

**BOROUGH OF NEW WILMINGTON
LAWRENCE COUNTY, PENNSYLVANIA
ORDINANCE NO. 538**

AN ORDINANCE OF THE BOROUGH OF NEW WILMINGTON, LAWRENCE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 266 OF THE CODIFIED ORDINANCES OF THE BOROUGH OF NEW WILMINGTON, TITLED “VEHICLES AND TRAFFIC,” ARTICLE I, TO AMEND §§ 266-5, 266-8, 266-11, 266-14, 266-17, AND 266-18, TO ADD CERTAIN GENERAL PARKING, STANDING AND STOPPING PROHIBITIONS, TO ADD CERTAIN SPECIFIC NO-PARKING AND TIME-LIMITED PARKING RESTRICTIONS, TO PROVIDE FOR DISABILITY-RESERVED PARKING ENFORCEMENT AND TOWING, TO REVISE VIOLATIONS AND PENALTIES, AND TO AUTHORIZE NECESSARY SIGNS AND MARKINGS.

WHEREAS, Borough Council is authorized to enact and amend permanent traffic and parking regulations by ordinance;

WHEREAS, Borough Council has reviewed the recommendations of the Chief of Police regarding needed updates to the Borough parking and traffic regulations, together with the additional proposed ordinance revisions previously prepared for consideration by Council; and

WHEREAS, Borough Council desires to incorporate such revisions into one comprehensive amendment ordinance in a manner consistent with the existing structure and style of Chapter 266 of the Codified Ordinances;

NOW, THEREFORE, be it enacted and ordained by the Borough Council of the Borough of New Wilmington, Lawrence County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. Amendment of § 266-5.

Section 266-5, titled “Authority of police officers,” is hereby amended to read as follows:

“§ 266-5. Authority of police officers.

The police officers of the Borough are hereby given authority to direct traffic on the highways in the Borough and at intersections thereof. Police officers may assign the authority set forth in this Section 266-5 to other Borough employees and/or Borough fire department volunteers/personnel for periods of time as may be necessary at the location of an emergency site, at a safety related incident or as safety measure at a community event. Any individual(s) so designated shall wear public safety vests and/or similar equipment.”

Section 2. Amendment of § 266-8(A).

Section 266-8(A), titled “Traffic signals at certain locations,” is hereby amended to read as follows:

“A. At the following locations, official traffic signals shall be erected (or if heretofore erected are hereby ratified), and traffic at such intersections shall be directed by such signals:

- (1) Neshannock Avenue and Market Street.
- (2) Neshannock Avenue and New Castle Street.”

Section 3. Amendment of § 266-11.

Section 266-11 is hereby amended as follows:

- A. The title of § 266-11 shall be amended to read: “Stop and yield intersections established.”
- B. Existing § 266-11(A)(6) is deleted in its entirety and replaced with the following:
“(6) Maple Street is designated as a yield street for traffic traveling in any direction, entering the roundabout located at its intersection with Westminster Drive.”
- C. All remaining portions of § 266-11 not specifically amended hereby shall remain unchanged and in full force and effect.

Section 4. Amendment of § 266-14.

Section 266-14, titled “Vehicles to park within marked spaces,” is hereby amended to read as follows:

“§ 266-14. Vehicles to park within marked spaces; direction of parking.

Wherever a space shall be marked off on any street or alley for the parking of an individual vehicle, every vehicle there parked shall be parked within the limits bounding such space. All vehicles parked on streets or alleys, whether parking spaces are marked or not, shall be parked in the direction of authorized traffic movement and shall comply with the applicable curbside placement requirements set forth in this Chapter.”

Section 5. Amendment of § 266-17.

Section 266-17, titled “Parking prohibited in certain locations,” is hereby amended as follows:

- A. Existing § 266-17(A) shall remain unchanged.
- B. Existing § 266-17(B) shall remain as the Borough’s specific table of no-parking locations, and the following additional entries shall be inserted into the table in proper alphabetical and codified sequence:

Street	Side	Location
Pine Street	Both	Between Neshannock Avenue and Jackson Street
South Market Street	East	Between Jackson Alley and the entrance to the East parking lot

- C. A new subsection shall be added following the location table in § 266-17, to read as follows:
“C. General parking, standing and stopping prohibitions. Except when necessary to avoid conflict with other traffic, to protect the safety of any person or vehicle, or in compliance with law or the directions of a police officer, authorized Borough personnel, or an official traffic-

control device, no person shall stand, stop or park a vehicle:

- (1) Within fifteen (15) feet of a fire hydrant.
- (2) Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway.
- (3) In front of, so as to obstruct access to or from, or otherwise block any public or private driveway, alley entrance, street entrance, parking lot entrance, access way, or other similar ingress or egress point.
- (4) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, except temporarily for the purpose of loading or unloading persons or property; provided, however, that standing or parking for such purpose shall not be permitted on Commonwealth-designated highways except during off-peak traffic-flow hours as determined by the regulations of the Pennsylvania Department of Transportation.
- (5) On a one-way highway other than parallel to the curb or edge of the highway in the direction of authorized traffic movement, with the wheels within twelve (12) inches of the appropriate curb or, in the absence of a curb, as close as practicable to the appropriate edge of the shoulder.
- (6) On a two-way highway other than parallel to and with the right-hand wheels within twelve (12) inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the shoulder.
- (7) In any area where erected signs, painted lines, or painted curb markings indicate a no-parking area.”

