

**HANOVER TOWNSHIP,  
BEAVER COUNTY, PENNSYLVANIA  
ORDINANCE NO. 60**

**AN ORDINANCE OF HANOVER TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA, REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL REQUIRING SALTING AND/OR PLOWING OPERATIONS; AND, PROHIBITING THE DUMPING, SHOVELING, PUSHING OR PLACEMENT OF ANY SNOW OR ICE INTO THE PUBLIC HIGHWAYS, STREETS OR RIGHT OF WAYS OF THE TOWNSHIP OF HANOVER; AND PRESCRIBING ACTIONS TO BE TAKEN BY THE TOWNSHIP OF HANOVER, PENALTIES AND FINES FOR VIOLATION OF SAME ORDINANCE.**

**WHEREAS**, snow and ice storms can and do impair the safe passage of emergency response vehicles such as fire, police and ambulance vehicles, and, such storms also impair the normal flow of public traffic which may result in conditions adverse to the welfare and safety of the residents of the Township and other persons lawfully using the public roads and right of ways; and,

**WHEREAS**, it is necessary in order to ensure the welfare and safety of the public roads and right of ways to be cleared of snow and ice as promptly as reasonably possible; and,

**WHEREAS**, Hanover Township has the authority to regulate parking on Township highways, streets or rights of way pursuant to The Second Class Township Code, 53 P.S. § 67328, and pursuant to the Pennsylvania Motor Vehicle Code, 75 Pa.C.S. § 6109(a)(20); and,

**NOW, THEREFORE**, the Board of Supervisors of Hanover Township does hereby enact and ordain:

Section 1. Definitions: As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

**CARTWAY**: portion of a highway, street, road or right of way improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

**PERSON**: natural person, partnership, corporation, association, homeowners association, condominium association, or other legal entity.

**HIGHWAY, STREET, ROAD OR RIGHT OF WAY**: the entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

SNOW: any precipitation depositing any accumulations on the streets including snow, sleet, hail, ice and freezing rain.

VEHICLE: a motor vehicle as defined by the Pennsylvania Motor Vehicle Code, 75 Pa.C.S. § 102.

#### Section 2. Parking on Township Roadways During Snow Emergencies.

Following the effective date of this Ordinance, it shall be unlawful for any person to park, abandon, or allow to be parked or abandoned any motor vehicle or other vehicle on any Township highway, street, road or right of way two (2) hours after the start of a continuous snow fall and until such time that the snow has stopped falling and the snow has been completely plowed for the full width of the cartway.

#### Section 3. Removal and Towing of Illegally Parked Vehicles.

The Hanover Township Zoning Officer, is hereby authorized to remove or have removed any vehicle abandoned or parked upon any public highway, street, road or right of way in violation of the terms and provisions of this Ordinance, to issue citations for the violation of this Ordinance AND to have said vehicle towed by an Authorized Towing Service. The registered owner of any such vehicle shall be notified of the fact of the removal and of the place to which said vehicle has been towed, where he or she may obtain the same upon payment of any and all towing and storage charges. The payment of towing and storage charges authorized by this provision shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of this Ordinance.

The Township shall give notice by phone, personal service or otherwise to the owner of such impounded vehicle. If such notice cannot be given as set forth above, written notice shall be mailed to the vehicle owner within twenty-four (24) hours from the time of the vehicle's removal, using the address on file with the Pennsylvania Department of Motor Vehicles. Neither the Township nor any of its officers or employers shall be held responsible for any damage to any vehicle occurring as a result of towing and/or storage of a vehicle parked in violation of this Ordinance.

#### Section 4. Authorized Towing Services.

No towing service shall be authorized to remove or tow vehicles left parked or abandoned in violation of this Ordinance unless the towing service is an authorized towing service.

Authorized towing services must:

a) Agree to indemnify, defend, and hold harmless the Township of Hanover, its officers, employees and assigns, from any actions commenced against these parties as a result of any loss, injury or damage to towed vehicles while in the care, custody or control of the towing service.

b) Submit evidence to the Township to establish that the towing service and storage garage service is bonded or has acquired liability insurance in an amount satisfactory to the Board of Supervisors as sufficient to indemnify owners of impounded vehicles against loss or damage to those vehicles while in the care, custody or control of the towing service or garage-keeper for the purpose of towing or storage.

c.) Comply with the provisions of the Pennsylvania Motor Vehicle Code with respect to the removal and storage of vehicles found to be in violation of this Ordinance.

d) Display the name of the service or the person operating the towing service, together with a valid telephone number therefore, on both sides of the tow truck.

e.) Maintain, during off-hours, either a telephone operator, answering service, telephone tape machine or other automated message service to provide owners or operators of towed vehicles with the necessary information as to the cost, the required method of payment and the procedure for claiming the towed vehicle.

Section 5. It shall be unlawful for every person in charge or control of any building or lot of land, whether as owner, tenant, occupant, lessee, or otherwise, to dump, throw, shovel, pile or push any snow or ice removed from driveways, walkways, sidewalks, or other private property into any public highway, street, road or public right of way.

Section 6. It shall be unlawful to cover fire hydrants with snow.

Section 7. Residents with special needs should contact the Township Secretary to request a temporary waiver to the requirement of this Ordinance.

Section 8. Any person violating any of the provisions of this Ordinance, upon being found guilty thereof in an action commenced by Hanover Township before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be ordered to pay a fine of not more than One Thousand Dollars (\$1,000.00), plus all court costs, including reasonable attorney's fees incurred by the Township. Each day or portion thereof in which a violation is found to exist shall constitute a separate offense.

The person in whose name an illegally parked automobile is registered shall be considered, *prima facie*, to have had control of the said automobile at the time of such parking.

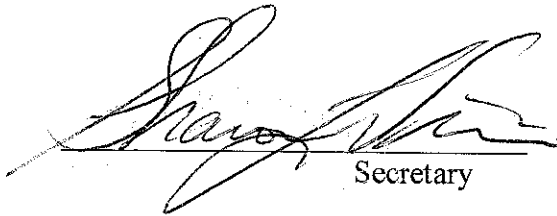
Section 9. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency only.

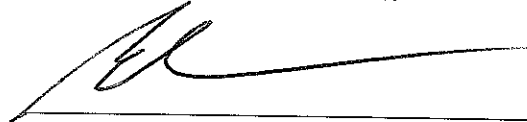
Section 10. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Hanover Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause section or part thereof not been included herein.

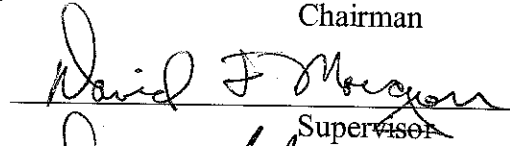
Section 11. Effective Date. This Ordinance shall become effective five (5) days after its enactment. ENACTED AND ORDAINED THIS 11th DAY OF October, 2010 by and on behalf of the Board of Supervisors of Hanover Township.

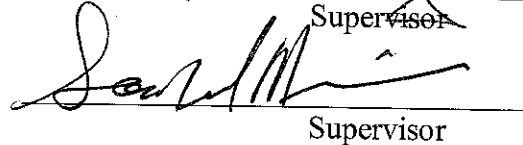
HANOVER TOWNSHIP  
BOARD OF SUPERVISORS

ATTEST:

  
Secretary

  
Chairman

  
Supervisor

  
Supervisor