

ARTICLE 512
Snow Emergency

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CROSS REFERENCES

Tire chains - see 75 Pa. C.S.A. §4525

Power to regulate - see 75 Pa. C.S.A. §6109(a)(7), (13)

512.01 DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this article.

- (a) "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (b) "Roadway" means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.
- (c) "Snow emergency routes" are those streets marked as such in accordance with the provisions of this article.
- (d) "Snow tires" are any tires mounted on drive wheels of motor vehicles which are especially designed to give effective traction on snow, mud or ice covered streets by means of extra heavy duty treads with special high-traction patterns, except that no tire so defined shall be construed to be a snow tire if it is damaged or worn to the extent that its performance would be substantially impaired. The performance of a snow tire shall be considered substantially impaired, if such tires when measured in a major tread groove at two points of the circumference where the tread is thinnest, but not closer than fifteen inches, the tread design depth measures not less than one-fourth of an inch at both locations.

- (e) "Tire chains" are any metal chains mounted on drive wheel tires of motor vehicles which cross the tread of each such tire laterally in at least three different places. (Ord. 75-1971. Passed 11-24-71.)

512.02 PARKING DURING SNOW EMERGENCY.

(a) Whenever the Mayor or the Public Works Director or their duly designated and acting representative finds, on the basis of falling snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on City streets be prohibited or restricted for snow plowing and other purposes, the Mayor or his duly designated and acting representative shall put into effect a parking prohibition on parts of or all snow emergency routes as necessary by declaring it in a manner prescribed by this article. The Mayor or the Director of Public Works or their duly designated and acting representative, when weather conditions make it necessary, may place into effect a parking restriction that extends the inner city posted odd-even parking regulations to include Saturday and Sunday. (Ord. 54-2008. Passed 11-19-08.)

(b) Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Mayor or his duly designated and acting representative in accordance with this article, except that any street area which has become substantially clear of snow and ice from curb to curb for the length of the entire block shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. (Ord. 75-1971. Passed 11-24-71.)

512.03 CONDITION OF MOTOR VEHICLES.

(a) No person operating a motor vehicle on a snow emergency route or during an odd-even parking prohibition on which there is a covering of snow, sleet or ice shall allow such vehicle to become stalled wholly or partly because the drive wheels thereof are not equipped with effective tire chains or snow tires.

(b) No person operating a motor vehicle on a part of a snow emergency route or during an odd-even parking prohibition on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect shall allow such vehicle to become stalled because the motor fuel is exhausted or the battery has become inoperative. (Ord. 54-2008. Passed 11-19-08.)

512.04 STALLED VEHICLE.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this article, on any part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route, or during an odd-even parking prohibition, either into the first cross street which is not a snow emergency route, or under an odd-even parking prohibition, or onto the public space portion of a nearby driveway. No person shall abandon or leave his vehicle in the roadway of a snow emergency route or during an odd-even parking prohibition, regardless of whether he indicates, by raising the hood or otherwise, that the vehicle is stalled, except for the purpose of securing assistance and return without delay. (Ord. 54-2008. Passed 11-19-08.)

512.05 DECLARATION OF SNOW AND ICE EMERGENCY.

(a) The Mayor or the Public Works Director or their duly designated and acting representative, shall cause each declaration made by him pursuant to this article to be publicly announced by means of broadcasts or telecasts from stations with a normal operating range covering the City, and he may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Mayor or the Public Works Director or their duly designated and acting representative, including the time it became or will become effective, and shall specify the streets or areas affected. A parking prohibition or advancement of quitting time-traffic regulations declared by the Mayor or the Public Works Director or his duly designated and acting representative shall not go into effect until at least two hours after it has been announced between 6:00 a.m. and 11:00 p.m. in accordance with this section.

(b) The Mayor or the Public Works Director or their duly designated and acting representative shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.
(Ord. 75-1971. Passed 11-24-71.)

512.06 TERMINATION OF PARKING PROHIBITION.

Whenever the Mayor or the Public Works Director or their duly designated and acting representative shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this article no longer exist, he may declare the prohibition terminated in whole or in part, in a manner prescribed by this article, effective immediately upon announcement. (Ord. 75-1971. Passed 11-24-71.)

512.07 TEMPORARY PROVISIONS TO TAKE PRECEDENCE.

Any provisions of this article which becomes effective by declaration of the Mayor or the Public Works Director or their duly designated and acting representative or upon the occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a police officer.
(Ord. 75-1971. Passed 11-24-71.)

512.08 SIGNS TO MARK SNOW EMERGENCY ROUTES.

On each street designated by this article as a snow emergency route, the Bureau of Traffic Engineering shall post a special sign in every block with the wording: "Snow Emergency Route. No Parking During Emergency. Snow Tires or Chains Required. Tow-Away Zone." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway. (Ord. 75-1971. Passed 11-24-71.)

