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ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF EBENSBURG, CAMBRIA COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 11, PARTS 4 AND 5 OF THE CODE OF THE
BOROUGH OF EBENSBURG

WHEREAS, Chapter 11, Parts 4 and 5, of the Code of the Borough of Ebensburg governs motor vehicles and traffic, to include on and off street metered parking; and

WHEREAS, Borough Council desires to amend Chapter 11, Parts 4 and 5, to include use of a digital parking application in addition to physical, to update fine amounts, and to provide the opportunity for the Borough to offer a monthly parking pass program;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Ebensburg, Cambria County, Pennsylvania, as follows:

SECTION 1. Chapter 11, Parts 4 and 5, of the Code of the Borough of Ebensburg is hereby AMENDED AND RESTATED in its entirety as follows:

PART 4

ON-STREET METERED PARKING

§11-401. Parking Meter Zones Established

A. Parking meter zones are established upon and along certain streets in the Borough as follows:

Street	Between
Center Street	From Crawford Street to Ogle Street
High Street	From Locust Street to Beech Street
Julian Street	From Sample Street to High Street North Cherry Street
	From Sample Street 100 feet to the north Sample Street
	From Locust Street to South Center Street
	From East Ogle to East Lloyd Street

B. The rates shall be as determined by resolution of the Borough Council.

§11-402. Days and Hours Parking Meters in Operation and Parking Time Limits Apply

Parking meters shall be operated by the deposit of currency or other applicable means in the meter or by payment through a digital parking application (app) as prescribed by §11-405 and the parking rates for specified lengths of time, as prescribed in §11-401(B) shall apply at all times between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday. Provided, however, the requirements of this Part as to payment in meters or pay stations shall not apply on legal holidays.

§11-403. Placement and Characteristics of Parking Meters

Parking meters installed in the parking meter zones established by §11-401 shall be placed upon the curb or sidewalk, and immediately adjacent to the individual parking spaces described in §11-404. Where a parking space may be paid for through a digital parking payment application, a sign indicating that the space is covered by a digital parking payment application shall be posted within two hundred (200') feet of that parking space.

§11-404. Parked Vehicles to be Wholly Within Marked Spaces

- A. Marked Spaces in Metered Zones - Lines and/or markings shall be painted or placed, only by or under the direction of Borough personnel, upon the curb, sidewalk or roadway adjacent to each parking meter for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked at any metered parking space shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.
- B. Marked Spaces in Non-Metered Zones - Lines and/or markings may be painted or placed, only by or under the direction of Borough personnel, upon the curb, sidewalk or roadway for the purpose of delineating an approved parking space. Every vehicle parked at any marked space shall be parked wholly within the lines or markings so placed. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.
- C. Private citizens are prohibited from painting or placing lines and/or markings for the purposes of delineating parking spaces or limiting parking.

§11-405. Currency Deposit in Meter; Overtime Parking Unlawful

Whenever a vehicle is to be parked in any space adjacent to a parking meter or regulated by use of a digital parking app, at any time in the period of limited parking as prescribed by §11-402, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter or digital parking app the form of currency as specified in the legend on the parking meter or digital parking app. Upon the deposit of such currency, and placing the meter in operation, or, in the case of a digital parking app, completing payment as instructed by the digital parking app, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter or in the digital parking app. If any vehicle shall remain in any such parking space for any length of time that the meter or digital parking app shall indicate by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Every hour that a vehicle remains unlawfully parked in a metered parking space shall constitute a separate violation of this Part.

§11-406. Unlawful to Deposit Substitutes for Currency

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for currency of the United States of America.

§11-407. Unlawful to Remain Parked at Meter Showing Violation

It shall be unlawful, and a violation of this Part for any person to permit a vehicle to remain in a metered parking space when that vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which payment was deposited in that meter or payment made by digital parking app for the parking of that vehicle.

