

Article XIV – Off-Street Parking and Loading

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Article XIV – Off-Street Parking and Loading

§ 21-1401 In General.

Off-street parking and loading space shall be provided as further specified in this Chapter, and shall be furnished with necessary passageways and driveways. All such space shall be deemed to be required space on the lot on which it is situated and shall not be encroached upon or reduced in any manner.

[Ord. 415 10-29-2003]

§ 21-1402 Surface, Markings, and Drainage.

All parking areas, passageways, and driveways shall be surfaced with a dustless, durable, all-weather pavement parking surface, shall be clearly marked for car spaces, and shall be adequately drained in conformance with Borough standards prior to issuance of an occupancy permit.

[Ord. 415 10-29-2003]

§ 21-1403 Dimensions.

All parking spaces shall have a stall width of no less than nine (9) feet zero (0) inches. Stall depth and aisle width shall comply with § 21-1418 (relating to Parking Design Standards) unless modifications are recommended in accordance with the required site plan review.

[Ord. 415 10-29-2003]

§ 21-1404 Pre-existing Buildings and Uses.

(a) **Nonconforming Uses.** None of the off-street parking or off-street loading facilities as required in this Chapter shall be required for an existing building or use not now conforming to these requirements, unless said building or use shall be expanded. In this case, the provisions of this Chapter shall apply only to that portion of the building or use so expanded. However, if the expansion is twenty-five percent (25%) or more of the existing building size, enough parking

for all the building area (past and proposed) must be provided per the requirements of this Chapter.

(b) Continuation of Existing Required Spaces. Vehicle parking or loading space maintained in connection with an existing and continuing principal building, structure, or land use on the effective date of this Chapter (or any predecessor zoning ordinance) or amendment thereto, up to the number required by this Chapter, shall be continued and may not be counted as serving as a new building, structure, addition, or land use; nor shall any required parking space be substituted for an off-street loading and unloading space, nor any require loading and unloading space substituted for a parking space.

[Ord. 415 10-29-2003]

§ 21-1405 Ownership or Long-Term Lease Required.

Off-street parking for new development shall be owned or leased on a long-term basis consistent with the economic life of the development.

[Ord. 415 10-29-2003]

§ 21-1406 Multiple Uses.

(a) The required parking space for any number of separate uses may be combined in one (1) lot, but the required space assigned to one (1) use may not be assigned to another use at the same time, except that one-half (1/2) of the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sunday may be assigned to a use which will be closed at night or on Sunday.

(b) In the case of mixed or multiple uses, the parking facilities required shall be the sum of the requirements for the various individual uses computed separately in accordance with § 21-1415 (relating to Off-Street Parking Schedule). Parking facilities for one use shall not be considered as providing the required parking facilities for any other use. Where the same space is used for several purposes, the most stringent requirement shall govern, unless justification is made by the developer to the Planning Commission, which may make modifications to the parking schedule if deemed appropriate and consistent with the intent of this Chapter.

[Ord. 415 10-29-2003]

§ 21-1407 Parking Provided On A Different Lot.

(a) In General. Off-street parking spaces required for a principal use may be located on other off-street property than that lot occupied by the principal use, so long as such space lies within six hundred (600) feet walking distance of such principal use.

(b) Residential Districts. Parking areas serving nonresidential uses may be located in residential districts, *provided* such parking areas are within six hundred (600) feet walking dis-

tance of the principal use served, and *provided* that screening, lighting, and use of parking areas are in accordance with other applicable provisions of this Chapter.

[Ord. 415 10-29-2003]

§ 21-1408 Illumination.

All parking and loading areas and appurtenant passageways and driveways serving nonresidential uses shall be illuminated adequately during the hours of use. Adequate shielding shall be provided to protect adjacent residential zones from the glare of such illumination and from that of automobile headlights.

[Ord. 415 10-29-2003]

§ 21-1409 Stormwater Management.

Provisions shall be made for the disposal of stormwater from parking areas in conformance with Chapter 31 (relating to Building Construction), to ensure that such water shall not flow onto adjoining property or adjacent sidewalks in quantity or manner that would be detrimental thereto or inconvenient to persons using the sidewalk.

[Ord. 415 10-29-2003]

§ 21-1410 Walls or Bumper Guards.

A structurally sound wall or bumper guard to promote safety shall be installed around each side of any parking area so that no part of any vehicle shall extend over any property line.

[Ord. 415 10-29-2003]

§ 21-1411 Commercial Vehicles in Residential Districts.

