

ORDINANCE NO. 1-2008

**AN ORDINANCE AUTHORIZING THE CREATION
OF A NO PARKING TOWING ZONE ON BOTH SIDES OF
UNIVERSITY ROAD BETWEEN OLD BALTIMORE PIKE
AND THE TOWNSHIP LINE, PROVIDING FOR THE ERECTION
OF SIGNS, AND THE TOWING OF VEHICLES**

BACKGROUND:

Lower Oxford Township, a Second Class Township located in Chester County, Pennsylvania by the authority granted it by the Second Class Township Code, Section 2328, which authorizes the Board of Supervisors to regulate parking on public roads within the Township by ordinance, hereby determine that parking along both sides of University Road between its intersection with Old Baltimore Pike and the Township line poses a safety problem for individuals entering on to Old Baltimore Pike and further causes a congestion problem when individuals park along side the road making it difficult to pass two lanes of traffic on the road.

NOW, THEREFORE, in order to promote the health, welfare and safety of the residents of Lower Oxford Township, the Board of Supervisors has determined to restrict parking and provide for towing of vehicles for violation within the cartway and right-of-way of University Road at the above-referenced portions.

THEREFORE, BE IT AND IT is hereby ordained and enacted by the Board of Supervisors of Lower Oxford Township, Chester County, Commonwealth of Pennsylvania, by the authority granted to them by the Second Class Township Code as follows:

SECTION 1. That the Lower Oxford Township Board of Supervisors hereby establish a no parking towing zone along the side of University Road, further identified as T-362 between the intersection with Old Baltimore Pike in a northerly direction, a distance of approximately 560 feet to the Township line and a point beginning at the Township line and going in a southerly direction toward Old Baltimore Pike until the intersection with Old Baltimore Pike for a distance of approximately 560 feet.

SECTION 2 - SIGNS. Signs identifying the restriction shall be posted in accordance with statutory requirements, however, evidence of the sign and the notice of towing shall not be required for prosecution.

SECTION 3 - ENFORCEMENT. The Township Roadmaster or other authorized agent of Lower Oxford Township shall be the enforcement officer for this Ordinance.

SECTION 4 - PENALTY. Any person or other entity who shall violate any provision of this Ordinance shall be subject to having their vehicle towed at their expense. There will be no warning to violators. Any vehicle parked in the zone shall be immediately towed. Violators shall incur the cost of towing as well as the fine provided by this Ordinance. A fine of \$25.00 per day violation plus cost of enforcement shall be the additional penalty for violation.

SECTION 5 – SEVERABILITY. In the event that any term or provision of this Agreement shall be determined to be invalid or unenforceable, for any reason, this determination shall not affect any of the remaining terms and obligations of this Agreement, which shall be read and construed as if the parties had initially intended to omit that term or provision determined to be invalid or unenforceable.

The provision of this ordinance shall become effective within 5 days after adoption.

12th ENACTED at a meeting of the Board of Supervisors of Lower Oxford Township on the day of March, 2008.

Attest:

LOWER OXFORD TOWNSHIP

Sara B. Lagarelli
Secretary

Kenneth L. Hershey
Kenneth L. Hershey, Chairman

W. Ronald Kepler
W. Ronald Kepler

absent
W. Ralph Cheek