

CHAPTER X

MOTOR VEHICLES AND TRAFFIC

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PART 1
PRELIMINARY PROVISION

§101 Purpose. It is the declared purpose of this chapter to make provisions which are deemed to be a reasonable exercise of the police power of the Municipality. All charges regarding conduct prescribed by this chapter shall be brought under this chapter and not under the Pennsylvania Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, except to the extent such charges are required to be brought under the Act.

§102 Short Title. This chapter shall be known and may be cited as the “Traffic Regulations.”

§103 Definitions. Subject to additional definitions contained in subsequent provisions of this chapter which are applicable to specific provisions thereof, the following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section. Words or phrases used in this chapter and not defined herein shall have the meaning defined in the Pennsylvania Vehicle Code or, if not defined there, then the meaning commonly attributed to them when used in the appropriate context.

Appendix: the attachment to this chapter which is a part of and incorporated into this chapter and consists of a listing of Streets, Highways or Roadways and certain traffic regulations pertaining thereto.

Authorized Vehicle: a Vehicle, other than an Emergency Vehicle, for which special operating or equipment privileges are given by law or by the Manager based upon design and utility for work within a Highway.

Bus or Coach: a Motor Vehicle designed for carrying more than ten (10) passengers, exclusive of the driver, other than a Taxicab, designed and used for the transportation of persons for compensation.

Crosswalk: that part of the Roadway at an Intersection included within the connections of the lateral lines of the Sidewalks on opposite side of the Highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable Roadway; and in the absence of a Sidewalk on one side of the Roadway, that part of a Roadway included within the extension of the lateral lines of the existing Sidewalk. Any portion of a Roadway at an Intersection or elsewhere distinctly indicated for Pedestrian crossing by lines or other markings on the surface.

The Appendix may be examined in the offices of the Municipality during regular business hours.

Emergency Vehicle: a fire department Vehicle, police Vehicle, blood-delivery Vehicle, armed forces Emergency Vehicle or private Vehicle of a fire or police chief used for answering emergency calls, ambulance Vehicle, river rescue Vehicle or other Vehicle so designated by the Pennsylvania State Police pursuant to § 6106 of the Pennsylvania Vehicle Code.

Engineering and Traffic Investigation: an orderly examination or analysis or study of physical features, characteristics and traffic conditions conducted in accordance with the requirements of the Department of Transportation of the Commonwealth of Pennsylvania and conforming to generally accepted engineering standards and practices for the purpose of ascertaining the need or lack of need for particular action.

Highway: the entire width between the boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes public alleys, ways and any Roadway open to the use of vehicular travel on grounds of a college, university, public or private school or public or historical park.

Hospital Authority: The Mt. Lebanon Hospital Authority created by the Municipality.

Intersection: the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the Roadways of two (2) Highways which join one another at or approximately at, right angles, or the area within which Vehicles traveling on different Highways joining at any other angle may come in conflict. Where a Highway includes two (2) Roadways thirty (30) feet or more apart, then every crossing of each Roadway of the divided Highway by an intersecting Highway shall be regarded as a separate Intersection. In the event the intersecting Highway also includes two (2) Roadways thirty (30) feet or more apart, then every crossing of two (2) Roadways of the Highway shall be regarded as a separate Intersection.

Loading: the act of receiving or discharging passengers or freight as specified by the type of load or Loading involved.

Manager: the Manager of the Municipality or a person designated by him.

Motor Vehicle: every Vehicle which is self-propelled, except one which is propelled solely by human power or by electric power obtained from overhead trolley wires, but not operated upon rails.

Off-Street Parking Facilities: any lot, garage or other facility owned, leased or otherwise operated by the Parking Authority for the off-street Parking of Vehicles.

Parking or Park: when permitted, means the temporary storing of a Vehicle, whether occupied or not, off the Roadway. When prohibited, means the halting of a Vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in Loading or unloading property or passengers.

Passenger Car: a motor vehicle, except a motorcycle, designed for carrying ten (10) passengers or less, and primarily used for the transportation of persons.

Pedalcycle: a Vehicle which is propelled solely by human-powered pedals.

Pedestrian: any natural person afoot.

Private Road or Driveway: a way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Roadway: that portion of a Street or Highway improved, designed or ordinarily used for vehicular travel, exclusive of the Sidewalk, berm or shoulder even though such Sidewalk, berm or shoulder is used by Pedalcycles. In the event a Highway includes two (2) or more separate Roadways the term "Roadway" refers to each Roadway separately but not to all such Roadways collectively.

Safety Zone: that area or space officially set apart within a Roadway, for the exclusive use of Pedestrians.

Sidewalk: that portion of a Street between the curb lines, or the lateral lines of a Roadway and the adjacent property lines, intended for use by Pedestrians.

Stand or Standing: when prohibited, means the halting of a Vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in receiving or discharging freight or passengers.

Stop or Stopping: when required, means complete cessation from movement. When prohibited, means any halting even momentarily of a Vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or Traffic-Control Device.

Street: a Highway.

Taxicab: a Motor Vehicle designed for carrying no more than eight (8) passengers, exclusive of the driver, on a call and demand service, and used for the transportation of persons for compensation.

Traffic-Control Device: a device used to regulate, direct or prohibit traffic either permanently or temporarily, including Traffic-Control Signals, signs, barricades, markings, cones and traffic flags.

Traffic-Control Signal: a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to Stop and permitted to proceed.

Truck: a Motor Vehicle over ten thousand (10,000) pounds gross Vehicle weight designed, used or maintained primarily for the transportation of property.

Vehicle: every device in, upon or by which any person or property is or may be transported or drawn upon a Highway or Roadway, except devices used exclusively upon rails or tracks.

PART 2
POWERS AND DUTIES OF POLICE, MUNICIPAL OFFICIALS AND AUTHORITIES

§201 Police. It shall be the duty of the police of the Municipality to enforce the provisions of this chapter and the applicable provisions of the Pennsylvania Vehicle Code. The police of the Municipality are hereby authorized to direct all traffic, either in person or by means of Traffic-Control Signals, in conformity with the provisions of this chapter. In the event of fire or other emergency or to expedite traffic or to safeguard Pedestrians, police or firemen may direct traffic, as conditions may require, notwithstanding any provisions of this chapter to the contrary.

§202 Enforcement. It shall be the duty of the Municipality, through its authorized personnel, to enforce the provisions of this chapter and the applicable provisions of the Pennsylvania Vehicle Code as the same relate to Stopping, Standing and Parking of Motor Vehicles.

§203 Hospital Authority. The Hospital Authority through its authorized personnel may enforce on a nonexclusive basis the provisions of this chapter and the Pennsylvania Vehicle Code as they pertain to Stopping, Standing and Parking on property owned or operated by the Hospital Authority.