No commercial vehicle as defined in this Chapter may be stored on a lot in a residential area except when stored in a private garage.

[Ord. 415 10-29-2003]

§ 21-1412 Recreational Vehicles.

No recreational vehicles shall be parked for over five (5) days on the street or within the front yard area of any lot in a residential area. In all districts, recreational vehicles may be parked or stored on a lot in the side or rear yard area, in a garage, or in a roofed structure, or on any lot of another principal use area. In no case shall the recreational vehicle or unit be located within any required minimum yard setback.

[Ord. 415 10-29-2003]

§ 21-1413 Unlicensed or Unregistered Vehicles; Trailers.

(a) No-vehicle, trailer, or part of a vehicle or trailer (excluding recreational vehicles covered by § 21-1412) which does not bear a current license plate and registration sticker shall be parked or stored on any lot in any district outside of a completely enclosed accessory building.

(b) No more than one trailer shall be parked or stored on any lot in any district outside of a completely enclosed accessory building. Such a trailer must bear a current license plate and registration sticker.

(c) Any person claiming the right to continue to park or store a vehicle, trailer, or part of a vehicle or trailer on a lot outside of a completely enclosed accessory building after May 13, 2009 on the grounds that it is the continuation of legal pre-existing nonconformity as of May 13, 2009, must register the nonconformity with the Zoning Officer within one (1) year after the date the Borough or the Zoning Officer mails a written notice to the legal owner of the lot to so register any such nonconformity and provide evidence of the existence of the nonconformity. If the Zoning Officer determines that there is insufficient evidence of a pre-existing nonconformity, he/she shall deny the registration, and the applicant may appeal the Zoning Officer's decision to the Zoning Hearing Board pursuant to § 21-1807. Any nonconformity which is not timely registered may not be continued. It shall not be necessary to register any nonconformity which was previously approved by action of the Zoning Hearing Board.

[Ords. 415 10-29-2003, 481 05-13-2009]

§ 21-1414 Parking of Mobile Homes.

(a) **Definition.** For purposes of this section, the term "to park" and other forms of such term shall mean the temporary stationing of a mobile home, whether or not on an approved mobile home park, mobile home lot, or other approved site, without full compliance with the provisions of § 21-1329 (relating to Mobile Homes, Mobile Home Lots, and Mobile Home Parks) and § 21-917 (relating to Mobile Home Siting).

(b) **Single Premises.** Only one (1) mobile home may be parked at the same time on any single premises other than an approved mobile home park, and on such single premises, such mobile home may not be parked more than forty-eight (48) consecutive hours. At the end of such time period, the mobile home must be removed or placed on an approved site as set forth in § 21-917 (relating to Mobile Home Siting).

(c) **Approved Mobile Home Park.** One (1) or more mobile homes may be parked in an approved mobile home park for a period of time no longer than forty-eight (48) consecutive hours at the end of which time such mobile home or homes must be removed or placed on approved mobile home lots within such mobile home park as set forth in § 21-917 (relating to Mobile Home Siting).

(d) **Other Approved Site.** A mobile home may be parked on the approved site not in a mobile home park, upon which site such mobile home shall be placed as set forth in § 21-917 (relating to Mobile Home Siting), *provided* that the mobile home is parked on such site no longer than forty-eight (48) hours before such placement.

(e) **Prohibition in Other Locations.** No mobile home shall be parked in any district outside an approved mobile home park or an approved site outside a mobile home park.

(f) **Yard Requirements.** Parking of mobile homes shall observe the yard requirements for an accessory building.

(g) **Street.** No mobile home shall be parked on any public street.

(h) **Temporary Facility Permit.**

(1) Notwithstanding the preceding provisions of this section, a permit may be issued by the Zoning Officer for parking and occupying a mobile home on land as set forth below:

(A) On land owned by the occupant or occupants as a temporary facility during construction of the permanent facility thereon; or

(B) On land during construction of a permanent facility thereon as a temporary office of the general contractor.

(2) In no event shall the zoning permit authorize such parking for a period exceeding one hundred eighty (180) days, but such permit shall be renewable for an additional period not exceeding one hundred eighty (180) days. The Zoning Officer may renew such permit if the permit holder shows clearly and convincingly that construction has been prosecuted diligently and that construction cannot be completed with one hundred eighty (180) days despite diligent efforts due to the scope of the project or delays outside such permit holder's control as follows: Acts of God, war, labor strikes, and materials unavailability. If material progress with construction work ceases for a consecutive period of forty-five (45) days, any such permit or renewal shall be revoked. The mobile home shall be removed from the site or placed on an approved mobile home site on the earliest date of completion of construction or the end of the term of the permit and any renewal or any revocation thereof. There shall be only one occupancy during construction, either as a residence or office by the landowner or as an office by the general contractor.