§11-408. Unlawful to Tamper with Meter

It shall be unlawful, and a violation of this Part, for any person to deface, tamper with, open or willfully break, hack into, destroy or impair the usefulness of any parking meter or digital parking app referred to under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters or digital parking app by officers, employees or police officers of the Borough under the direction of the Chief of Police or Borough Council.

§11-409. Ticketing of Vehicles Parked Unlawfully; Effect of payment Within Forty-Eight (48) Hours

- A. It shall be the duty of the police officers and Parking Enforcement Officer of the Borough, acting in accordance with the directions of the Chief of Police, to report:
 - 1. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part, or, an indication that the violation occurred at a parking space regulated by a digital parking app.
 - 2. The date and hour of the violation.
 - 3. The license number of the vehicle.
 - 4. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
- B. The police officer or Parking Enforcement Officer shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he/she will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$10 within forty-eight (48) hours after the time of the notice, or will place the sum of \$10 enclosed within the envelope provided, in any of the special parking fine boxes installed at various locations within the Borough within the time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §11- 410.

§11-410. Penalty for Violations

- A. Any person who violates any provision of this Part, with the exception of §11-409, and who fails to pay the fine set forth in §11-410, shall be assessed a fine of \$20. If the fine of \$20 is not paid within thirty (30) days of the violation, a citation shall be filed with the Magisterial District Judge and, upon conviction, the violator shall be sentenced to pay a fine of \$35 and costs.

- B. Any person who violates any provision of §11-409 shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment for not more than 30 days.

§11-411. Exceptions

- A. By resolution, the Borough Council may temporarily suspend the provisions of this Part requiring currency deposits in meters and/or digital parking app and establishing a maximum parking time at metered parking spaces.
- B. The Borough shall have authority to establish no-parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas as previously installed there, and the provisions of this Part shall not apply in those areas where no-parking or special-purpose parking is in effect.

PART 5

OFF-STREET METERED PARKING

§11-501. Metered Parking Lots Established

- A. The following are established as the metered parking lots established by this Borough:

Lot	Location	Days in Operation	Hours in Operation
Municipal Lot	Adjacent to Cherry Street extending from High Street to Lloyd Street	Mon-Fri	8 a.m. – 4 p.m.
Penn Eben Lot	At the northeast corner of the intersection of High Street and Julian Street	Mon-Fri	8 a.m. – 4 p.m.
Prave Lot	At 122 South Center Street	Mon-Fri	8 a.m. – 4 p.m.

- B. Provided, the parking meters and/or digital parking application (app) regulating a metered lot shall be in operation, the parking lot shall be open for parking and the provisions of this Part regulating the operating of parking meters and establishing parking time limits shall be enforced on the days and between the hours prescribed for the individual lots as may be, from time to time, established by resolution of Borough Council.

§11-502. Days and Hours Parking Meters in Operation and Parking Time Limits Apply

Parking meters shall be operated by the deposit of currency or other applicable means in the meter or by payment through a digital parking app as prescribed by §11-507 and the parking rates for specified lengths of time shall apply at all times between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. Provided, however, the requirements of this Part as to payment in meters or digital parking apps shall not apply on legal holidays.

§11-503. Placement and Characteristics of Parking Meters

Parking meters installed in the parking lots established by §11-501 shall be placed immediately adjacent to the individual parking spaces. Where parking in a parking lot may be paid for through a digital parking application (app), one or more signs indicating that the space is covered by a digital parking payment application shall be posted within two hundred (200') feet of that parking lot.

§11-504. Reserved Parking Spaces for Handicapped May Be Provided

The Borough Council, at its discretion, may provide, at convenient and suitable locations in any one or more of the metered parking lots, reserved parking spaces for handicapped, and shall designate those spaces by appropriate signs. It shall be unlawful, and a violation of this Part, for any person to park in any such reserved parking space any vehicle unless that vehicle bears or displays either a "handicapped registration plate," a "handicapped parking placard," a "disabled veteran registration plate" or a "disabled veteran placard."