§204 Manager. The Manager may from time to time:

204.1 make such temporary or experimental regulations as may be necessary to cover emergencies or special conditions, including the closing or restricting of Streets for construction, maintenance or special events, and the prohibition of Parking because of adverse weather or the forecast of adverse weather;

204.2 establish and maintain Crosswalks at Intersections and at other places where they are necessary or desirable for the protection of Pedestrians;

204.3 regulate or prohibit processions or assemblages on Roadways;

204.4 establish Safety Zones of such kind and character and at such places as are necessary and desirable for the protection of Pedestrians; and

204.5 designate by line marking or otherwise, lanes for traffic and turning of traffic.

The failure to obey any of the foregoing regulations or designations shall constitute a violation of this chapter.

PART 3
PROCEDURE FOR ESTABLISHMENT OF
TRAFFIC REGULATIONS FOR TRIAL PERIOD

§301 Procedure for the Establishment of Traffic Regulations for a Trial Period. The Commission from time to time may establish traffic regulations on a temporary basis for a designated trial period. Following the adoption of such traffic regulations, signs giving public notice thereof shall be posted. At the expiration of the designated trial period the Commission shall evaluate the effectiveness of such traffic regulations and shall either

301.1 make such traffic regulations permanent;

301.2 revise, modify or rescind such traffic regulations; or

301.3 establish an additional trial period to permit further study and evaluation of such traffic regulations.

Temporary traffic regulations, when established in accordance with this Part 3, shall have the full force and effect of law, and the failure to obey such traffic regulations shall constitute a violation of this chapter.

PART 4
GENERAL PROVISIONS

§401 Traffic-Control Devices Required. No provisions of this chapter relating to the following shall be effective until official Traffic-Control Devices giving notice of the applicable provision are erected upon or at the entrances to the Municipality, or the entrances to the Roadway or part thereof affected as may be appropriate:

regulating or prohibiting Stopping, Standing, or Parking;

designating particular Highways or Roadways for traffic moving in one direction;

establishing speed limits in public parks;

designating any Roadway as a through Roadway or designating any Intersection or junction of Roadways as a Stop or yield Intersection or junction;

prohibiting or restricting the use of Highways or particular places by particular classes of Vehicles;

regulating or prohibiting the turning of Vehicles;

altering or establishing speed limits except where speed limits of general applicability shall be in force;

designating no-passing zones;

prohibiting or regulating the use of designated Streets by any class or kind of traffic;

establishing minimum speed limits;

regulating and temporarily prohibiting traffic on Streets closed or restricted for construction, maintenance or special events;

prohibiting Pedestrians from crossing a Roadway in a business district except in a Crosswalk.

§402 Engineering and Traffic Investigation. Amendment and modification of this chapter may be made in the areas permitted by §6109 of the Pennsylvania Vehicle Code upon completion of an Engineering and Traffic Investigation at the time and in the manner prescribed by the Department of Transportation of the Commonwealth of Pennsylvania.

PART 5
APPLICATION OF CHAPTER

§501 General Application of Chapter. Except as otherwise provided in this chapter, the provisions of this chapter shall apply to the operator of any Vehicle publicly or privately owned or used, and it shall be unlawful for such operator to violate any of the provisions of this chapter.

§502 Emergency and Other Authorized Vehicles.

502.1 The driver of an Emergency Vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.

502.2 The driver of an Emergency Vehicle may:

502.2.1 Park or Stand irrespective of the provisions of this chapter;

502.2.2 proceed past a red Traffic-Control Signal indication or Stop sign, but only after slowing down as may be necessary for safe operation, except as provided in §502.4;

502.2.3 exceed the maximum speed limits so long as the drive does not endanger life or property, except as provided in §502.4;

502.2.4 disregard regulations governing direction of movement or turning in specified directions.

502.3 The privileges granted in this section to an Emergency Vehicle shall apply only when the Vehicle is making use of an audible signal and visual signals meeting the requirements and standards set forth in regulations adopted by the Department of Transportation of the Commonwealth of Pennsylvania, except that an Emergency Vehicle operated as a police Vehicle need not be equipped with or display the visual signals.

502.4 The driver of an ambulance or blood-deliver Vehicle shall comply with maximum speed limits, red Traffic-Control Signal indications and Stop signs. After ascertaining that the ambulance or blood-delivery Vehicle will be given the right of way, the drive may proceed through a red Traffic-Control Signal indication or Stop sign.

502.5 This section does not relieve the drive of an Emergency Vehicle from the duty to drive with due regard for the safety of all persons.

PART 6
PUBLIC CONVEYANCES

§601 Bus or Coach Stops. The Manager is authorized to establish Bus or Coach Stops on such public Streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Every Bus or Coach Stop shall be designated by appropriate signs. The operator of a Bus or Coach shall not Stop except where authorized by the Manager, or in obedience to a traffic officer or to a Traffic-Control Signal, sign or marking, or to avoid an accident.

§602 Taxicabs.

602.1 The Manager may authorize Taxicab stands to the operators of Taxicabs only at locations on Streets where and when Parking is permitted, provided such operators have filed with the Manager a certified copy of the approval of the person owning the property in front of which application is made for a stand. Authorized Taxicab stands shall be designated by appropriate signs.

602.2 Any future prohibition of Parking on any Street or any location on any Street shall forthwith cancel any previous authorization for a Taxicab stand on such Street or location.

602.3 Taxicab stands shall not be authorized opposite a Safety Zone or within forty (40) feet of a point on a curb immediately opposite either end of a Safety Zone.

602.4 The operator of a Taxicab shall not Stand or Park his Taxicab on any Street except at designated stands or except in obedience to a traffic officer or to receive or discharge passengers.

PART 7
RIGHTS AND DUTIES OF PEDESTRIANS

§701 Pedestrians to Obey Traffic-Control Signs. At all locations in the municipality where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals under §702 of this Part, shall obey the directions of those official traffic-control signals, as follows:

701.1 A pedestrian may proceed into the roadway within a crosswalk only when facing a green signal.

701.2 When facing a steady yellow signal, a pedestrian shall not start to cross the roadway, but should proceed to the closes sidewalk or safety area.

701.3 When facing a steady red signal, a pedestrian shall not enter the roadway.

§702 Pedestrians to Obey Pedestrian-Control Signals. At all locations in the municipality where pedestrian-control signals are established, pedestrians shall obey said signals as follows:

702.1 When facing a steady “Don’t Walk” signal, a pedestrian shall not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the “Walk” signal should proceed to a sidewalk or safety zone while the “Don’t Walk” signal is showing.

702.2 When facing a flashing “Don’t Walk” signal a pedestrian shall not start to cross the roadway in the direction of the indication, but any pedestrian who has partly completed crossing during the “Walk” indication should proceed to a sidewalk or safety zone.

§703 Locations Where Pedestrians May Cross Only in Crosswalk. It Shall be unlawful for any pedestrian:

703.1 To cross any roadway in a business district along Washington Road or Beverly Road except in a crosswalk;

703.2 To cross a roadway or highway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

Provided: nothing in §703 shall permit any pedestrian to cross in a crosswalk at any location where that crossing is prohibited by §702 of this Part.