512.09 REMOVAL, IMPOUNDING AND RETURN OF VEHICLES.

(a) Members of the Police Bureau are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety, including another place on the street, or to a garage designated or maintained by the Police Bureau, or otherwise maintained by this City, when:

- (1) The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect.
- (2) The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this article.
- (3) The vehicle is parked in violation of any parking ordinance or provision of law and is interfering or about to interfere with snow removal operations. (Ord. 75-1971. Passed 11-24-71.)
- (4) The vehicle is parked in violation of a parking restriction based on a declaration of snow emergency. (Ord. 54-2008. Passed 11-19-08.)

(b) Whenever an officer removes or has removed a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

(c) Whenever an officer removes or has removed a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the State department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle; the date, time and place from which removed, the reasons for such removal and the name of the garage or place where the vehicle is stored.

(d) No person shall recover any vehicle removed in accordance with this section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed to recover it from the place where it has been placed or impounded, he shall present to a member of the Police Bureau evidence of his identity and right to possession of the vehicle, shall sign a receipt for its return, shall pay the cost of removal and shall pay any cost of storage accrued. Until paid these charges constitute a lien on the vehicle which may be enforced in the same manner as a garage keeper's lien.

(e) It shall be the duty of the Police Bureau to keep a record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition and parking violation involved.

(f) This section shall be supplemental to any other provisions of law granting members of the Police Bureau authority to remove vehicles.
(Ord. 75-1971. Passed 11-24-71.)

512.10 CITATION ON VEHICLE PARKED OR LEFT IN VIOLATION.

Whenever any motor vehicle without a driver is found parked or left in violation of any provisions of this article and is not removed and impounded as provided for in this article, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the Traffic Bureau, for the driver to answer the charge against him within ten days during the hours and at a place specified in the citation. (Ord. 75-1971. Passed 11-24-71.)

512.11 FAILURE TO COMPLY WITH TRAFFIC CITATION.

If a violator of this article does not appear in response to a traffic citation affixed to such motor vehicle in accordance with this article within a period of ten days the Clerk of the Traffic Court or other appropriate person shall send the owner of the motor vehicle to which the traffic citation was affixed, a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of ten days a warrant of arrest will be issued. (Ord. 75-1971. Passed 11-24-71.)

512.12 EVIDENCE WITH RESPECT TO VEHICLES PARKED OR LEFT IN VIOLATION.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this article, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this article, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute prima-facie evidence that the defendant was the person who parked or left the vehicle in violation of this article. (Ord. 75-1971. Passed 11-24-71.)

512.13 SNOW EMERGENCY ROUTES DESIGNATED.

The following streets or portions of streets within the City are designated as snow emergency routes:

<u>Street</u>	<u>From</u>	<u>To</u>
East and West 6th Street	Pittsburgh Avenue	East Avenue and including Park Avenue North, Park Avenue South, North Park Row and South Park Row
East Lake Road	East Avenue	Franklin Avenue
West 8th Street	Pittsburgh Avenue	Greengarden Road
East and West 12th Street	Pittsburgh Avenue	Franklin Avenue
East and West 15th Street	Raspberry Street	Perry Street
Buffalo Road	Perry Street	Bird Drive
East 21st Street	State Street	East Avenue
East and West 26th Streets	Pittsburgh Avenue	Elm Street
Broad Street	Elm Street	Buffalo Road
East 28th Street	Parade Street	Elm Street
West 32nd Street	Pittsburgh Avenue	Cherry Street
East and West 38th Streets	Pittsburgh Avenue	East City line
Brown Avenue	26th Street	Cherry Street

<u>Street</u>	<u>From</u>	<u>To</u>
Greengarden Road	38th Street	8th Street
Seminole	West 8th Street	West 6th Street
Raspberry Street	38th Street	12th Street
Liberty Street	Peach Street	5th Street
Cherry Street	38th Street	6th Street
Sassafras	26th Street	6th Street
Peach Street	South City line	North Park Row
State Street	38th Street	Front Street
French Street	26th Street	4th Street
Parade Street	28th Street	6th Street
Old French Road	South City line	28th Street
Pine Avenue	South City line	28th Street
Ash Street	18th Street	12th Street
East Avenue	East Lake Road	38th Street
Franklin Avenue	East Lake Road	Buffalo Road
McClelland Avenue	Buffalo Road	38th Street
Elm Street	26th Street	28th Street

(Ord. 75-1971. Passed 11-24-71.)

512.14 FRONT WHEEL OR FOUR WHEEL DRIVE.

The provisions of this article are not enforceable against a motorist operating a motor vehicle equipped with a front wheel or four wheel drive only if such vehicle is able to travel on a snow emergency route without becoming stalled, wholly or partly because the drive wheels are not equipped with effective tire chains or snow tires. (Ord. 75-1971. Passed 11-24-71.)

512.99 PENALTY.

Whoever violates any provisions of this article shall be subject to a fine of ten dollars (\$10.00).
(Ord. 6-2005. Passed 1-26-05.)