

ORDINANCE NO. 616  
(As Codified in Chapter 277-43)

**AN ORDINANCE OF THE BOROUGH OF FLEETWOOD, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING A TEMPORARY PERMIT ONLY PARKING LOT AT ONE EAST MAIN STREET IN THE BOROUGH OF FLEETWOOD FOR BOROUGH RESIDENTS AFFECTED BY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT TO MODIFY THE TURNING RADIUS FROM MAIN STREET ONTO FRANKLIN STREET AND ESTABLISHING AN APPLICATION PROCESS FOR PERMITS AND PENALTIES FOR VIOLATIONS.**

**WHEREAS**, the Borough of Fleetwood, Berks County, Pennsylvania (the "Borough") has purchased the property located One East Main Street, Fleetwood, Berks County, Pennsylvania (the "Property"); and

**WHEREAS**, the Pennsylvania Department of Transportation ("PennDOT") commenced a construction project in the Borough of Fleetwood, which includes but is not limited to, construction on Main and Franklin Streets to modify the turning radius from Main Street onto Franklin Street (the "Construction Project"); and

**WHEREAS**, there is an emergent need for available temporary parking for residents affected by the Construction Project, and in particular, those residents who will have their parking limited or eliminated entirely during the Construction Project; and

**WHEREAS**, the Borough desires to use the available portion of the Property not affected by the Construction Project (the "Temporary Parking Lot") as interim parking specifically for those residents who have had their parking limited or eliminated entirely due to the Construction Project.

**BE IT ENACTED AND ORDAINED** by the Borough of Fleetwood, Berks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same:

**SECTION 1.** The Borough hereby establishes and designates the Temporary Parking Lot for the purposes of parking for those residents who have had their parking limited or eliminated entirely due to the Construction Project.

**SECTION 2.** Borough residents who have had their parking limited or eliminated entirely due to the Construction Project may complete a form requesting a

**SECTION 3.** Temporary Parking Permits shall be issued by the Borough at no cost to Borough residents.

**SECTION 4.** The requests for the Temporary Parking Permits shall be reviewed and either approved or denied by the Borough based upon the priority of first come, first served for the Borough residents whose parking is affected by the Construction Project, limited by the number of available spaces on the Temporary Parking Lot.

**SECTION 5.** Signage shall be placed in the Temporary Parking Lot indicating that parking without the appropriate Temporary Parking Permit is prohibited and violators will be towed at their own expense.

**SECTION 6.** Borough Council shall contract with a vehicle towing company to remove vehicles parked in the Temporary Parking Lot without the appropriate Temporary Parking Permit and any towing costs shall be assessed to the owner of the towed vehicle.

**SECTION 7.** Any person who has been found to be in violation of this Ordinance shall, upon summary conviction thereof, be sentenced to pay a fine of not less than Fifty (\$50.00) nor more than One Hundred Dollars (\$100.00).

**SECTION 8.** The Borough shall continue to plan a more permanent solution to parking in conjunction with the continued redevelopment of the Fleetwood Downtown District, and the parking plan may be changed at the time construction has been completed on both Main and Franklin Streets.

**SECTION 9.** If any provision of this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

**SECTION 10.** All Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

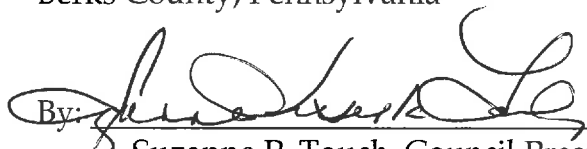
**SECTION 11.** Every word in this Ordinance imparting any particular gender may extend and be applied to any and all other genders, and every word imparting the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided these rules of construction shall not be applied to any provision which contains any express language excluding such

construction or when the subject matter or context of such provision may be repugnant thereto.


**SECTION 12.** This Ordinance shall take effect on the earliest day and date after enactment permitted by law.

**ENACTED and ORDAINED** as an Ordinance of the Borough of Fleetwood, Berks County, Pennsylvania, on this 28 day of MARCH, 2016.

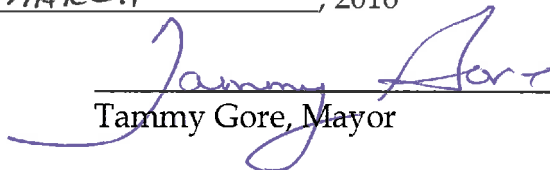
BOROUGH OF FLEETWOOD  
Berks County, Pennsylvania

By:   
Suzanne P. Touch, Council President

Attest:

  
(Assistant) Secretary

APPROVED as an Ordinance of the Borough of Fleetwood, Berks County, Pennsylvania this 28 day of MARCH, 2016

  
Tammy Gore, Mayor

MUNICIPAL CERTIFICATION

I, Doreen OWEIL, (Assistant) Secretary, of the Borough of Fleetwood, Berks County, Pennsylvania, do hereby certify that the foregoing Ordinance No. \_\_\_\_\_ was advertised in the *Reading Eagle*, a daily newspaper of general circulation in the Borough of Fleetwood, on March 21, 2016, and was duly enacted and approved as set forth at a regular meeting of the Borough Council held on MARCH 28, 2016.

[SEAL]

Doreen OWEIL  
(Assistant) Secretary