(3) Conditions to issuance and continued validity of any such temporary parking permit shall be—

(A) provisions for electrical supply, water supply, and sanitary sewage disposal, and approval by the respective utility provider, the plumbing inspector, and/or the building inspector, as appropriate, shown by the permit applicant clearly and convincingly to the Zoning Officer; and

(B) compliance with all rules, regulations, and orders of any governmental or judicial entity having jurisdiction over the premises.

[Ord. 415 10-29-2003]

§ 21-1415 Off-street Parking Schedule.

Except as otherwise provided in § 21-1415.1 (relating to Special Rules for Off-street Parking in the Commercial District), all uses permitted by this Chapter or hereafter permitted in any of the districts herein established, shall provide as a minimum the number of off-street parking spaces specified in this section. Parking space for employees shall be computed on the basis of

maximum employment, including seasonal and part-time, on the largest shift. For uses not specified in this section, the same requirements as for the most similar use specified in this section shall apply. Where calculations of spaces result in a fractional space, any fraction under one-half (1/2) may be disregarded and any fraction one-half (1/2) and over shall be construed as one (1) whole space.

(a) Residences, Apartments, and Conversions (except as hereinafter modified).

(1) Two (2) parking spaces for each dwelling unit in a multifamily dwelling which has fewer than three (3) bedrooms.

(2) Three (3) parking spaces for each dwelling unit other than a dwelling unit described in paragraph (1).

(b) Hotels: one (1) parking space for every three (3) guest or sleeping rooms and suites, plus one (1) space for every five (5) employees, plus one (1) parking space for every four (4) seats provided for customers, plus such additional space as required by this section because of any supplementary parking-generating activities represented by uses other than guest and sleeping rooms.

(c) Tourist Cabins, Motels, or Motor Inns: one (1) parking space for each guest or sleeping room or suite, plus one (1) space for the owner or manager if resident on the premises, plus additional space necessary as set forth in subsection (b) (relating to Hotels).

(d) Boardinghouses: one (1) parking space for each sleeping room to be occupied by roomers or boarders, plus one (1) space for each dwelling unit on the premises, plus one (1) space for every two (2) employees not living on the premises.

(e) Churches: one (1) parking space for every five (5) seats, plus one (1) parking space for every one hundred (100) square feet of meeting room area.

(f) Clubs and permanent meeting places of veterans, business, civic, fraternal, and similar organizations: one (1) parking space for every fifty (50) square feet of aggregate floor area in the auditoriums, assembly halls, and dining areas of such buildings, plus one (1) space for every two (2) employees, plus additional space as required by this section because of any supplementary parking-generating activities.

(g) Hospitals: one (1) parking space for every three (3) patient beds, excluding bassinets, plus one (1) space for each staff and/or visiting doctor, plus one (1) space for every two (2) employees, including nurses; loading and unloading space for ambulances and similar vehicles are not included in the space required herein.

(h) Nursing and Convalescent Homes: one (1) parking space for every five (5) beds, plus one (1) space for each staff doctor, plus one (1) space for every two (2) employees, including nurses; loading and unloading space for ambulances and similar vehicles are not included in the spaces required herein.

(i) Medical and Dental Clinics: one and one-quarter (1.25) parking spaces for each treatment room, plus one (1) space for every one (1) employee other than a doctor or dentist (such as an assistant, nurse, hygienist, or receptionist).

(j) **Funeral Homes:** one (1) parking space for each family residing on the premises, plus one (1) space for every two (2) employees other than residents on the premises, plus one (1) space for every fifty (50) square feet of aggregate floor area in the viewing rooms, slumber rooms, parlors, or individual funeral services rooms, or a minimum total of twenty-five (25) spaces, whichever is greater.

(k) **Elderly Housing and Welfare Institutions** , such as asylums and orphanages: one (1) parking space for each staff doctor, plus one (1) space for every one thousand (1,000) square feet of gross habitable floor area for visitor and residential parking, plus such additional space as required by this section because of any supplementary parking-generating activities.

(l) **Museums, Post Offices, Borough Halls, and Similar Establishments:** parking or storage space for all vehicles used directly in the operation of such establishments, plus one (1) space for every one (1) employee, plus sufficient additional parking spaces to meet the reasonable demands of the business as determined by Council by conditional use.

