added 3-15-1999 by Ord. No. 383]**

**§ 154-30. Purpose.**

These regulations are intended to promote the public health and general welfare by ensuring that private water wells are constructed and used in a manner which will protect the quality of the groundwater in the influence area as described in the borough's Wellhead Protection Plan and to prevent contamination and introduction of pollutants into the borough water supply system.

**§ 154-31. Definitions.**

The following definitions shall apply to this article:

**ABANDONED WATER WELL** — A private well that has not been used for water supply for a period of one year or more and which the owner does not intend to use again for any purpose.

**AQUIFER** — A water-bearing geologic formation that contains water in sufficient quantities to potentially be used as a water supply.

**BOROUGH** — Borough of Montoursville.

**PERSON** — An individual, corporation, company, association, trust or partnership.

**POTABLE WATER** — Water that is satisfactory for drinking and for culinary purpose.

**PRIVATE WELL, PRIVATE WATER WELL or WELL** — A water well not owned by the Borough of Montoursville.

**WELL** — An excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of providing a water supply.

**§ 154-32. Permit required.**

Except as provided in § 154-36, no person shall engage in the use, construction, installation, substantial repair, destruction or abandonment of a private well until a well permit has been obtained from the borough. The Borough Council shall, from time to time, establish by resolution the fee for a well permit.

**§ 154-33. Application for permit.**

An application to use, construct, install, substantially repair, destroy or abandon a private well shall be submitted on a form to be supplied by the borough and approved by resolution. The information to be submitted with the application shall include, but is not necessarily limited to, the following:

- A. A sketch, diagram or plot plan illustrating the following:
  - (1) Boundary lines of the property where the well is to be located.
  - (2) Location of all buildings, septic systems (whether or not abandoned) and, if known to the applicant, possible sources of contamination on the property.
  - (3) Any possible source of contamination, if known to the applicant, located on adjoining properties.
- B. Such other general information required by the borough.

**§ 154-34. Restriction on wells.**

- A. All wells shall be located at least 15 feet from any public or private street, 10 feet from lot lines and 15 feet from sewer lines.
- B. All wells shall, to the extent possible, be located upgradient of sources of contamination.
- C. All wells shall be located at least 100 feet from any potential source of contamination or the top of the well shall be higher than any surface sources of contamination and above any known conditions of flooding by drainage or runoff from the surrounding land, unless otherwise adequately protected.

**§ 154-35. Certification by owner or contractor.**

Within 30 days after completion of the construction of any new well, the well contractor or owner(s) of the property shall submit to the borough a report containing the following information:

- A. The name of the owner(s).
- B. The address of the property being served.
- C. The depth, size and method of construction of the well.
- D. The location as shown on the sketch, diagram or plot plan.
- E. The static water level.
- F. The yield of the well.
- G. A copy of the well driller's/digger's log information.
- H. Measures adopted to prevent interconnection of the proposed well supply system with the public water supply system of the borough and contamination of the aquifer.

**§ 154-36. Requirements for existing wells.**

Within six months after the effective date of this article, the owners of an existing private well shall register the well, providing the borough with the following information and documentation:

- A. A sketch, diagram or plot plan illustrating the following:
  - (1) Boundary lines of the property where the well is located.
  - (2) Location of all buildings, swimming pools, septic systems (whether or not abandoned) and, if known to the owner, possible sources of contamination on the property.
  - (3) Any possible source of contamination, if known to the owner, located on adjoining properties.
- B. The depth, size and method of construction of the well, if known to the owner.
- C. The static water level, if known to the owner.
- D. The yield of the well, if known to the owner.
- E. A copy of the well driller's/digger's log information, if available to the owners.
- F. Assurance that the top of the well is higher than any surface sources of contamination and above any known conditions of flooding by drainage or runoff from the surrounding land or other protection from said sources of contamination being utilized.
- G. Such other information required by the borough.

**§ 154-37. Interconnections.**

- A. No private well shall be interconnected with the public water supply system of the borough nor shall the well or any plumbing connected to the well be located within any structure which contains any plumbing connected to the public water supply system.
- B. No private water well shall be interconnected with any plumbing in such a manner or used in such a manner so that water from the private well discharges into the sanitary sewer system.
- C. Water from private wells may not be used for bathing, drinking or culinary purposes. Water from private water wells may only be used for watering of lawns, flowers, trees, shrubs and similar vegetation, the filling of swimming pools, the washing of automobiles and like uses.

**§ 154-38. Inspections and testing.**

- A. The borough, at its own expense and upon reasonable notice, may obtain a sample of the water from a private well to test for contamination and to ensure water quality.
- B. The borough, upon reasonable notice, may inspect the private well, private water system and public water system on any property to ensure compliance with this article. If the borough determines that the well is not in compliance with this article, the cost of said inspection shall be borne by the owner(s) of the private well.

**§ 154-39. Well abandonment.**

- A. Any abandoned water well shall be plugged and sealed with a slurry of Portland cement at least 20 feet below the normal ground level to prevent surface contamination into the aquifers.
- B. A well destruction permit shall be required prior to plugging and sealing the well, and, within 30 days after completion, the contractor or owner shall submit a report containing the following:
  - (1) The name and address of the owner.
  - (2) The method of sealing, including materials used.
  - (3) The name of the person(s) who sealed the well and the date the work was completed.

**§ 154-40. Variances.**

- A. Variances from the requirements of this article may be granted only by the Borough Council when, in its opinion, the enforcement thereof would do manifest injustice and the applicant has proven that the same degree of public health and environmental protection required under these regulations can be achieved without strict application with a particular provision(s).