D. A new subsection shall be added to § 266-17, to read as follows:

“D. Disability-reserved parking. Except for persons parking vehicles lawfully bearing a person with a disability or severely disabled veteran registration plate or displaying a person with a disability or severely disabled veteran parking placard when such vehicles are being operated by or for the transportation of a person with a disability or a severely disabled veteran, no person shall park a vehicle on public or private property reserved for a person with a disability or severely disabled veteran which property has been so posted in accordance with Pennsylvania Department of Transportation regulations. The absence of a sign stating the penalty amount at parking spaces designated with an international symbol of access for persons with disabilities shall not preclude enforcement of this subsection. A vehicle unlawfully parked in a designated disability-reserved parking area may be removed from that area by towing and may be reclaimed by the vehicle owner upon payment of the towing costs to remove the vehicle, provided the parking space is posted with a sign indicating that vehicles in violation of this section may be towed. The towing costs imposed under this subsection shall be in addition to the fines imposed under this Chapter.”

Section 6. Amendment of § 266-18(A).

Section 266-18(A), titled “Parking time limited in certain locations on certain days and hours,” is hereby amended by adding the following entry to the table in proper codified sequence:

Street/Location	Side	Between	Time Limit	Days	Hours
South parking lot	—	—	3 hours	Except Sunday	All day

Section 7. Amendment of § 266-19.

Section 266-19, titled “Violations and penalties for parking violations,” is hereby amended to read as follows:

“§ 266-19. Violations and penalties for parking violations.

A. Any person who violates the following provisions of this article shall, upon issuance of a Borough parking ticket, be subject to the following scheduled Borough fine amounts, which are intended to conform generally to the Borough’s Schedule of Fees and Fines and the corresponding provisions of the Pennsylvania Vehicle Code:

(1) Violation of § 266-16 (no parking between 3:00 a.m. and 6:00 a.m.): subject to a maximum fine of not more than fifty dollars (\$50.00).

(2) Violation of § 266-18 (exceeding a posted or codified time limit of two or three hours): subject to a maximum fine of not more than fifty dollars (\$50.00).

(3) Violation of § 266-17(B) or § 266-17(C)(2), (3), or (7), including parking where prohibited by official sign or marking, within prohibited approaches to traffic-control devices, in front of or blocking a driveway or access point, or in other posted no-parking areas: subject to a maximum fine of not more than fifty dollars (\$50.00), or as set by the District Magistrate.

(4) Violation of § 266-17(C)(1) (within fifteen feet of a fire hydrant): subject to a maximum fine of not more than fifty dollars (\$50.00).

(5) Violation of § 266-14 or § 266-17(C)(4), (5), or (6), including wrong-way parking or double parking: subject to a maximum fine of fifteen dollars (\$15.00).

(6) Violation of § 266-17(D) (disability-reserved parking): subject to a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00), unless the sign does not list the penalty amount, in which case the fine shall not exceed fifty dollars (\$50.00), all as permitted by applicable law.

(7) Where a violation under this chapter corresponds to 75 Pa.C.S. § 3351(a) or another state-law provision for which the fine is to be set by the issuing authority or Magisterial District Judge, the violation shall be punishable as provided by applicable law.”

B. All fines imposed by this section shall be paid within thirty (30) days of the violation.

C. In the event any fine imposed under this section remains unpaid on the thirtieth (30th) day following the violation, criminal proceedings may be instituted as provided by law and the Rules of Criminal Procedure. The issuing authority may increase the fine to the maximum amount permitted by law and assess costs of prosecution. In the event a deadline imposed by this section shall fall on a Saturday, Sunday or legal holiday, the time for compliance shall be extended to the close of the next business day.

D. The Borough's Schedule of Fees and Fines, as amended from time to time by resolution of Borough Council, may be used administratively to implement and update fine categories and equivalent state-law references, provided that no such resolution shall authorize a fine exceeding the maximum permitted by applicable law or inconsistent with this chapter."

Section 8. Signage and markings authorized.

The appropriate Borough officials, including the Police Department and Street Department, are hereby authorized and directed to erect, replace and maintain such regulatory signs, yield signs, no-parking signs, disability parking signs, time-limit signs, painted curb markings and other traffic-control devices and markings as are necessary to implement and enforce this Ordinance.

Section 9. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 10. Continuation of existing regulations and codification.

The provisions of this Ordinance, insofar as they are the same as those of ordinances and regulations in force immediately prior to the enactment hereof, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any repealed or amended ordinance or regulation.

It is the intent of Borough Council that the amendments contained in this Ordinance shall be codified in Chapter 266 of the Codified Ordinances of the Borough of New Wilmington. The Code publisher may renumber, reletter or otherwise revise formatting as necessary to conform these amendments to the existing organizational structure of the Code. All provisions of Chapter 266 not specifically amended by this Ordinance shall remain in full force and effect.

Section 11. Severability.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid or unenforceable, Borough Council declares its intent that the remaining portions shall remain effective for all purposes as if the Ordinance had been adopted and enacted without the inclusion of the invalid section, sentence or phrase.

Section 12. Effective date.

This Ordinance shall become effective five (5) days after enactment, as provided by applicable law.

DULY presented and adopted at a meeting of the Borough Council of New Wilmington Borough, Lawrence County, Commonwealth of Pennsylvania, this _____ day of _____, 2026.

ATTEST:

NEW WILMINGTON BOROUGH

Tracy O'Neill
Borough Secretary

By: _____
President of Council

EXAMINED AND APPROVED by me this _____ day of _____, 2026.

NEW WILMINGTON BOROUGH

By: _____
Mayor