(m) **Bowling Alleys:** four (4) parking spaces for each alley, plus one (1) for every two (2) employees.

(n) **Libraries, Theaters, Auditoriums, Stadiums, Sports Arenas, or Similar Uses:** one (1) parking space for every five (5) seats, plus one (1) space for every two (2) employees. Where individual seats are not provided, each twenty (20) inches of benches or other similar seating shall be considered as one (1) seat for the purposes of determining requirements hereunder.

(o) **Schools:** one (1) parking space for every two (2) employees, including teachers and administrators, plus off-street space for loading and unloading of students, plus additional facilities for student parking at the high school level and above at the ratio of five (5) spaces for each classroom.

(p) **Office, Professional, or Public Buildings:** one (1) space for each two (2) occupants or employees working on the premises, plus one (1) space for each five hundred (500) square feet. Subsection (i), and not this subsection (p), shall apply to any portion of a professional building which constitutes a medical or dental clinic.

(q) **Transportation Terminals (Passenger):** one (1) parking space for every one hundred (100) square feet of waiting room space, plus one (1) space for every two (2) employees.

(r) **Restaurants, Nightclubs, Barrooms, Lunch Counters, or the Like:** one (1) parking space for every five (5) employees, plus one (1) space for every twenty (20) seats for customers.

(s) **Roadside Stands, Drive-In Restaurants, or Other Roadside Service Establishments:** one (1) parking space for each employee, plus sufficient spaces to meet the reasonable demands of the business as determined by the Planning Commission.

(t) **Shopping Centers and Planned Neighborhood Convenience Centers:** six (6) parking spaces for every one thousand (1,000) square feet of retail sales area. Office uses and other major non-retail uses within a shopping center shall provide spaces as required in this section.

(u) **Repair Shops, Plumbing Shops, Electrical Shops, Roofing Shops, and Other Similar Service Establishments:** parking or storage space for all vehicles used directly in the conduct of business, plus two (2) spaces for each employee.

(v) **Self-service Laundries and Cleaning Establishments:** one (1) parking space for every four (4) washing, drying, and dry-cleaning machines.

(w) **Automotive Repair Garages:** parking space for all vehicles used directly in the conduct of the business, plus three (3) spaces for each vehicle lift or similar facility, plus one (1) space for every two (2) employees.

(x) **Industrial or Manufacturing Establishments:** one (1) parking space for every four (4) employees, plus one (1) space for every one thousand (1,000) square feet of gross habitable floor area intended for use by visitors.

(y) **Warehouses, Freight and Trucking Terminals, and Wholesale Businesses:** adequate off-street loading and unloading space as determined by the Planning Commission, plus parking space for all vehicles used directly in the conduct of the business, plus one (1) space for each two (2) employees.

(z) **Bed and Breakfast Facilities:** one (1) off-street parking space shall be provided for each guest room in addition to two (2) off-street parking spaces for the residence. The off-street parking spaces shall be located either to the rear of the main dwelling or screened from the roadway and adjoining properties by fencing or natural vegetation.

(aa) **Nurseries and Day-care Centers:** one (1) parking space for each employee, plus one (1) additional parking space.

(bb) **Other Business and Service Establishments** not specifically covered herein: one (1) parking space for every one (1) employee, plus sufficient additional parking spaces to meet the reasonable demands of the business as determined by Council by conditional use.

[Ords. 415 10-29-2003, 449 11-08-2006, 474 08-13-2008, 481 05-13-2009, 567 06-30-2021]

§ 21-1415.1 Special Rules for Daytime Off-street Parking Requirements in the Commercial District.

(a) **In General.** The minimum parking requirements for any Special Use described in subsection (b) operating in the Commercial District between 9:00 A.M. and 5:00 P.M., shall be determined as follows:

(1) First, calculate the number of parking spaces required for the use under § 21-1415 (relating to Off-Street Parking Schedule), *except* that:

(A) Parking spaces for employees shall be computed on the basis of maximum employment on the largest shift between the hours of 9:00 A.M. and 5:00 P.M.; and

(B) Do not apply the rule in the last sentence of the introductory paragraph of § 21-1415 that where calculations of spaces results in a fractional space, any fraction under one-half (1/2) may be disregarded and any fraction one-half (1/2) and over shall be construed as one (1) whole space. The calculation under this paragraph (1) may result in a number containing a fraction;

(2) Second, calculate the number of Creditable On-Street Spaces for the Special Use as described in subsection (c), and divide the result by two (2). This calculation may also result in a number containing a fraction;

(3) Subtract the number calculated under paragraph (2) from the number calculated under paragraph (1). If the result includes a fractional space, any fraction under one-half (1/2) shall be disregarded and any fraction one-half (1/2) and over shall be increased to one (1) whole space. The amount determined under this paragraph (3) shall be the minimum number of off-street parking spaces required to operate the Special Use in the Commercial District between 9:00 A.M. and 5:00 P.M.