PART 8
STREET AND HIGHWAY USE RESTRICTION

§801 Through Truck Traffic Prohibited. No person shall operate or cause to be operated a Truck on Streets dedicated or maintained by the Municipality upon a trip which does not originate or end in the Municipality. The prohibition, however, shall not apply to Trucks operating on:

Washington Road	Mt. Lebanon Boulevard
McFarland Road	McMonagle Road
Castle Shannon Boulevard	Cedar Boulevard (Greenhurst Dr to Gilkeson Road)
Kelso Road	Painters Run Road
Cochran Road	Robb Hollow Road (Kelso Road to Upper St. Clair Twp. line)
Bower Hill Road	Segar Road
McNeilly Road	Scott Road
Gilkeson Road	
Connor Road	

The provisions of this section shall not apply to fire-fighting apparatus. Any necessary travel on other Streets or Highways in the Municipality shall be for as limited a distance as practical.

§802 Vehicles Using Speakers for Advertising Prohibited. No person shall operate or Park or cause to be operated or Parked a Vehicle on any Street or Highway equipped with and using sound-producing devices to attract public’s attention for advertising purposes or to display or demonstrate merchandise from such Vehicles.

§803 Funeral or Other Authorized Processions. No operator of a Vehicle shall operate the same between the Vehicles comprising a funeral or other authorized procession while the Vehicles comprising such procession are in motion and are conspicuously so designated. Each operator of a Vehicle in a funeral or other authorized procession shall follow the vehicle ahead as closely as practicable, consistent with the requirements of safety.

§804 Obstructions to Sidewalks and View of Traffic.

804.1 No person loading or unloading a Vehicle shall block or obstruct a Sidewalk for an unreasonable length of time.

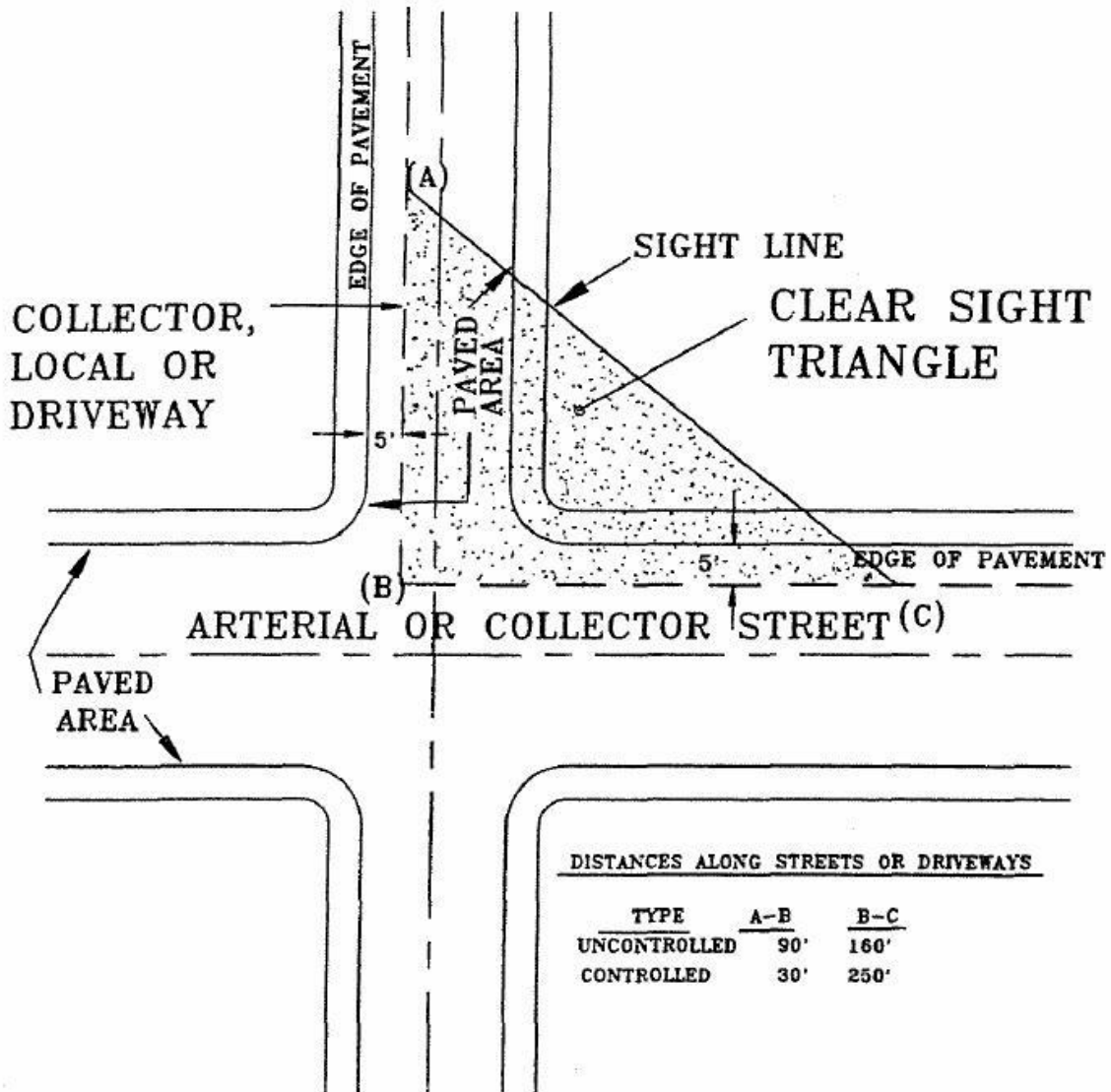
804.2 In any Zoning District on a Corner Lot, at any Driveway to a Street in R-4, R-5, R-6, R-7, C and C-1 Zoning Districts and at any driveway serving a Conditional Use, there must be maintained an area free of visual obstruction in the sight triangle (“Clear Sight Triangle”) defined by the approaches of two Streets, or a Street and a Driveway, at their intersection and across their included corners for distances sufficient to allow the operators of vehicles, approaching simultaneously, to see each other. The distances required for an uncontrolled intersection and a controlled intersection are shown on the

diagram below. A controlled intersection is one where a collector Street, local Street or driveway has a yield sign or stop sign or the intersection is signalized. An uncontrolled intersection is one where neither Street nor Driveway has a yield sign or stop sign nor is the intersection signalized.

NO SCALE

Clear Sight Triangle

Diagram 28



PART 9
STOPPING, STANDING AND PARKING

§901 Stopping Prohibited at Certain Locations. Except when necessary to avoid conflict with other traffic or to protect the safety of any person or Vehicle or in compliance with law or in the directions of a police officer or official Traffic-Control Device, no person shall Stop, Stand or Park a Vehicle:

901.1 on the Roadway side of any Vehicle Stopped or Parked at the edge or curb of a Street except that a Pedalcycle may be Parked as provided in § 3509(b)(2) of the Pennsylvania Vehicle Code.

901.2 on a Sidewalk except that a Pedalcycle may be Parked as provided in §3509 (b)(2) of the Pennsylvania Vehicle Code.

901.3 within an Intersection.

901.4 on a Crosswalk.