- B. Variance requests shall be in writing. An application for a variance shall be in writing on a form to be approved by Borough Council. The Borough Council shall grant, modify or deny a variance in writing, giving the reasons therefor. The Borough Council, when granting or modifying a variance, may impose reasonable conditions to assure the protection of the public health and environment.

**§ 154-41. Rules and regulations.**

The Borough Council may promulgate rules and regulations for the implementation and enforcement of this article.

**§ 154-42. Enforcement and penalties.**

- A. Borough Council may, upon reasonable notice, disconnect the public water supply system if the owner fails to obtain a permit or register the well as required by this article or violates § 154-37 or until such times as the violation(s) are corrected.
- B. Any person violating any provision of this article may be cited and, upon conviction, shall be guilty of a summary offense and shall be subject to the penalty as set forth in Chapter 1, General Provisions, Article II, General Penalty.

**§ 154-43. Severability.**

The provisions of this article are severable, and if any clause, sentence, subsection, article, chapter or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, article, chapter or part thereof rendered.

**§ 154-44. When effective.**

This article shall be effective immediately.

**Chapter 156**  
**YARD SALES**

§ 156-1. Title.

§ 156-2. Purpose.

§ 156-3. Definitions.

§ 156-4. Permit required; fee; conditions for sales.

§ 156-5. Exemptions.

§ 156-6. Violations and penalties.

[**HISTORY:** Adopted by the Borough Council of the Borough of Montoursville 3-19-2007 by Ord. No. 421. Amendments noted where applicable.]

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§ 156-1. Title.

This chapter shall be known and cited as "Yard Sale Permit Ordinance."

§ 156-2. Purpose.

These rules and regulations are designed to control and restrict yard sales in order to protect the public health, safety and convenience and restrict such sales to casual and/or occasional occurrences only, in keeping with the character of the neighborhood where this activity is carried on and in compliance with the Zoning Ordinance of the Borough of Montoursville. The intent of this chapter is to eliminate perpetual, prolonged and extended yard sales in residential areas.

§ 156-3. Definitions.

Unless as otherwise expressly stated the following terms shall, for the purpose of this chapter, have the meanings indicated:

**PARCEL** — The entire area of land within the boundary lines set forth in a deed and upon which is located one or more residences.

**PERSON** — Any natural person or persons, association, partnership, firm, volunteer association, corporation or other entity. The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

**YARD SALE** — A sale, open to the public, of new, used or previously owned personal property at a residence whether held in the residence, on the lawn, yard, porch, patio, garage, driveway or outbuilding. This definition shall include, but not be limited to, those sales commonly referred to as "yard sale," "garage sale," "tag sale," "porch sale," "lawn sale," "attic sale," "basement sale," "rummage sale" or "flea market."

§ 156-4. Permit required; fee; conditions for sales.

A. No person shall cause or permit any yard sale to take place upon any residential property owned or leased by such person without first having obtained a permit. Application for

such permit shall be made to the Borough by the person at whose residence such sale shall be held, and such application shall state the name of the applicant, the location of the proposed sale, and the day or days on which the sale is to be held. Such permit shall be issued by the Borough upon the filing of the application together with a payment of a fee in an amount to be set by Council from time to time by resolution. Not more than two yard sale permits shall be issued for any one parcel in any one calendar year regardless of the number of residences located on the parcel.

- B. It shall be unlawful for any person to cause or permit any yard sale upon any property owned or leased by such person without having secured a permit. No more than two yard sale permits shall be issued for any one parcel in any one calendar year.
- C. It shall be unlawful to conduct any yard sale for a duration exceeding two consecutive days.
- D. It shall be unlawful to commence any yard sale before 7:00 a.m. or continue the yard sale after 7:00 p.m., prevailing time, on any day.
- E. It shall be unlawful for the person who is granted a yard sale permit to erect, place or post, or to permit the erection, placing or posting of, any advertisement, notice or directional sign at any place in the Borough other than on the parcel where the yard sale is held.

#### § 156-5. Exemptions.

This chapter shall not be applicable to:

- A. Any person selling goods pursuant to an order or process of a court of competent jurisdiction.
- B. Any person selling or advertising for sale an item or items of personal property which is specifically named or described in the advertisement.
- C. Any sale conducted by a legitimate business or commercial or industrial establishment on property zoned under the zoning regulations, or any sale conducted by any other vendor or dealer when the sale is conducted in a properly zoned area and not otherwise prohibited by the laws of the Commonwealth of Pennsylvania and the ordinances of the Borough.
- D. Any public auction having a duration of no more than two days and conducted by an auctioneer licensed by the Commonwealth of Pennsylvania.
- E. Sales by a bona fide charitable, educational, cultural or governmental institution, civic group, service club, religious or fraternal society or other tax exempt organization; provided, however, that the burden of proof to establish the exemption under this subsection shall be on the organization or institution claiming such exemption. Such exemption or exception must be proved to the satisfaction of the Borough prior to conducting the sale.

**§ 156-6. Violations and penalties.**

Any person who violates any of the provisions of this chapter or offers or permits the same to be done on his behalf shall, upon conviction thereof, be subject to a fine of \$25 for the first offense, \$50 for the second offense, and \$150 for the third and each subsequent offense plus costs of prosecution and, in default of payment of such fines and costs, imprisonment for a period not exceeding 30 days. Each day that a violation continues shall constitute a separate offense.

## **Chapter 158**

### **ZONING**

**[The zoning regulations of the borough are currently under review by the Borough Council. Upon completion of said review, they will be included in this chapter.]**

#### **GENERAL REFERENCES**

**Antennas — See Ch. 56.**

**Floodplain management — See Ch. 80.**

**Building construction — See Ch. 66.**

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