(b) **Special Use.** For purposes of this § 21-1415.1, the term “Special Use” means any use permitted by right, conditional use, or special exception in the Commercial District (*see* §§ 21-703, 21-704, and 21-705) *other* than a residential dwelling unit, motel, hotel, boarding house, motor inn, or bed and breakfast facility.

(c) **Creditable On-Street Spaces.** For purposes of this § 21-1415.1, the number of “Creditable On-Street Spaces” for all Special Uses on a lot in the Commercial District shall be equal to the number of feet along the portion of the curb of Main Street or Franklin Street which abuts the lot on the same side of the street as the lot, with the result divided by twenty-two (22). No Creditable On-Street Spaces are granted with respect to any frontage along any street other than Main Street or Franklin Street. If there is more than one Special Use on a lot, the owner of the lot may allocate the total number of Creditable On-Street Spaces for the lot among the Special Uses on the lot.

(d) **Nighttime Requirements.** In calculating the minimum number of off-street parking spaces under § 21-1415 for any Special Use operating in the Commercial District between 5:00 P.M. and 9:00 A.M., parking spaces for employees shall be computed on the basis of maximum employment on the largest shift between 5:00 P.M. and 9:00 A.M.

[Ord. 481 05-13-2009]

§ 21-1416 Parking Area Design.

(a) Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. The width of entrance and exit drives shall be:

(1) A minimum of twelve (12) feet and a maximum of fifteen (15) feet at the curbline for one-way use only.

(2) A minimum of twenty (20) feet and a maximum of thirty (30) feet at the curbline for two-way use. Except as provided in subsection (d), there shall be at least forty (40) feet between all access points, and no access point shall be closer than thirty (30) feet from any street intersection.

(b) Except as provided in subsection (d), in no case shall parking areas for three (3) or more vehicles be designed to require or encourage cars to back into a public street in order to leave the lot.

(c) Except as provided in subsection (e), in the case of any parking or off-street loading area of five (5) or more spaces, all spaces not within buildings shall be provided with a suitable fence, wall, or evergreen planting at least four (4) feet in height, designed to screen visibility and headlight glare, and located between such parking spaces and any lot in a residential district that abuts directly or across a street.

(d) Within developments which include two-family detached dwellings (twins) and/or single-family attached dwellings (townhouses), as a conditional use, Council may permit the requirements of subsection (b) to be modified by replacing the number “three (3)” with the number “ten (10)” if there is to be no parking on the side of the public street in question where the vehicles back into the street, and at least part of the parking area is within one hundred fifty (150) feet of a lot improved or to be improved with a two-family detached dwelling (twin) or single-family attached dwelling (townhouse). Each of the vehicles in such a parking area may back directly into the street, without satisfying the access point separation requirements of subsection (a)(2). However, no portion of such a parking area may be closer than fifteen feet (15’) to any portion of another parking area, nor closer than thirty feet (30’) to any street intersection.

(e) Within developments which include two-family detached dwellings (twins) and/or single-family attached dwellings (townhouses), as a conditional use, Council may waive the requirements of subsection (c) if it determines that the screening in the particular case is more detrimental than beneficial.

[Ord. 415 10-29-2003, 445 06-28-2006]

§ 21-1417 Off-street Loading.