901.5 between a Safety Zone and the adjacent curb within thirty (30) feet of points on the curb immediately opposite the ends of a Safety Zone, unless a different length is indicated by official Traffic-Control Devices.

901.6 alongside or opposite any Street excavation or obstruction when Stopping, Standing or Parking would obstruct traffic.

901.7 upon any bridge or other elevated structure upon a Highway.

901.8 for loading or unloading purposes so as to block or obstruct a Sidewalk for an unreasonable length of time.

901.9 in the area between Roadways of a divided Highway, including crossovers.

901.10 at any place where official signs prohibit Stopping.

§902 Standing Prohibited at Certain Locations. Except when necessary to avoid conflict with other traffic or to protect the safety of any person or Vehicle or in compliance with law or the directions of a police officer or official Traffic-control Device, no person shall Stand or Park a Vehicle:

902.1 in front of a public or Private Driveway.

902.2 within fifteen (15) feet of a fire hydrant.

902.3 within twenty (20) feet of a Crosswalk at an Intersection unless specifically authorized by an official sign or Traffic-Control Device.

- 902.4 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.
- 902.5 within twenty (20) feet of a driveway entrance to any fire station or, when properly sign posted, on the side of a Street opposite the entrance to any fire station within seventy-five (75) feet of the entrance.
- 902.6 at a Taxicab stand unless the Vehicle is a Taxicab, or at a Bus or coach Stop unless the Vehicle is a Bus or Coach. A person may, however, Stand a Vehicle temporarily at a Taxicab stand or Bus or Coach Stop for the purpose of, and while actually engaged in, the discharge of passengers or the pickup of passengers then in readiness at the curb.
- 902.7 at any place where official signs prohibit Standing.

§903 Parking Prohibited at Certain Locations. Except when necessary to avoid conflict with other traffic or to protect the safety of any person or Vehicle or in compliance with law or the directions of a police officer or official Traffic-Control Device, no person shall Park any Vehicle at any place where official signs prohibit Parking.

§904 Parking on Private Property Without Consent Prohibited. Except in the case of emergency or disablement of a Vehicle, in which case the operator thereof shall arrange for the removal of said Vehicle as soon as possible, it shall be unlawful to Park or leave unattended a Vehicle on private property without the consent of the owner or other person in control or possession of said property. The owner or other person in charge or possession of the property on which the Vehicle is parked or left unattended in violation of the provisions of this section may remove or have removed the Vehicle at the reasonable expense of the owner or operator thereof. Said expense may include the reasonable cost of towage, storing and otherwise caring for the Vehicle after its removal.

Whenever a Vehicle has been removed to a garage under the provisions of this section, the keeper of the garage shall have a lien dependent upon possession for reasonable compensation for towage, storage and otherwise caring for the Vehicle for a period not exceeding thirty (30) days and, if the Vehicle is not recovered by the owner within thirty (30) days or if the owner is unknown, the keeper of the garage may satisfy his lien in the manner provided by the applicable law.

§905 Standing and Parking Restrictions.

- 905.1 At any place designated as a passenger or freight Loading zone in the Appendix of this chapter, no person shall Stand or Park a Vehicle except for the purpose of Loading or unloading passengers or freight as the case may be, and may not Stand or Park for a period of time longer than necessary for expeditious Loading or unloading.

- 905.2 No Loading or unloading of Trucks or trailers shall be permitted on
Washington Road
Cochran Road
Beverly Road
Castle Shannon Boulevard and
Bower Hill Road

between the hours of 4:30 P.M. and 6:30 P.M.
- 905.3 Except as otherwise provided in this section, every Vehicle Standing or Parked upon a two-way Highway shall be positioned 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 right-hand shoulder.
- 905.4 Except as otherwise provided in this section, every Vehicle Standing or Parked upon a one-way Highway shall be positioned parallel to the curb or edge of the Highway in the direction of authorized traffic movement with its 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 right-hand shoulder, or, with its left-hand wheels within twelve (12) inches of the left-hand curb, or, in the absence of a curb, as close as practicable to the left edge of the left-hand shoulder.
- 905.5 On Streets which have been signed or marked for angle Parking, Vehicles shall be Parked at the angle to the curb indicated by such marks or signs.
- 905.6 No person shall Park a Vehicle on any street or Highway for the purpose of greasing, repairing, or otherwise servicing the Vehicle except for repairs necessitated by an emergency.
- 905.7 No person shall operate or Park a Vehicle on any Street for the primary purpose of displaying, advertising, or demonstrating merchandise.
- 905.8 No person shall Park an unlicensed Motor Vehicle upon any Street or public property when the Vehicle is required to be licensed by law.
- 905.9 No person shall Park a Motor Vehicle which does not have a current inspection sticker upon any Street when such Vehicle is required to be inspected by law before it may be operated on a Street.
- 905.10 No person shall park a Motor Vehicle in a space designated “Special Parking Only” unless such Vehicle bears registration plates or parking placard issued to a Handicapped Person or Disabled Veteran or a “Special Parking Only” placard issued by the Municipality.

§906 Parking Overnight Prohibited. No Vehicle shall be permitted to Park upon any Street between the hours of 2:00 A.M. and 6:00 A.M. except as provided in §909 or in designated all night parking zones (“Permit Parking Zones”). These zones shall be recommended by the manager and approved by the Commission.

906.1 A permit shall be required for each vehicle parking in Permit Parking Zones between 2:00 A.M. and 6:00 A.M.

906.2 A resident/owner of a vehicle shall make application to the Police Department for a permit pursuant to the following conditions:

906.2.1 Each application must contain the acknowledged signature of the owner of the vehicle verifying under oath that he is the owner of the vehicle and that the issuance of such a permit is necessary to permit him to park within one-quarter mile of his residence. Each application shall be accompanied by proof of residency. The form of such application shall be determined by the Manager.

906.2.2 A semi-annual fee of one hundred twenty dollars (\$120) shall be paid to the Municipality of Mt. Lebanon. The fee may be amended from time to time by resolution of the Commission.

906.2.3 A decal to be supplied by the Municipality shall be permanently affixed in the rear driver’s side window. Failure to permanently affix the decal to the window shall be grounds for revocation of the permit.

906.2.4 Only one such permit shall be issued to persons residing within a single residential unit or apartment within the Municipality.

906.2.5 Permit Parking Zones will be permitted only on those streets or portions of streets recommended by the Manager and approved by the Commission and only when requested by a majority of owners of properties abutting the proposed Permit Parking Zone or located directly across the street from properties abutting the proposed Permit Parking Zone.

906.3 When snow and/or ice accumulates in excess of one inch, permitted vehicles must be removed from the street or they will be towed at owner’s expense.

906.4 Permits are in effect only for the hours between 6:00 P.M. and 9:00 A.M.

906.5 The Municipality shall provide markings and signage for Permit Parking Zones.

906.6 In considering whether to recommend to the Commission that a particular street or portion of street be designated as a Permit Parking Zone, the Manager shall consider the following factors, along with other factors, which in his discretion

are relevant: the proximity of the affected properties to available public or private off-street parking; the availability to the affected properties of private off-street parking solutions; the availability of sufficient street width and capacity to assure the free movement of general vehicular traffic, fire, other public safety and public works vehicles; potential interference with access to fire hydrants and visibility of stop signs and traffic at or near intersections.

