

CODIFIED ORDINANCES OF THE CITY OF FRANKLIN

PART FIVE - VEHICLE AND PARKING CODE

TITLE ONE - Traffic Code

Article 501. General Provisions

Article 503. Specific Provisions

ARTICLE 501
General Provisions

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CROSS REFERENCES

501.01 TITLE

The Articles contained in Title One of Part Five of The Codified Ordinances of the City of Franklin shall be known as and may be cited as "The Traffic Code". (Ord. 13 of 1977, Sect. 1, Passed 10-3-77)

501.02 DEFINITIONS

The following words and phrases, when used in this Code, shall, for the purposes of the Traffic Code, have the meanings respectively ascribed to them in this section, except in those instances when the context clearly indicates a different meaning:

- a.) Council: The Council of the City of Franklin.
- b.) City: The City of Franklin.
- c.) Crosswalk:
 - (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs, or, in the absence of curbs, from the edges of the traversible roadway; and, in the absence of a sidewalk on one side of a roadway, that part of a roadway included within the extension of the lateral lines of the existing sidewalk.

- (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- d.) Driver: A person who drives or is in actual physical control of a vehicle.
- e.) Highway: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a public or private school or public or historical park.
- f.) 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 highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
- g.) Official traffic-control devices: Signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.
- h.) Operator: A person who drives or is in actual physical control of a vehicle.
- i.) Owner: A person, other than a lienholder, having the property right in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.
- j.) Park or Parking:
 - (1) When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway.
 - (2) 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.
- k.) Pedestrian: A natural person afoot.
- l.) Person: A natural person, firm, copartnership, association or corporation.
- m.) Police Officer: A natural person authorized by law to make arrests for violation of law.

- n.) 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.
- o.) Railroad grade crossing: One or more railroad tracks, but not streetcar tracks, which intersect or cross a highway at the same level or grade.
- p.) Roadway: That portion of a highway, improved, designed or ordinarily used for vehicular travel, exclusive of a sidewalk, berm, or shoulder even though such sidewalk, berm or shoulder is used for pedalcycles. In the event a highway includes two or more separate roadways, the term "roadway" refers to each roadway separately but not all such roadways collectively.
- q.) Shall: Indicates that an action is required or prohibited.
- r.) Should: Indicates that an action is advisable but not required.
- s.) Sidewalk: That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.
- t.) Stand or Standing: When prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose and while actually engaged in receiving or discharging passengers.
- u.) Stop or Stopping:
 - (1) When required, means complete cessation from movement.
 - (2) 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 sign or signal.
- v.) Traffic: Pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, whether singly or together, using any highway for purposes of travel.
- w.) Traffic control signal: A device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.
- x.) Trailer: A vehicle designed to be towed by a motor vehicle.
- y.) Truck: A motor vehicle designed, used or maintained primarily for the transportation of property.

- z.) Vehicle: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. (Ord. 13 of 1977, Sect. 2, Passed 10-3-77)

501.03 OFFICIAL SIGNS

The proper officers of the City shall erect and cause to be maintained official signs necessary or convenient to enforce the provisions of the Part Five of the Codified Ordinances of the City of Franklin, Pennsylvania, 1977. (Ord. 13 of 1977, Sect. 3, Passed 10-3-77; Ord. 10 of 1985, Sect. 3, Passed 9-09-85)

501.04 PARKING/NO PARKING

- a.) The term "No Parking", when used in The Traffic Code, shall mean that no person may park a vehicle or permit it to stand, either attended or unattended, between the hours specifically ordered in the appropriate sections of the Traffic Code and/or along the sections of streets specifically ordered in the appropriate sections of The Traffic Code.
- b.) No person shall park a vehicle or permit it to stand, either attended or unattended, for more than 24 hours at any one time upon the passageway of any street in the City. (REPEALED by Ord. 2 of 2014, Sect. 1, Passed 6-2-2014)
- c.) Every vehicle standing or parked where angle parking is directed and permitted shall be in a position with the front of the vehicle toward the nearest curb or edge of the highway, except a tractor vehicle while being loaded or unloaded. (Ord. 4 of 1978, Passed 5-15-78; Ord. 13 of 1980, Sect. 1 & 2, Passed 10-13-80)

501.05 PARKING WITHIN SPACES

No person shall park a vehicle upon the passageway of a street designated in the Traffic Code unless the vehicle shall be wholly within the parking space marked and designated thereon. (Ord. 13 of 1977, Sect. 10, Passed 10-3-77; Ord. 13 of 1980, Sect. 4, Passed 10-13-80)

501.06 SIZE, WEIGHT AND LOAD RESTRICTIONS

The following provisions shall apply to all highways under the jurisdiction of the City of Franklin now or hereafter having weight restrictions imposed with respect thereto.