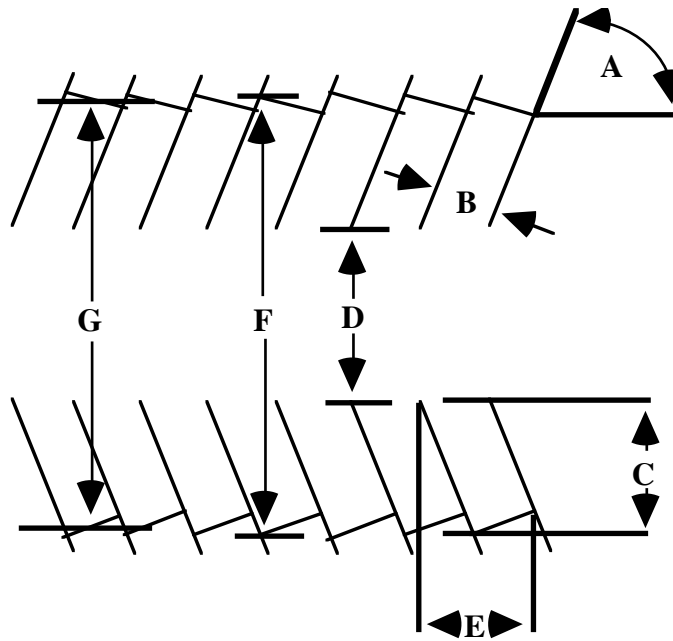
Off-street loading sufficient to accommodate the maximum demand generated by the use of the lot and with proper access from the street or alley shall be provided on any lot on which a building for business or industry is hereafter erected. All off-street loading and unloading spaces shall be graded, surfaced with asphalt or other suitable material, and drained to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining property. Each off-street loading and unloading space shall be a minimum of twelve by thirty (12 x 30) feet (or, if greater, the minimum size necessary to accommodate the largest delivery vehicle to service the property) and, in addition, have sufficient maneuvering room separate from other parking to eliminate traffic conflicts within and between off-street loading and parking areas.

[Ord. 415 10-29-2003]

§ 21-1418 Parking Design Standards.

(a) **In General.** The minimum dimensions of stalls and aisles shall be as follows:

PARKING TABLE						
A	B	C	D	E	F	G
Parking Angle	Stall Width	Stall to Curb (feet)	Aisle Width (feet)	Curb Length per Car (feet)	Width of Double Row	
					Aisle (feet)	Between (feet)
0°	8' 6"	8.5	12.0	23.0	29.0	29.0
	9' 0"	9.0	12.0	23.0	30.0	30.0
	9' 6"	9.5	12.0	23.0	31.0	31.0
	10' 0"	10.0	12.0	23.0	32.0	32.0
20°	8' 6"	14.5	11.0	24.9	40.0	32.0
	9' 0"	15.0	11.0	26.3	41.0	32.5
	9' 6"	15.5	11.0	27.8	42.0	33.1
	10' 0"	15.9	11.0	29.2	42.8	33.4
30°	8' 6"	16.9	11.0	17.0	44.8	37.4
	9' 0"	17.3	11.0	18.0	45.6	37.8
	9' 6"	17.8	11.0	19.0	46.6	38.4
	10' 0"	18.2	11.0	20.0	47.4	38.7
45°	8' 6"	19.4	13.5	12.0	52.3	46.3
	9' 0"	19.8	13.0	12.7	52.6	46.2
	9' 6"	20.1	13.0	13.4	53.2	46.5
	10' 0"	20.5	13.0	14.1	54.0	46.9
60°	8' 6"	20.7	18.5	9.8	59.9	55.4
	9' 0"	21.0	18.0	10.4	60.0	55.5
	9' 6"	21.2	18.0	11.0	60.4	55.6
	10' 0"	21.5	18.0	11.5	61.0	56.0
70°	8' 6"	20.8	19.5	9.0	61.1	58.2
	9' 0"	21.0	19.0	9.6	61.0	57.9
	9' 6"	21.2	18.5	10.1	60.9	57.7
	10' 0"	21.2	18.0	10.6	60.4	57.0
80°	8' 6"	20.2	24.0	8.6	64.4	62.9
	9' 0"	20.3	24.0	9.1	64.6	63.0
	9' 6"	20.4	24.0	9.6	64.8	63.1
	10' 0"	20.5	24.0	10.2	65.0	63.3
90°	8' 6"	19.0	25.0	8.5	63.0	63.0
	9' 0"	19.0	24.0	9.0	62.0	62.0
	9' 6"	19.0	24.0	9.5	62.0	62.0
	10' 0"	19.0	24.0	10.0	62.0	62.0



(b) **One Way Aisles.** All aisles shall be one-way only unless the Parking Angle (item “A” in the Parking Table in subsection (a)) is ninety degrees (90°).

(c) **Parking On Only One Side of Parking Aisle.** If parking is only provided on one side of an aisle, and the Parking Angle (item “A” in the Parking Table in subsection (a)) is ninety degrees (90°), then the minimum Aisle Width (item “D” in the Parking Table in subsection (a)) shall be reduced to twenty (20.0) feet.

[Ords. 415 10-29-2003, 449 11-08-2006]