§11-505. Parked Vehicles to be Wholly Within Marked Spaces

- A. Marked Spaces in Metered Lots - Lines and/or markings shall be painted or placed upon the surface of the parking lot adjacent to each parking meter for the purpose of delineating the parking space for which that meter shall be used. Every vehicle parked at any metered parking space shall be parked wholly within the lines or markings so placed and applicable to that meter. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.
- B. Marked Spaces in Non-Metered Lots - Lines and/or markings may be painted or placed upon the curb, sidewalk or roadway for the purpose of delineating an approved parking space. Every vehicle parked at any marked space shall be parked wholly within the lines or markings so placed. It shall be unlawful and a violation of this Part for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.

§11-506. Manner of Parking at Meters

It shall be unlawful for any person to park a vehicle in any metered parking lot:

- A. Otherwise than with the parked vehicle nearest to the parking meter applicable to that vehicle.
- B. With any part of the vehicle touching the meter post or head or the raised base or barrier on which meters are erected.

§11-507. Currency Coin Deposit in Meter; Overtime Parking Unlawful

Whenever a vehicle is to be parked in any metered parking lot, at any time when the lot is open for use and the meters or digital parking app is to be in operation, the driver of the vehicle, upon entering the parking space, shall immediately deposit, or cause to be deposited, in that parking meter or digital parking app, the form of currency as specified in the legend on the parking meter or in the digital parking app. Upon the deposit of such currency or payment, and placing the meter in operation, or, in the case of a digital parking app, completing payment through the digital

parking app, the parking space may be lawfully occupied by the vehicle for the time indicated on the meter or the digital parking app. If any vehicle remains in any such parking space for such length of time that the meter or digital parking app indicates that the lawful parking time has expired, that vehicle shall be considered as being parked overtime, and the parking of a vehicle overtime shall be a violation of this Part. Every hour that a vehicle remains unlawfully parked in a metered space shall constitute a separate violation of this Part.

§11-508. Unlawful to Deposit Substitutes for Currency

It shall be unlawful for any person to deposit in any parking meter installed under the provisions of this Part any slug or other substitute for currency of the United States of America.

§11-509. Unlawful to Remain Parked at a Meter Showing Violation or Where Digital Parking App Shows Violation

It shall be unlawful and a violation of this Part for any person to permit a vehicle to remain in a parking space adjacent to a parking meter installed under this Part when that meter displays a signal indicating that the vehicle has already been parked there beyond the period of time prescribed for that parking space, or the time for which a coin or coins was deposited in that meter or payment made through a digital parking app for the parking of that vehicle.

§11-510. Unlawful to Tamper With Meter

It shall be unlawful and a violation of this Part for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter under the provisions of this Part. Provided, nothing in this Section shall apply to the servicing or opening of parking meters or pay stations by officers, employees or police officers of the Borough under the direction of the Chief of Police or Borough Council.

§11-511. Metered Parking Lots for Certain Types of Vehicles Only

The metered parking lots established by this Part shall be for the use of passenger cars, passenger vans and pickup trucks only, and it shall be unlawful for any person to park any other type of vehicle in any of those lots.

§11-512. Ticketing of Vehicles Parked Unlawfully; Effect of Payment Within Forty-Eight (48) Hours

- A. It shall be the duty of the police officers and Parking Enforcement Officer of the Borough, acting in accordance with the direction of the Chief of Police, to report:
 1. The number of each parking meter that indicates that a vehicle occupying the adjacent parking space is, or has been, parked in violation of any provision of this Part, or, an indication of the location in which the violation occurred at a parking space regulated by a digital parking app.
 2. The date and hour of the violation.
 3. The license number of the vehicle.

