

**SUMMIT TOWNSHIP**  
**ERIE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2007- 01**

**VEHICLES AND TRAFFIC**

WHEREAS, the Supervisor of Summit Township, Erie County, Pennsylvania have the police power to regulate or prohibit the stopping, standing or parking of motor vehicles; and

WHEREAS, Summit Township has the police power to provide for and establish procedures governing the removal and impounding of any vehicles parked on highways, roads or public property of Summit Township in violation of a Summit Township ordinance;

WHEREAS, Summit Township has the power to designate enforcement officers of Summit Township to enforce and administer said ordinance;

WHEREAS, the Supervisors of Summit Township have reviewed a traffic and engineering study which has been conducted for the purpose of determining whether a portion of Andrus Road (T-304) from Route 19 (Peach Street) to Water View Lane (T-305), should be designated a “no parking zone”; and

WHEREAS, the engineering and traffic study indicates that stopping, standing or parking in or on this portion of Andrus Road would constitute a safety hazard in that the stopping, standing or parking in or on this portion of Andrus Road would unduly interfere with the free movement of traffic; and

WHEREAS, the designated portion of Andrus Road shall be designated a “no parking zone”.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF SUMMIT TOWNSHIP, ERIE COUNTY, PENNSYLVANIA, HEREBY ENACTS AND ORDAINS THAT:

**Section 1.**     **Parking Prohibition.** No person shall stop, stand or park a vehicle, at any time upon any of the roads or part of roads as follows: Andrus Road (T-304), from Route 19 (Peach Street) to Water View Lane (T-305), both sides.

**Section 2.**     **Signs.** No parking prohibition shall be identified by the placement of approved signs within the designated areas for the purpose of notifying all persons.

**Section 3.**     **Fines.** Any person who shall park, stand or stop a motor vehicle in violation of this ordinance, upon conviction thereof, shall be liable for all fines and penalties imposed by the Pennsylvania Motor Vehicle Code as set forth at 75 Pa.C.S. Section 3353 and including any amendments thereto.

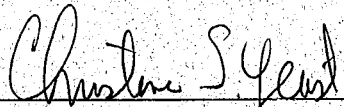
**Section 4.**     **Removal.** Any vehicle parked in the above designated “no parking zone” shall be subject to removal therefrom under the procedures specified in the Pennsylvania Motor Vehicle Code 75 Pa.C.S. Section 3353 as existing or as hereafter amended.

**Section 5. Towing and Storage.** The owner of any vehicle removed from the above designated "no parking zone" shall, in order to secure the return of the vehicle, pay the costs of towing and storage of said vehicle. The possessor of the vehicle shall return the same to the owner upon payment of the costs specified herein. The removal and reclamation remedy and costs described above shall be in addition to the penalties imposed under 75 P.A.C.S. Section 3353.

**Section 6. Administration.** The administration of this ordinance and other parking ordinances adopted by Summit Township, including ordinance 1989-7, ordinance 1996-4 and ordinance 2000-8, shall be by the zoning officer or parking enforcement officer appointed by Summit Township. The zoning officer or parking enforcement officer shall administer these ordinances in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this ordinance. The zoning officer or parking enforcement officer is authorized to institute enforcement proceedings as a means of enforcement when acting within the scope of their employment.

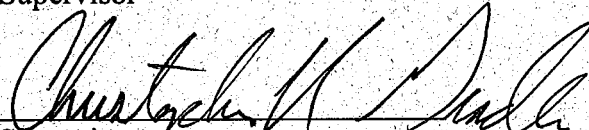
ENACTED AND ORDAINED THIS 5<sup>th</sup> DAY OF FEBRUARY, 2007

ATTEST:

  
\_\_\_\_\_  
Township Secretary

BOARD OF SUPERVISORS  
SUMMIT TOWNSHIP

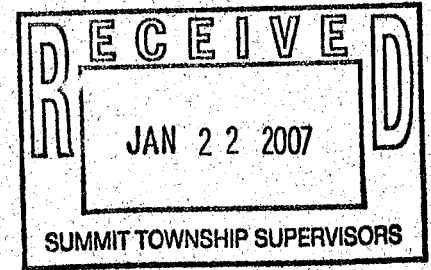
  
\_\_\_\_\_  
Supervisor

  
\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

January 19, 2007

Summit Township Board of Supervisors  
8900 Old French Road  
Erie, Pennsylvania 16509



Re: Andrus Road (T-304)  
Parking Restrictions

Dear Board Members:

At the direction of the Board of Supervisors per motion made at its regularly scheduled meeting of January 16, 2007, an engineering study was conducted along Andrus Road (T-304), from Route 19 (Peach Street) to Water View Lane (T-305). The purpose of the study was to evaluate the implementation of restriction to parking.

Based upon criteria and procedures found in PennDOT Publication 212, Section 212.114 Stopping, Standing and Parking Restrictions, it was noted that three (3) of the warrant conditions justify Board action to prohibit parking along both sides of Andrus Road (T-304). The identified warranted conditions are:

1. The distance between the centerline of the roadway and the edge of roadway is less than 18 feet.
2. The street width is such that, if vehicles are parked along one or both edges of the roadway, two vehicles cannot move abreast of one another without yielding to allow the other vehicle to pass.
3. The width of the shoulder is not sufficient to allow a vehicle or its load to park completely off the roadway.

If you have any questions, please do not hesitate to call.

Very truly yours,

**Herbert, Rowland & Grubic, Inc.**

A handwritten signature in black ink, appearing to read "David J. Sterrett".

David J. Sterrett, P.E., P.L.S.  
Township Engineer

DJS/kw

x:\18\1862\1862000\correspondence\summit-andrus.doc

c: James M. Lopresti, P.E.  
Timothy M. Sennett, Esq., Township Solicitor

cc: (3) Supervisors

OATH of PUBLICATION  
In  
THE ERIE TIMES-NEWS  
COMBINATION EDITION

SUMMIT TWP SEWER AUTHORITY  
8890 OLD FRENCH RD  
ERIE PA 16509-5459

REFERENCE: L0962404  
0000773207 NOTICE IS HEREBY GIVEN

STATE OF PENNSYLVANIA )  
COUNTY OF ERIE ) SS:

James E. Dible being duly sworn, deposes and says that he is the Publisher of the Times Publishing Company, which publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation, and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that he is duly authorized by the TIMES PUBLISHING COMPANY, publisher of The Erie Times-News to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 01/25

TOTAL COST: 60.60 AD SPACE: 21 LINE  
FILED ON: 01/25/07

NOTICE is hereby given that the Summit Township Board of Supervisors will consider for adoption an ordinance establishing a no parking zone on both sides of Andrus Road from Route 19 to Water-view Lane. The proposed ordinance will be acted upon at the regular meeting on Monday, February 5, 2007, 7:30 p.m. at 8900 Old French Rd., Erie, PA. Complete details are available at the Township office during regular office hours.  
Christene Yeast  
Secretary  
(1-773307-NT-25)

Sworn to and subscribed before me this

25<sup>th</sup> day of January 2007 Affiant: James E. Dible

NOTARY: Tami J. Brown

**NOTARIAL SEAL**  
TAMI J. BROWN, NOTARY PUBLIC  
ERIE, ERIE COUNTY, PENNA.  
MY COMMISSION EXPIRES ON MARCH 30, 2010