

**AN ORDINANCE OF UPPER ALLEN TOWNSHIP, CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF UPPER ALLEN TOWNSHIP, CHAPTER 181 (PEACE AND GOOD ORDER), CHAPTER 217 (STREETS AND SIDEWALKS), ARTICLE I (STREET OPENINGS AND EXCAVATIONS), AND CHAPTER 233 (VEHICLES AND TRAFFIC)**

BE IT ENACTED AND ORDAINED, by the Board of Commissioners of Upper Allen Township, Cumberland County, Pennsylvania, by authority of the same as follows:

SECTION 1. Chapter 181 (Peace and Good Order), Section 1 (Prohibited acts), subsection F. shall be hereby added as follows:

F. Close a lane of a Township-owned street without first receiving approval from the Township, except in the event of an emergency. The responsible entity for the restriction/closure shall provide notice to the Township at least 48 business hours prior to starting work. The following shall also apply:

- (1) Notice to the Township shall include the street location and/or address, contact person, duration of restriction or closure, and type/nature of work.
- (2) Lane/street closures are not permitted on Township-owned collector and arterial streets between the weekday hours of 6:00 a.m. – 9:00 a.m. and 3:00 p.m. – 6:00 p.m., except in the event of an emergency. Projects which require a lane/street to be closed for more than one business day may be exempt from these times.
- (3) If a lane/street must be closed for two consecutive weeks or more, the responsible entity shall provide at least one week's notice prior to starting work. Notice shall be given to the Township, including the Police and Fire Departments, EMS, Cumberland County Dispatch, and the School District. Notice shall also be given to affected residents through proper detour signs and/or written notice, stating the location of the closure, duration of time, and detour routes. Additional notice requirements may be required at the discretion of the Township.
- (4) Any entity that commences work without having submitted the proper notice will be found in violation. Upon issuance of notice of violation, all work will stop immediately. Work shall not resume until the proper notice is approved by the Township. Any person violating the provisions of this article shall be subject to the fines set forth in §181-2 herein.

SECTION 2. Chapter 217 (Streets and Sidewalks), Article I (Street Openings and Excavations), Section 4 (Issuance of permit; applicability), subsection E. shall be hereby added as follows:

E. It shall be the applicant's responsibility to notify the Township's Code Enforcement Officer prior to any lane or street closure required to conduct work as defined in a permit, except in the

event of an emergency as defined in § 217-6 herein. Notice of any road closure shall be in conformance with the provisions herein and § 181.F of the Peace and Good Order Ordinance.

SECTION 3. Chapter 217 (Streets and Sidewalks), Article I (Street Openings and Excavations), Section 13 (Conditions for laying and extending utility lines), shall hereby be amended as follows:

No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets of the Township until the plan therefor shall have been first filed with the Township and such plan, and the exact location of such main or line, is approved by the Township. The Township shall not approve the location of any such main or line at a depth of less than 30 inches from the surface of the entire right-of-way unless it is clear to the Township that locating the same at a depth of more than 30 inches from the surface is impossible or impractical.

SECTION 4. Section 233-14 (Parking of commercial vehicles prohibited on residential streets), Subsection B shall hereby be amended as follows:

- B. For the purpose of this section, a “residential street” shall be defined as any street, alley, roadway, highway, berm (paved or unpaved), shoulder, traffic way, public right-of-way or public property in or abutting any residential or mixed-use District, as defined in the Upper Allen Township Zoning Ordinance and delineated on the “Upper Allen Township Zoning Map”, as amended.

SECTION 5. Section 233-15 (Parking of boats, truck tractors, trailers and trucks prohibited on streets in residential zones) shall hereby be renamed to: Parking of boats, buses, truck tractors, trailers, and certain other vehicles prohibited on residential streets. Section 233-15 shall hereby be amended as follows:

- A. For the purpose of this section, a “residential street” shall be defined as any street, alley, roadway, highway, berm (paved or unpaved), shoulder, traffic way, public right-of-way or public property in or abutting any residential or mixed-use District, as defined in the Upper Allen Township Zoning Ordinance and delineated on the “Upper Allen Township Zoning Map.”
- B. It shall be unlawful for any person to park a boat, bus, equipment, machinery, truck tractor, trailer (“trailer” which shall mean any wheeled vehicle without its own motive power, and/or designed to carry property or passengers or designed and used exclusively for living quarters wholly on its own structure, and to be drawn by a motor vehicle or tractor and including, but not limited to, house trailers, boat trailers and rental handling trailers), upon any residential street or highway in the Township, without having either:

- (1) Attach such to a car, truck, van or other motorized vehicle; or

- (2) Secured a permit. A permit must be obtained from the Township Police Department prior to the vehicle being parked on the residential street. The permit shall be valid for up to 96 consecutive hours. A maximum of five (5)

permits will be issued for the same vehicle per calendar year. A minimum period of fifteen (15) days is required between permits.

- (3) Trucks, truck tractors, equipment, and machinery, campers, motor home vehicles and trailers used for the purpose of making deliveries to or picking up goods, wares, merchandise or materials from and of performing work on or from premises situated upon or adjacent to any such street or alley shall be permitted to park upon any residential street without a permit.
- (4) At no time shall any of the aforementioned vehicles be permitted to park on any Township-maintained street upon the commencement of a snow emergency, as may be designated by the Township in accordance with this Chapter.
- (5) Any person, firm or corporation who or which violates any provision of this section, upon conviction thereof, shall be sentenced to pay a fine of \$50 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day on which a violation of this section shall continue shall be deemed a separate offense.

**SECTION 6. Repealer.** All other ordinances and parts of ordinances inconsistent with the proposed addition to the Township Code are hereby repealed.


**SECTION 7. Severability.** The provisions of these Chapters are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the Chapters.

**SECTION 8. Effective Date.** The Township Code Amendment shall take effect and be in force immediately upon enactment.

ENACTED AND ORDAINED this 20~~12~~ day of January, 2021.

ATTEST:

TOWNSHIP OF UPPER ALLEN

  
Scott W. Fraser  
Secretary

  
Kenneth Martin, President  
Board of Commissioners