906.7 The Manager may establish temporary Permit Parking Zones for applicants who have been issued permits to construct off-street parking facilities. Temporary Permit Parking Zones shall remain in effect for a period of six months, or until completion of construction of the off-street parking facilities, whichever is less.

906.8 Under and during emergency conditions, the manager may establish temporary Permit Parking Zones as he deems necessary, subject to subsequent Commission approval.

906.9 Established Permit Parking Zones may be rescinded or modified at any time by the Commission.

§907 Parking Prohibited Following Accumulation of Snow. No Vehicle shall be permitted to Stand or Park upon any Street between the hours of 9:00 P.M. and 6:00 A.M. for the twenty-four (24) hour period following the accumulation of one (1) or more inches of snow and/or ice.

§908 Storage of Motor Vehicles Prohibited Without a Permit.

908.1 No Motor Vehicle or Vehicles shall be stored on property in the Municipality except for Motor Vehicles regularly used for transportation by the owners or occupants of the property or unless a permit has been issued by the Manager for the storage of the Vehicle or Vehicles.

908.2 Any person desiring to store on property a Motor Vehicle not regularly used for transportation by the owners or occupants of the property where the Motor Vehicle is to be stored shall apply in writing to the Manager for a permit and include such information as the Manager may require. If the proposed Motor Vehicle storage will not adversely affect the general welfare of the Municipality and will not constitute a nuisance, the Manager shall issue the permit; otherwise, the permit shall not be issued, and the Manager shall give notice of the refusal to the applicant stating the reason for the refusal.

908.3 Any Motor Vehicle stored on private property without a permit as required by this section shall be removed by the owner or occupant of the property within five (5) days after receiving notice from the Municipality to do so. In default thereof, the Municipality may cause the Vehicle to be removed and collect the costs thereof, together with a penalty of ten percent (10%) of municipal claims, and by action of assumpsit, or may seek relief by a bill of equity.

- 908.4 After a person storing a Motor Vehicle without a permit as required by this section has been so notified by letter, each day the violation continues after five (5) days following such notice shall constitute an individual violation of this section. Each vehicle Parked in violation of this section shall constitute an individual violation.
- 908.5 Any permit applicant or holder aggrieved by the action of the Manager in denying or revoking a permit, or by any other adverse determination of the Manager pursuant to the provisions of this §908, shall have the right of appeal to the Board of Appeals pursuant to the procedures set forth in the Administrative Code, Chapter I, §128.

§909 Limited Basis Parking and Extended Parking will be allowed as follows:

- 909.1 Limited Basis. Residents may request on-street overnight parking for up to three (3) nights on a limited basis, for such reasons such as a guest who will be staying overnight or a motor vehicle that is disabled.
- 909.2 Extended Parking. Residents may request on-street overnight parking on an extended basis for up to fifteen (15) nights for reasons such as an active construction project for which a permit has been issued which limit or prevent access to a driveway or parking area, or when a guest will be staying for an extended period of time.
- 909.3 Requests for Limited Basis Parking or Extended Parking must be made to the Police, utilizing reasonable procedures established by the Police. A Limited Basis or Extended Parking request will not be granted, or if granted, will be rescinded, if any of the following is present:
- 909.3.1 When one inch or more of snow or ice is anticipated, or other emergency situation requires the streets to be clear.
- 909.3.2 There is off-street parking available on the Resident's lot.
- 909.3.3 The request is otherwise deemed unreasonable after consideration of all relevant facts and circumstances including the following:
- 909.3.3.1 The proximity of the affected properties to available public or private off-street parking; the availability to the affected properties of private off-street parking solutions; the availability of sufficient street width and capacity to assure the free movement of general vehicular traffic, fire, other public safety and public works vehicles; potential interference with access to fire hydrants and visibility of stop signs and traffic at or near intersections.

§910 Parking Prohibited During Certain Hours and Days on Certain Streets.

- 910.1 No person shall Park a Vehicle during the hours specified, except on Sundays, on the Streets or parts of Streets designated in the Appendix of this chapter.
- 910.2 No person shall Park a Vehicle during the school hours specified, except on Sundays, on the Streets or parts of Streets designated in the Appendix of this chapter.
- 910.3 No person shall park a Vehicle on Sundays during the hours specified on the Streets or parts of Streets designated in the Appendix of this chapter.
- 910.4 No person shall Park a Vehicle at any time on the Streets or parts of Streets designated in the Appendix of this chapter.

§911 Parking Period Limit on Certain Streets and in Certain Off-Street Parking Facilities.

- 911.1 No person shall Park a Vehicle for a consecutive period of time longer than that specified between the hours indicated on the Streets or parts of Streets designated in the Appendix of this chapter with the following exceptions.
 - 911.1.1 A resident of the Streets or parts of Streets designated in the Appendix to this Chapter may Park a Vehicle for a consecutive period of time longer than that specified between the hours indicated if said resident shall meet all of the following requirements:
 - 911.1.1.1 That the Street on which the resident lives is not designated as an arterial street in the Mt. Lebanon Comprehensive Transportation Study.
 - 911.1.1.2 That the resident has no off-street parking space.
 - 911.1.1.3 That the resident not Park in a business or commercial area.
 - 911.1.1.4 That the resident not Park in a metered zone or space.
 - 911.1.1.5 No permission will be granted to park more than two (2) vehicles per Dwelling Unit.
 - 911.1.2 A resident on Miami Avenue and Baywood Avenue, between Cochran Road and Mabrick Avenue, may park a vehicle for a consecutive period of time longer than that specified between the hours indicated.

- 911.2 Any resident who meets the requirements of §§911.1.1 or 911.1.2 above and desires to Park on a Street for consecutive periods of time longer than specified between the hours indicated shall apply in person to the Mt. Lebanon Police Department. pursuant to the following requirements:
- 911.2.1 Each application must contain the acknowledged signature of the owner of the vehicle verifying under oath that he is the owner of the vehicle. Each application shall be accompanied by proof of residency and vehicle ownership. The form of such application shall be determined by the Manager.
 - 911.2.2 An annual fee of fifty dollars (\$50) shall be paid to the Municipality of Mt. Lebanon. The fee may be amended from time to time by resolution of the Commission.
 - 911.2.3 A decal to be supplied by the Municipality shall be permanently affixed in the rear driver's side vehicle window. Failure to permanently affix the decal to the window shall be grounds for revocation of the permit.
 - 911.2.4 Permits are not transferable to non-permit vehicles.
 - 911.2.5 Permits shall be valid only on the street where the resident lives.
 - 911.2.6 No permission will be granted to Park more than two (2) vehicles per dwelling unit for applications under §911.1.2.
 - 911.2.7 No permission will be granted to park on any street in violation of any other provision of this Chapter X, including but not limited to §906 (Parking Overnight Prohibited) and §907 (Parking Prohibited Following Accumulation of Snow).
 - 911.2.8 Permits shall be in effect only for the hours between 8:00 A.M. and 6:00 P.M.
- 911.3 No person shall Park any Vehicle in any Off-Street Parking Facility during the hours established and posted by the Municipality beyond the period of time established by notice on the Parking meter for the individual Parking space in which such Vehicle is Parked, or beyond the period of time, if any, fixed and posted by the Municipality where there are no Parking meters.
- 911.4 Each consecutive period, equal in length to the limited Parking period as specified in this section, that a Vehicle is Parked in violation of the provisions of this section shall be deemed a separate offense.

