

**Upper Leacock Township
Lancaster County, Pennsylvania**

Ordinance No. 2022 - 01

**AN ORDINANCE OF UPPER LEACOCK TOWNSHIP
REGULATING THE PARKING OF COMMERCIAL AND
LARGE VEHICLES AS WELL AS DUMPSTERS ON
ROADS, STREETS, HIGHWAYS OR RIGHTS-OF-WAY
WITHIN ANY RESIDENTIALLY ZONED DISTRICT IN
UPPER LEACOCK TOWNSHIP**

WHEREAS, pursuant to the Second Class Township Code, the Board of Supervisors has the statutory authority to regulate streets under the municipal jurisdiction of the Township relative to public safety and parking (53 Pa. C. S. §§ 65607, 66506, 67326, 67328); and

WHEREAS, pursuant to the Pennsylvania Motor Vehicle Code, the Board of Supervisors is authorized to regulate parking on streets under the municipal jurisdiction of the Township where stopping, standing or parking thereon constitutes a safety hazard or unduly interferes with the free movement of traffic (75 Pa. C.S. § 3352); and

WHEREAS, the Township has seen an increase in complaints regarding the parking and/or storage of commercial and large vehicles in residential areas throughout the Township; and

WHEREAS, safety issues relating to sight distance from driveways and intersections result when commercial and large vehicles are parked on public streets, rights-of-way within the Township; and

WHEREAS, the Board of Supervisors of Upper Leacock Township deem it necessary to

regulate the parking of commercial and certain large vehicles, as well as dumpsters, on public streets, rights-of-way in the Township within residentially zoned districts of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Upper Leacock Township, Lancaster County, Pennsylvania, and the same is hereby ordained and enacted as follows:

Section 1. Commercial and other large vehicle parking limitations

No truck-tractor, semi-trailer, bus, truck or van having more than four (4) wheels, motor carrier vehicle, mobile home, house trailer, tractor-trailer, or trailer designed or used to haul motorized recreational equipment, such as a boat, motorcycle, snowmobile or jet ski, or any other vehicle having an actual or registered gross weight in excess of 9,500 pounds may be parked on any road, street, highway or right-of-way owned or maintained by Upper Leacock Township or the Commonwealth of Pennsylvania within any residentially zoned district within Upper Leacock Township. The definition of those vehicles listed in this Section which are defined in the Motor Vehicle Code, Act of June 17, 1976, P.L. 162, No. 81, 75 Pa. C.S.A. §101 et. seq., shall apply. The districts which are residentially zoned within Upper Leacock Township are R-1 Low Density Residential Zone and R-2 Medium Density Residential Zone. For the purpose of this Section, in the event a street is bounded on one side by a residential district and on the other by a non-residential district, the provisions of this Section shall be appropriate and applied to that street, even though the boundary line of the district is situated in the middle of the street or on the residentially zoned side. Further, for the purpose of this Section, the term "registered gross weight" shall mean the weight shown or reflected on a certificate and attestation relative to

weight issued by the Pennsylvania Department of Transportation, Bureau of Motor Vehicles and Licensing.

However, this section shall not apply:

- a) vehicles making deliveries or loading merchandise;
- b) Emergency or authorized vehicles as defined in the Motor Vehicle Code (75 Pa C.S. A. 102);
- c) Vehicles of service companies, contractors, repairmen, delivery trucks or others actually engaged in working operations between the hours of 7:00 a.m. and 7:00 p.m. where the vehicle is stopped, standing or parked adjacent to the property at which the operations are being conducted;
- d) vehicles momentarily stopped, standing or parking for the purpose of, and while actually engaged in, loading or unloading property or passengers.

Section 2. Dumpsters and portable storage devices in public rights-of-way

A. **Definitions.** As used in this Section, the following terms shall have the meanings indicated:

DUMPSTER - a metal storage receptacle used to temporarily store debris or garbage and which is then emptied of its contents or removed with its contents to a dumpsite.

PORTABLE STORAGE DEVICE - any item placed in a street that is not a motor vehicle, as defined by the Pennsylvania Vehicle Code, or a temporary dumpster, including but not limited to containers commonly known as "portable storage devices" or "PODS."

TEMPORARY DUMPSTER - any dumpster used or intended as a disposal facility for construction, renovation, or demolition projects, special events, seasonal use or other purposes not permanent in nature.

B. No person shall place or cause to be placed a Dumpster, Temporary Dumpster or Portable Storage Device upon any street, road right of way or highway within the residential zoning districts of the Township.

Section 3. Violations and penalties

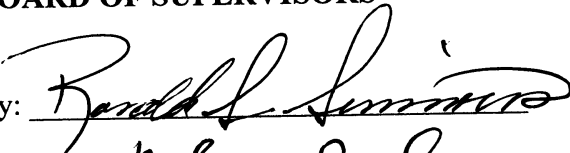
Any person, firm or corporation violating any provision of this ordinance shall be guilty of a summary offense and shall, upon conviction by summary proceeding before the Magisterial district Justice having jurisdiction, be sentenced to pay a fine of not less than \$25.00 and not more than \$300.

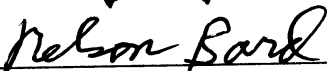
Section 4. Effective Date

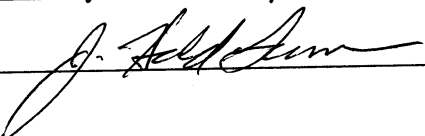
This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of the Township of Upper Leacock, Lancaster County, Pennsylvania.


This Ordinance ordained and enacted this 3rd day of January, 2022.

**UPPER LEACOCK TOWNSHIP
BOARD OF SUPERVISORS**

By: 

By: 

By: 

Attest: 

I, Michael Morris, Secretary of the Board of Supervisors of Upper Leacock Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Upper Leacock Township held on January 3rd, 2022, at which meeting a quorum was present and voted in favor thereof.


Michael Morris, Secretary