- a) Definitions

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

Local Traffic - The following shall be regarded as local traffic:

- (i) Emergency vehicles;

- (ii) School buses;
- (iii) Vehicles and combinations of vehicles of governmental agencies and utilities or their contractors engaged in construction or maintenance on a posted highway or in a location which can be reached only via a posted highway; and
- (iv) Vehicles and combinations of vehicles going to or coming from a residence, commercial establishment or farm located on a posted highway or which can be reached only via a posted highway.

Over-Posted-Weight Vehicle - A vehicle or combination having a gross weight in excess of a posted weight limit.

Posted Highway - A highway having a posted weight limit.

Posted Weight Limit - A restricted weight limit posted on a highway.

Posting Authority - The City of Franklin as to all streets and highways under the jurisdiction of the City of Franklin.

b.) Local Traffic - General Rule

Over-posted-weight local traffic may exceed the posted weight limits unless the posting authority determines that an over-posted-weight vehicle or vehicles being driven to or from a particular destination or destinations are likely to damage the highway.

c.) Local Traffic - Vehicles Determined Likely to Damage Highway

If the posting authority determines that one or more over-posted-weight vehicles are likely to damage the highway, the posting authority will so notify the registrants of the over-posted-weight vehicles or owners of the destination or destinations, or both, and will also notify state and local police. After two business days following delivery of the notice, or after five days following mailing of the notice, such over-posed-weight vehicles shall not exceed the posted weight limits except in accordance with the applicable regulations of the Department of Transportation of the Commonwealth of Pennsylvania relating to such use under permit.

d.) Proof of Local Traffic Status

The following types of documents will constitute evidence that a vehicle is local traffic:

- (i) A bill of lading, shipping order or similar document which shows a destination on the posted highway.
- (ii) Certification by the permittee or an official of the permittee company on the company letterhead describing the local traffic nature of the activity which the vehicle is engaged in.

e.) Authority of City Manager

For the purposes of this Section and the from time-to-time applicable regulations of the Department of Transportation of the Commonwealth of Pennsylvania pertaining to the use of highways posted with weight restrictions (now 67 Pa. Code Section 189.1, et seq), the City Manager is hereby authorized and designated to, and shall, act for and on behalf of the City of Franklin, in its capacity as "posting authority" or "local authorities", in all matters arising under and pursuant to this Section and/or said regulations as same may be from time to time amended. The City Manager may utilize the services of the City Engineer and such employees of the City as the City Manager may determine necessary or convenient to discharge his said duties and authority. (Ord. 10 of 1985, Sect. 2, Passed 9-09-85)

501.99 PENALTIES

a.) Any person violating Section 501.04(b), 501.04(c), or 501.08 of The Traffic Code or any of the sub-paragraphs of Section Eight of Ordinance No. 13 of 1977, as from time to time amended and as incorporated in Article 503 of The Codified Ordinances of the City of Franklin, Pennsylvania, 1977, specified in Section 501.99(b) of The Traffic Code, or any person aiding, abetting, or assisting in a violation thereof, shall, upon conviction in a summary proceeding before any District Justice having jurisdiction of such offense, be sentenced to pay a fine of Five (\$5.00) Dollars, together with the costs of prosecution; and, in default of payment of said fine and costs, shall undergo imprisonment for a period not to exceed ten (10) days as may be determined in the discretion of the said District Justice.

b.) The sub-paragraphs of Section Eight of Ordinance No. 13 of 1977, as from time to time amended and as incorporated in Article 503 of The Codified Ordinances of the City of Franklin, Pennsylvania, 1977, which are subject to Section 501.99(a) of The Traffic Code are as follows:

Sub-paragraph k of Paragraph Sixty-eight;
Sub-paragraph s of Paragraph Twenty-six;
Sub-paragraph t of Paragraph Forty-nine;
Sub-paragraph r of Paragraph Thirteen;
Sub-paragraph h of Paragraph Sixteen;
Sub-paragraph d of Paragraph Eighty-four;
Sub-paragraph f of Paragraph Thirty-one;
Sub-paragraph f of Paragraph Eighty-six;
Sub-Paragraph f of Paragraph Sixty-four;
Sub-Paragraph j of Paragraph Twenty-five;
Sub-Paragraph g of Paragraph Thirty-four;
Sub-Paragraph g of Paragraph Eighty-nine;
Sub-Paragraph c of Paragraph Twenty-four;
Sub-Paragraph h of Paragraph Ninety-six;
Sub-Paragraph m of Paragraph Ninety-nine; and
Sub-Paragraph h of Paragraph Ninety-one.

- c.) Violations of any other provisions of The Traffic Code shall be subject to prosecution under and in accordance with the Vehicle Code (75 Pa. C.S. §101, et. seq.), as it may be from time to time amended.

- d.) Proceedings before the District Justice under and pursuant to Section 501.99(a) of The Traffic Code shall not be instituted upon receipt by the City of a Five (\$5.00) Dollar penalty within 240 hours from the time of violation, said penalty to be paid in lieu of fines and costs. (Ord. 4 of 1978, Passed 5-15-78; Ord. 9 of 1979, Sect. (a), Passed 10-15-79; Ord. 13 of 1980, Sect. 6, Passed 10-13-80)