- 911.5 The movement of a Parked Vehicle to a nearby location in the same limited Parking period area solely for the purpose of avoiding violation of this subsection shall not affect application of this subsection to such Vehicle.
- 911.6 Any resident aggrieved by the action of the Police Department denying permission to park on certain streets pursuant to the provisions of this §911, shall have the right of appeal to the Traffic Board pursuant to the procedures set forth in the Administrative Code, Chapter I, §137.

§912 Temporary On-Street Parking For Lessees in Mt. Lebanon’s South and North Garage and other parking facilities.

- 912.1 No person shall park a vehicle for a consecutive period of time longer than that specified between the hours indicated on the streets or parts of streets designated in the appendix of this chapter with the following additional exceptions.
- 912.2 The owner of the vehicle must have a current lease in a Mt. Lebanon parking facility as of a date specified by the Manager and must be displaced from such leased space due to repairs to such facility.
- 912.3 Temporary On-Street parking shall be confined where possible to the following streets or portions of streets:

Academy Avenue – north side from entrance to Rollier’s lot to 26 Academy Avenue

Florida Avenue – East side from Lebanon Avenue to 705 Florida Avenue (South Garage); west side from Lebanon Avenue to 824 Florida Avenue; west side from north boundary of 670 to south boundary 680 Florida Avenue.

Magnolia Place – north side from Summit Way to Mabrick Avenue.

Parse Way – east side from Alfred Street to North Parking Garage; west side from rear of North Lot to Shady Drive East.

Roselawn Avenue – west side from 728 Roselawn Avenue to Lawncroft Avenue

Shady Drive West – south side from 29 Shady Drive West (at South Meadowcroft Avenue) to Rollier’s entrance.

Wisteria Avenue – east side from Lawncroft Avenue to Buchanan Place.

- 912.4 A vehicle owner who meets the requirements of this §912 may park on the streets or portions of streets set forth at §912.3 pursuant to the following requirements.

- 912.4.1 The vehicle owner shall make application to the Municipality for a Temporary On-Street Parking Permit.
- 912.4.2 A monthly fee of forty dollars (\$40) shall be paid to the Municipality.
- 912.4.3 A placard to be supplied by the Municipality shall be affixed to the rear view mirror or visibly displayed face up on the dashboard of the vehicle if not equipped with a rear view mirror. Failure to affix or place the placard to the appropriate location shall be grounds for revocation of the permit.
- 912.4.4 Permits are not transferable.
- 912.4.5 No permission will be granted to park on any street in violation of any other provision of this Chapter X, including but not limited to, §906 (Parking Overnight Prohibited) and §907 (Parking Prohibited Following Accumulation of Snow).
- 912.4.6 Permits shall be in effect only for the hours between 8 A.M. and 6 P.M. Monday through Saturday.
- 912.5 Temporary On-Street Parking Permits issued pursuant to this §912 may be rescinded or modified at any time by the Commission.
- 912.6 The location of Temporary On-Street Parking Zones established pursuant to this §912.3 shall be marked and signed by the Municipality.
- 912.7 Any Temporary On-Street Parking Permits issued pursuant to this §912 shall remain in effect until a date selected by the Manager.

§913 Metered Parking.

- 913.1 Parking meters shall be erected on certain Streets or parts of Streets where Parking time is limited as indicated in the Appendix of this chapter, which upon deposit of a coin, coins, authorized token, or authorized tokens, as hereinafter provided or other authorized payment device or method approved by the Municipality, will indicate the duration of the legal Parking period and the time when such period has elapsed. The maximum time available on a Street Parking meter shall conform with the Parking periods established by §911 of this chapter.
- 913.2 Metered Parking spaces shall be approximately twenty-two (22) feet in length or shall otherwise provide for the movement of Vehicles of reasonable size into and out of the spaces. Spaces shall be marked by lines on the curb or pavement, or by other appropriate means.

- 913.3 In order that the period during which a Vehicle is Parked may be accurately measured the owner or operator of a Vehicle Parking at a metered space on a Street or in an Off-Street Parking Facility during the hours of limited Parking shall deposit, immediately upon entering the space, a coin, coins, authorized token, or authorized tokens, in the meter in accordance with the instructions on the meter and shall properly operate the meter by fully turning the meter handle after the insertion of each coin and/or token.
- 913.4 No person shall deposit or cause to be deposited in any Parking meter on a Street or in an Off-Street Parking Facility a slug, device or metallic substitute for a coin of the United States or an authorized token.
- 913.4.1 An authorized token shall mean a metallic circular device impressed with the working "Mt. Lebanon PA" on one face of the token and the working "Parking Meter Token" on the opposite face of the token. The Municipality is solely authorized to fabricate or have fabricated authorized tokens.
- 913.5 No person shall deface, tamper with, damage, open or willfully break, destroy or impair the usefulness of any Parking meter installed on a Street or in an Off-Street Parking Facility.
- 913.6 No person shall Park a Motor Vehicle across a line or marking designating a metered Parking space, or Park the Vehicle in any way so that it will not be wholly within a Parking space.
- 913.7 Nothing contained in this section or in any ordinance hereafter establishing Parking meter zones shall be construed to permit Standing or Parking which by other sections of this chapter is prohibited.
- 913.8 Parking meters at all Street locations approved by this Chapter, except for those along Beverly Road, Central Square, Overlook Drive, Ralston Place and Washington Road shall provide thirty (30) minutes for each quarter or authorized token deposited up to the maximum time permitted at that location by this Chapter. Parking meters at locations approved by this Chapter along Beverly Road, Overlook Drive, Ralston Place and Washington Road and the meters on Central Square closest to Washington Road shall provide twenty (20) minutes for each quarter or authorized token deposited up to the maximum time permitted at the location.
- 913.9 Notwithstanding the other provisions of this section, persons using Vehicles to momentarily load or unload freight or passengers shall be excused from putting coins in the Parking meters.