4. Any other facts, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.
- B. The police officer or Parking Enforcement Officer making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Part, and instructing the owner or driver that if he/she will report to the office of the Chief of Police and pay, for the use of the Borough, the sum of \$10 within forty-eight (48) hours after the time of the notice, or will place the sum of \$10 enclosed within the envelope provided in any of the special parking fine boxes installed at various locations within the Borough, within that time limit, that act will save the violator from prosecution and from payment of the fine prescribed in §11-513.

§11-513. Penalty for Violation

- A. Any person who violates any provision of this Part, with the exception of §11-509, and who fails to pay the fine set forth in §11-512, shall be assessed a fine of \$20. If the fine of \$20 is not paid within thirty (30) days of the violation, a citation shall be filed with the Magisterial District Judge and, upon conviction, the violator shall be sentenced to pay a fine of \$35 and costs.
- B. Any person who violates any provision of §11-509 shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 and costs and, in default of payment of fine and costs, to imprisonment of not more than thirty (30) days.
- C. A monthly pass may, at the discretion of the Borough Manager or Chief of Police, be revoked if it is determined by the Borough Manager or Chief of Police that the passholder, or other individual displaying the pass, has violated the rules of this Chapter.

§11-514. Monthly Parking Passes

- A. The Borough may establish a monthly parking pass program for any metered parking lot established under §11-501. Monthly parking passes shall be available for purchase by residents and business owners whose residence or place of business is located within three hundred (300') feet of the lot for which the pass is issued, except that no pass shall be issued under this subsection to a residence or business owner who has at least one on-site parking space available to it.
- B. The Borough may also provide General monthly parking passes available to individuals who do not meet the requirements listed at §11-514(A).
- C. The passes established under this Section shall provide for parking in one (1) lot which shall be listed on the pass.
- D. The monthly price for parking passes provided for in §11-514(A)-(B) shall be established by resolution of the Borough Council.
- E. The Borough may limit the total number of monthly parking passes issued for any lot at any one time. Upon reaching that limit, the Borough shall establish and maintain a waiting list for that lot.
 1. Each residence and each business shall be limited to one monthly parking pass, regardless of the number of individuals residing or working at that address.

2. Where demand for passes for a given lot exceeds the number of passes available, priority shall be given in the following order: (1) adjacent residents, (2) business owners, (3) other applicants.
- F. The Borough may designate specific parking spaces within a lot as reserved for passholders only. Any vehicle parked in a space so designated without a valid monthly parking pass displayed shall be subject to the penalties at §11-513. Parking spaces designated as passholder-only shall be identified by signs posted at each such space.
- G. The monthly pass shall, upon the expiration or non-renewal of the pass, be returned to the Ebensburg Borough office within seven (7) days of the date of expiration.

§11-515. Exceptions

- A. By resolution, the Borough Council may temporarily suspend the provisions of this Part requiring currency deposits in meters and/or digital parking app and establishing a maximum parking time at metered parking spaces.
- B. The Borough shall have authority to establish no-parking or special-purpose parking zones within any parking meter zone, and to remove parking meters from those areas as previously installed there, and the provisions of this Part shall not apply in those areas where no-parking or special-purpose parking is in effect.
- C. Borough Council shall retain the right to approve the purchase of additional parking passes at the then-current rate for a residence or business that in Council's sole determination would experience significant hardship if limited to a single pass. Granting of the right to purchase additional passes is subject to the availability of permit spaces within the given lot, and the Borough shall retain the right to designate the specific spaces within said lot to be available for purchase as additional passes.

SECTION 2. Repealer.

All ordinances, resolutions, sections, parts of sections, or prior enactments inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability.

If any sentence, clause, section, part, or provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision shall not affect or impair the remaining provisions of this Ordinance, which shall remain in full force and effect.

SECTION 4. Effective Date.

This ordinance shall take effect immediately upon enactment.

ENACTED AND ORDAINED this ____ day of _____ 2026.

EBENSBURG BOROUGH COUNCIL

Doug Tusing, President

ATTEST:

Terry Carcella; Manager

Approved this _____ day of _____ 2026

Randy S. Datsko, Mayor