

**Article XII — Enforcement**

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## **Article XII — Enforcement**

### **§ 41-1201 Violations and Penalties.**

Except as otherwise provided in this Article or in § 41-804, any person who shall violate any of the provisions of this Chapter shall be subject to prosecution before a magisterial district judge in the same manner as provided for a summary offense under the Pennsylvania Rules of Criminal Procedure and, upon conviction thereof, shall be sentenced to pay a criminal fine of Forty-five Dollars (\$45.00) plus court costs and reasonable attorney fees incurred by the Borough in the enforcement proceedings.

### **§ 41-1202 Violations of § 41-502.**

(a) **Penalty.** Any person who shall violate § 41-502 (relating to No Parking for Short Periods) shall be subject to prosecution before a magisterial district judge in the same manner as provided for a summary offense under the Pennsylvania Rules of Criminal Procedure and, upon conviction thereof, shall be sentenced to pay a criminal fine of not less than Fifty Dollars

(\$50.00) and not more than Three Hundred Dollars (\$300.00), plus court costs and reasonable attorney fees incurred by the Borough in the enforcement proceedings.

**(b) Removal of Vehicle.** It is the policy of the Borough that vehicles violating § 41-502 shall be removed from the street immediately in accordance with 75 PA. CONS. STAT. § 3352(c)(4). The Maintenance Department shall supplement each traffic control device erected in conjunction with § 41-502 with the optional R7-20 "Tow-Away Zone Sign" provided under 67 PA. CODE § 211.243. However, vehicles may still be removed from the street even in the absence of the "Tow-Away Zone Sign."

### § 41-1203 Snow Emergency Violations.

Any person who shall violate any of the provisions of Article X (relating to Snow Emergencies) shall be subject to prosecution before a magisterial district judge in the same manner as provided for a summary offense under the Pennsylvania Rules of Criminal Procedure and, upon conviction thereof, shall be sentenced to pay a criminal fine of Thirty-five Dollars (\$35.00) plus court costs and reasonable attorney fees incurred by the Borough in the enforcement proceedings.

### § 41-1204 Tickets in lieu of Citations.

**(a) In General.** Except in the case of violations of § 41-502 (relating to No Parking for Short Periods) or Article VIII (relating to Handicapped Parking Spaces), police officers shall place on any vehicle found to be in violation of any of the parking, stopping, or standing provisions of this Chapter a notice to the owner or operator of such vehicle of the date, time, and place of such violation. Such notice shall allow for prompt payment of penalties for the violation as follows:

(1) The owner or operator may, within seventy-two (72) hours of the time when such notice was attached to his vehicle, pay the sum of Twenty-five Dollars (\$25.00) in full satisfaction;

(2) After seventy-two (72) hours, but within ten (10) days of the violation, the owner or operator may pay the sum of Thirty-five Dollars (\$35.00) in full satisfaction.

**(b) Violations of § 41-502 or Article VIII.** In the case of violations of § 41-502 (relating to No Parking for Short Periods) or Article VIII (relating to Handicapped Parking Spaces), a police officer *may* place on a vehicle found to be in violation of any of those provisions a notice to the owner or operator of such vehicle of the date, time, and place of such violation, and a statement that the owner or operator may, within ten (10) calendar days after the violation, pay the sum of fifty dollars (\$50.00) in full satisfaction. In that event, no citation shall issue unless the owner or operator shall fail to make full payment of the penalty within ten (10) calendar days after the violation.

**(c) Citations After Failure to Pay Ticket in Timely Fashion.** Where the owner or operator of the vehicle shall fail to make payment of the penalty prescribed under this § 41-1204 within ten (10) days from the date when the notice was attached to the vehicle, the owner or op-

erator shall be subject to citation and the payment of the penalty provision otherwise set forth in this Article as they may relate to the violation, *provided* that prosecution for violations of § 41-503 (relating to State Law Prohibitions Which Are Also Local Prohibitions) and Article VIII (relating to Handicapped Parking Spaces) shall be made under the state Vehicle Code rather than this Chapter.