PART 10
TRAFFIC FLOW

- §1001 Through Highways. The Streets and parts of Streets designated in the Traffic Appendix are declared through Highways for the purpose of enforcing §6124 of the Pennsylvania Vehicle Code.
- §1002 One-Way Streets. The Streets and parts of Streets designated in the Traffic Appendix are declared One-way Streets. A sign indicating the direction of traffic shall be erected and maintained at every Intersection of any one-way Street.
- §1003 No-Turn Locations.
- 1003.1 Where designated in the Traffic Appendix, no operator of a Vehicle shall make turns where and when prohibited.
- 1003.2 Where designated in the Traffic Appendix, no operator of a Vehicle shall make a right turn on a red Traffic-Control Signal indication.
- §1004 No-Passing Areas. No operator of a Motor Vehicle shall overtake and pass another Vehicle traveling in the same direction upon the Streets and parts of Streets indicated in the Appendix of this chapter.
- §1005 Speed Limits. Unless otherwise designated in the Traffic Appendix, the maximum speed on the Streets of the Municipality shall be twenty-five (25) miles per hour.
- §1006 Stop Signs and Traffic-Control Signals. Stop signs and Traffic-Control Signals shall be located where specified in the Traffic Appendix.

PART 11
MISCELLANEOUS PROVISIONS

§1101 Pedalcycles, Skateboards, Coasters, Skates, etc.

- 1101.1 No person shall ride a Pedalcycle, skateboard, coaster, skates, or similar device upon any Street or Sidewalk in a careless manner or in such a manner as to endanger the safety or property of any person. For purposes hereof, “careless” shall mean without due caution and circumspection, in a manner so as to endanger, or be likely to endanger, a person or property.
- 1101.2 Notwithstanding the previous subsection, no person shall ride a Pedalcycle, skateboard, coaster, skates, or similar device upon any sidewalk in any Commercial District.
- 1101.3 When used in this section, the term “Motorized Scooter” shall mean any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator and is powered with an electric, gasoline or alcohol fueled motor that is capable of propelling the device with or without human propulsion.
- 1101.4 No person shall ride a Motorized Scooter upon any sidewalk in the Municipality.

§1102 Immobilizing Vehicles.

- 1102.1 Definitions. For the purpose of this Chapter, the following terms and words are defined as follows:

Boot, Booting, or Booted: The act of immobilizing a motor vehicle in such a manner as to prevent its operation with a device or by means which will cause no damage to such vehicle unless it is moved while such device is in place or such means are employed.

Unsettled Citations: Citations for unpaid parking violations for which a citation/summons has been issued to which either no response has been made or for which a warrant has been issued and including adjudicated citations for which the fines and costs imposed are unpaid.

Unsettled Parking Violations: Violations of the parking, standing or stopping regulations of the Municipality or the Pennsylvania Motor Vehicle Code which are outstanding and unpaid over thirty (30) days from the date of issuance.

- 1102.2 Boot Installation. A motor vehicle found parked within the Municipality upon any public ground, at any time, may, by or under direction of the Manager or his designee or any Police Officer, be booted if there are five (5) or more

unsettled parking violations or three (3) or more unsettled citations or one (1) or more arrest warrants as a result of parking violations pending against the owner of the motor vehicle.

- 1102.3 Notice of Booting. Upon booting of such motor vehicle, the employee or Police Officer of the Municipality shall place or cause to be placed on the vehicle, in a conspicuous manner, notice sufficient to warn any individual that the vehicle has been immobilized, and that any attempt to move the vehicle might result in damage to the vehicle. The notice shall also outline the procedure for obtaining removal of the boot. As soon as practicable, the employee or Police Officer shall provide the owner of the booted vehicle, at the owner's request, with a list of the prior unsettled parking violations or unsettled citations for which, or on account of which, such vehicle was booted.
- 1102.4 Removal of Boot. The owner of a booted vehicle, or other authorized person, shall be permitted to secure the release of the vehicle upon: (i) Depositing of the collateral required for his or her appearance before a District Magistrate to answer for each unsettled citation; or paying the amount of the fine, penalty and court costs, if any, for each unsettled citation and each unsettled parking violation; and, (ii) Payment of the booting fees, as prescribed in §1102.7 of this Chapter.
- 1102.5 Immobilization Hearing. The owner of a booted vehicle, or other authorized person, shall have the right to a post-immobilization hearing, limited to the determination of the validity of the booting. Such hearing must be requested within ten (10) days after the vehicle is booted and shall be conducted by a hearing officer appointed by the Manager. The hearing shall be held during normal business hours within one (1) business day of the demand therefor. The post-immobilization hearing will not be determinative of or adjudicate the merits of any citation or violation issued relative to any immobilized vehicle but will be limited solely to whether the vehicle was properly subject to booting under the provisions of this ordinance.
- 1102.6 Towing and Storage of Vehicles. The boot shall remain in place for seventy-two (72) hours, except as provided below, unless the owner has complied with §1102.4 of this Chapter regarding payment of fines, costs and fees. If such compliance has not occurred within seventy-two (72) hours, the vehicle shall be towed and impounded under the provisions of §1103 of this Chapter. If the booting occurs when a vehicle is parked in violation of any provision of the law or any ordinance of the municipality or, if the booted vehicle or the immobilization device appear to have been tampered with, then such vehicle is subject to immediate towing and impounding. Towing and storage fees shall be paid, along with the fees specified in §1102.4 of this Chapter, before the owner or authorized person of such vehicle shall be permitted to repossess or secure the release of the vehicle. If the Owner has all citations and unsettled violations dismissed, towing, storage and booting fees shall be paid by the Municipality.

Vehicles unclaimed within sixty (60) days of towing and storage shall be deemed abandoned and subject to disposal, as such, in the manner authorized by law.

- 1102.7 Booting Fee. The owner of the booted vehicle shall be subject to a fee, which will be set by resolution of the Commission from time to time.
- 1102.8 Tampering with Boot Prohibited. Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle that has been booted pursuant to this ordinance, or who shall move or attempt to move the vehicle booted before release of the vehicle has been officially secured, shall be guilty of a summary offense and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100) nor more than six hundred dollars (\$600), together with the cost of prosecution, or be imprisoned for not more than thirty (30) days, or both.
- 1102.9 Implementation and Enforcement. It shall be the duty of the Police, or other designated employees of the Municipality, acting in accordance with the instructions by the Manager, to enforce the provisions of this section.
- 1102.10 Right to Hearing Not Waived. Nothing in this ordinance shall be construed to deprive any person of their Constitutional right to a hearing or trial as to the violations for which parking violation notices or citations have been issued.

§1103 Immobilization, Towing and Storage of Vehicle for Driving Without Operating Privileges or Registration.

- 1103.1 If a person operates a motor vehicle within the Municipality while the person's operating privilege is suspended, revoked, recalled, cancelled, or disqualified or where the person is unlicensed, as verified by a police officer of the Municipality, the police officer shall immobilize the vehicle, and notify the appropriate towing and storage agent and the District Justice.
- 1103.2 If a motor vehicle for which there is no valid registration or for which the registration is suspended for any reason, as verified by a police officer of the Municipality, is operated within the Municipality, the police officer shall immobilize the vehicle, and notify the appropriate towing and storage agent and the District Justice.
- 1103.3 Procedure upon immobilization and subsequent towing and storage:
 - 1103.3.1 The Mt. Lebanon Police Department shall notify the appropriate towing and storage agent to tow and store the vehicle and the Department shall provide notice by the most expeditious means and by first class mail, proof of service of the towing, storage and location of the vehicle to the owner of the vehicle and any lien

holder, if the names and address of the owner and any lien holder are known or can be ascertained by investigation.

