

TOWNSHIP OF RUSH

Schuylkill County, Pennsylvania

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ORDINANCE NO. 106

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**AN ORDINANCE ESTABLISHING PARKING REGULATIONS  
FOR DESIGNATED FIRE ZONE AND HANDICAPPED  
PARKING AREAS**

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WHEREAS, the Commonwealth of Pennsylvania through the State Department of Labor and Industry has directed that various buildings open to the public including publicly owned and privately owned buildings, provide special parking areas for persons with physical handicaps to park their vehicles in an area accessible to those buildings; and

WHEREAS, fire zones and hydrants are located on private property to better serve the safety of the public; and

WHEREAS, it is determined that it is in the interests of the residents of the Township of Rush for the Township to aid in the enforcement of such regulations;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED AS FOLLOWS:

1. That it shall be unlawful and in violation of this Ordinance for any person, who is not authorized to do so under the regulations and legislation of the Commonwealth of Pennsylvania, Department of Labor and Industry, to park in an area specially designated as a parking area reserved for persons with physical handicaps.

2. That unless the vehicle bears a license plate designated as a "handicapped plate" that it shall be presumed that the said person shall have no authorization to use a specially designated handicapped parking area and the burden of proof shall be on the person accused of the violation of this Ordinance to show that he or she is in fact authorized under the regulations of the Secretary of Labor and Industry to utilize such handicapped parking area.

3. That it shall be unlawful and in violation of this Ordinance

for any person, not authorized by the laws of the Commonwealth of Pennsylvania, to park in an area designated by Rush Township, or other lawful authority as a fire zone provided such area is clearly marked and appropriately signed, whether such area is on private or public property.

4. That it shall be a violation of this Ordinance for any person not authorized by the laws of Pennsylvania to park within fifteen (15') feet of a fire hydrant or in any other way to block or hinder access to a fire hydrant.

5. Violation of this Ordinance shall be a summary offense punishable by a fine of not more than Thirty-Five (\$35.00) Dollars plus costs. This Ordinance shall be enforced by the Rush Township Police Department who may enforce this Ordinance on public or upon private property, if so requested by the owner. The Rush Township Police Department is hereby authorized to give warnings in lieu of summonses or citations for violations if in the sole discretion of the officer such a warning is justified.

6. "Parking" or "to park" under this Ordinance shall include in addition to the ordinary meaning of the word, stopping a vehicle with the motor running whether or not the driver has exited the vehicle.

DULY ENACTED AND ORDAINED this 10<sup>th</sup> day of March, 1994.

TOWNSHIP OF RUSH  
Schuylkill County, Pennsylvania

By: Ronald T. Werner  
Ronald T. Werner, Chairman

ATTEST:

Carol Ann Opet  
Carol Opet, Secretary

(SEAL)