1103.4 Procedure upon towing and storage

1103.4.1 The owner of any vehicle which has been towed and stored under this section may obtain possession of the vehicle by appearing before the District Justice who may issue a certificate of release upon:

1103.4.1.1 the furnishing of proof of valid operator's license and valid registration and financial responsibility; and

1103.4.1.2 the paying of all fines and costs associated with the towing and storage of the vehicle or making arrangements with the District Justice to make payments of all fines and costs by installments as provided by the Pennsylvania Rules of Criminal Procedure.

1103.4.2 Any vehicle not recovered under this subsection within sixty (60) days from notice to the owner may be sold as an unclaimed vehicle pursuant to the requirements of applicable law. The proceeds of the sale shall be applied to the payment of the fines and costs associated with the towing and storage of the vehicle.

**PART 12
PENALTIES**

§1201 Penalties.

1201.1 Unless a different penalty is specified in §§1201.2, 1201.3, or 1201.4 hereof, the penalty for violation of any provision of this chapter shall be fifteen dollars (\$15).

1201.2 The penalties for violation of the following provisions of this chapter shall be as described below:

Violation of Part 7.....	\$25
Violation of §801	\$50
Violation of §802	\$50
Violation of §803	\$50
Violation of §804	\$50
Violation of §913.4	\$25 to \$300
Violation of §913.5	\$25 to \$300
Violation of §913.6	\$10
Violation of §1101	\$10

1201.3 The penalty for violations of any of the provisions of Part 9, except §912 thereof, shall be thirty dollars (\$30), except that the penalty shall be reduced to twenty dollars (\$20) if the penalty is paid within twenty (20) or less days from the date of the violation, and the penalty shall be increased to forty dollars (\$40) and costs if the penalty is paid after thirty (30) days.

1201.4 The penalty for violation of §912.3 shall be thirty dollars (\$30) except that the penalty shall be reduced to ten dollars (\$10) if the penalty is paid within ten (10) days or less of the date of the violation, and shall be reduced to twenty dollars (\$20) if the penalty is paid within more than ten (10) days but within twenty (20) days or less of the date of the violation and shall increase to forty dollars (\$40) if the penalty is paid after thirty (30) days.

1201.5 Parking violations issued with the penalties contained in §§1201.3 and 1201.4 may be as set forth in this section. The process in this section will apply only until such time as a formal citation is filed with the District Magistrate. If a formal citation is filed with the District Magistrate, any process initiated hereunder will cease, and the validity of the ticket will be determined in accordance with the citation process.

1201.5.1 Submission of written appeal.

1201.5.1.1 A parking ticket will include a notice to inform the owner/driver of the vehicle (“owner”) how the owner

may submit, in writing, an appeal setting forth the reason or reasons why the owner believes the parking ticket issued by Mt. Lebanon is in error.

1201.5.1.2 Such written appeal shall be filed with the Parking Enforcement Supervisor (or such other position designated by the manager) within fourteen (14) days of the date of issuance of the parking ticket.

1201.5.2 Review of written appeal; notification of decision; procedures.

1201.5.2.1 Within fourteen (14) days of the receipt of the written appeal, the Parking Enforcement Supervisor shall review the written appeal.

1201.5.2.2 If the appeal is denied by the Parking Enforcement Supervisor, the owner shall receive a written decision.

1201.5.2.3 The decision of the Parking Enforcement Supervisor shall be sent to the owner. The last address with the Department of Transportation may be used. If this address is not current, this shall not be cause to extend the appeal time limits.

1201.5.2.4 The Parking Enforcement Supervisor may establish procedures for the filing and review of appeals. These procedures shall be subject to the approval of the manager.

1201.5.3 Appeal of determination; hearing; decision of Hearing Officer.

1201.5.3.1 The determination by the Parking Enforcement Supervisor shall provide the owner a notice of the right to appeal to the Mt. Lebanon Traffic Board within thirty (30) days of the date of the determination of the Parking Enforcement Supervisor. The Traffic Board may establish procedures for the hearing of appeals, which procedures may include having the appeals heard and determined by one or more of the members of the Traffic Board (which such member or members shall hereinafter be referred to as "Hearing Officer").

1201.5.3.2 Hearings before the Hearing Officer shall be conducted in accordance with the Local Agency

Law, 2 Pa. C.S.A. §551 et seq. The owner may be represented by legal counsel in any proceedings before the Hearing Officer. The owner may elect, at its expense, to have all testimony be stenographically recorded and a full and complete record of the proceedings before the Hearing Officer be kept. The Hearing Officer may elect, at its expense, to have all testimony be stenographically recorded and a full and complete record of any proceedings to be kept. The party electing to have the testimony stenographically recorded will be responsible for arranging for the reporter and paying all costs.

1201.5.3.3 A written decision of the Hearing Officer shall notify the owner of his or her right to appeal the decision to the Court of Common Pleas of Allegheny County and must be sent to the owner within thirty (30) days of the hearing date. If the certified letter containing the decision of the Hearing Officer is returned to the Hearing Officer or to the municipality as a result of owner not updating a current address with the Department of Transportation, this shall not be cause to extend the appeal time limits to the Court of Common Pleas of Allegheny County.

1201.5.3.4 In the event the appeal is denied by the Hearing Officer, the Hearing Officer shall direct the owner, in writing, to make payment to the Mt. Lebanon Finance Department.

1201.5.3.5 In the event the appeal is successful, the Hearing Officer shall direct the Mt. Lebanon Police Department, in writing, that the parking ticket be voided from the parking ticket system.

1201.5.3.6 In the event the owner disagrees with the decision of the Hearing Officer, the owner may appeal to the Court of Common Pleas of Allegheny county within thirty (30) days of the date of the written decision pursuant to the Pennsylvania Local Agency Law, 2 Pa. C.S.A. §551 et seq.

1201.5.4 Late filing of appeals. Any appeal which is not filed within the appeal period with the Parking Enforcement Supervisor or the Hearing Officer (as applicable) shall be deemed denied except for good cause shown on written application. In the case of appeals to

the Parking Enforcement Supervisor, a determination of good cause shall be approved or denied by the manager, and in his absence the assistant manager.

1201.5.5 Fines. During the appeal process, the amount of the fine shall not exceed the amount due and owing on the date of the issuance of the original ticket. In the event the final appeal to the Court of Common Pleas Allegheny County is denied, the owner shall thereafter from the date judgment is entered be assessed interest, costs and penalties as may be set forth pursuant to the schedule of fees of the Codified Ordinances of Mt. Lebanon.

1201.5.6 Responsibility for costs. Any and all costs associated with the filing of an appeal in the Court of Common Pleas of Allegheny County shall be the responsibility of the person or entity filing said appeal.

§1202 Inability to Pay Fine and Costs. Upon plea and proof that a person is unable to pay any fine and costs imposed under this chapter, a court may, in accordance with the Pennsylvania Rules of Criminal Procedure, order payment of the fine and costs in installments and shall fix the amounts, times and manner of payment.