

Chapter 15

Motor Vehicles and Traffic

Part 1 General Regulations

- §15-101. Definitions and Interpretations
- §15-102. Manner of Adopting Permanent Traffic and Parking Regulations
- §15-103. Provisions to Be Continuation of Existing Regulations
- §15-104. Temporary and Emergency Regulations
- §15-105. Experimental Regulations
- §15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events
- §15-107. Use of Streets by Processions and Assemblages
- §15-108. Authority of Police Officers
- §15-109. Authorization for Use of Speed Timing Devices

Part 2 Traffic Regulations

- §15-201. Maximum Speed Limits Established on Certain Streets
- §15-202. Traffic Signals at Certain Locations
- §15-203. Intersections Where Turn Prohibited on Red Signal
- §15-204. One-Way Roadways Established
- §15-205. Stop Intersections Established
- §15-206. Operation of Motor Vehicles Restricted on Public Lands
- §15-207. Snowmobile Roads Designated

Part 3 Restrictions on Size, Weight and Type of Vehicle and Load

- §15-301. Vehicle Weight Limits Established on Certain Streets and Bridges
- §15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges
- §15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges
- §15-304. Truck Traffic Restricted on Certain Streets

Part 4 General Parking Regulations

- §15-401. Vehicles to Be Parked Within Marked Spaces
- §15-402. Parking Prohibited at All Times in Certain Locations
- §15-403. Parking Prohibited in Certain Locations, Certain Days and Hours
- §15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations
- §15-405. Parking Time Limited in Certain Locations Certain Days and Hours

- §15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited
- §15-407. Penalties

Part 5

Regulation of Pedalcycles and Nonmotorized Vehicles

- §15-501. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited
- §15-502. Restrictions on Use of Pushcarts
- §15-503. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles

Part 6

Pedestrian Regulations

- §15-601. Pedestrians to Obey Traffic-Control Signs
- §15-602. Pedestrian-Control Signal Locations Established
- §15-603. Penalty for Violation

Part 1**General Regulations****§15-101. Definitions and Interpretation.**

1. Words and phrases, when used in this Chapter, except for Sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in the Vehicle Code, 75 Pa. C.S.A. §101 *et seq.*, except that in this Chapter the word “street” may be used interchangeably with the word “highway,” and shall have the same meaning as the word “highway” as defined in the Vehicle Code.

2. The term “legal holidays” as used in this Chapter shall mean and include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(*Ord. 489, 10/13/2014*)

§15-102. Manner of Adopting Permanent Traffic and Parking Regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this Chapter, except where the law specifically authorizes less formal action.

(*Ord. 489, 10/13/2014*)

§15-103. Provisions to Be Continuation of Existing Regulations.

The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

(*Ord. 489, 10/13/2014*)

§15-104. Temporary and Emergency Regulations.

1. The Borough Council or its designated official shall have the following powers to regulate traffic and parking temporarily and in time of emergency:

A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations.

B. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.

2. Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulation, or who shall, move, remove, destroy, injure or deface any sign or marking erected, posted or made to

give notice of any such regulation, upon conviction thereof, shall be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution.

(Ord. 489, 10/13/2014)

§15-105. Experimental Regulations.

The Borough may, from time to time by resolution, designate places upon and along the highways in the Borough where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this Chapter. No person shall operate and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section, upon conviction thereof, shall be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution; provided, the purpose of this Section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Borough relative to traffic and parking.

(Ord. 489, 10/13/2014)

§15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. The Borough shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

2. The Borough shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.

3. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-107. Use of Streets by Processions and Assemblages.

1. For the purpose of this Section, the words “assemblage” and “procession” shall have the following meanings:

Assemblage—a gathering of people without vehicles, which interferes with the

movement of pedestrian or vehicular traffic on any street.

Procession—a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Borough Council or its designated official, which shall be issued without fee. Application for the permit shall be made at least 1 week in advance of the day on which the assemblage is proposed to be held, but in any case where a State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Borough Council or its designated official, which shall be issued without fee. Application for the permit shall be made at least 2 weeks in advance of the day when the procession is proposed to be held, but in any case where the State-designated highway is proposed to be used, application shall be made at least 3 weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.

4. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-108. Authority of Police Officers.

The police officers of the Borough are hereby authorized to direct traffic on the highways of the Borough and at intersections thereof and to otherwise enforce the provisions of this Chapter.

(Ord. 489, 10/13/2014)

§15-109. Authorization for Use of Speed Timing Devices.

1. The Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with 75 Pa.C.S.A. §3368.

2. This Section authorizes the use of said devices upon all highways within the Borough be they Borough, County or State highways, and does also hereby elect to

exercise all powers granted to “local authorities” under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S.A. §6101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

(*Ord. 489, 10/13/2014*)

Part 2

Traffic Regulations

§15-201. Maximum Speed Limits Established on Certain Streets.

1. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle on any part of a street where a maximum speed limit applies at a higher speed than the maximum prescribed for that part of the street:

Street	Between	Maximum Speed Limit
[Reserved]		

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$35 and costs. Any person exceeding the maximum speed limit by more than 5 miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of 5 miles per hour over the maximum speed limit.

(Ord. 489, 10/13/2014)

§15-202. Traffic Signals at Certain Locations.

1. At the following locations traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

Location	Type of Signal
Ferndale Avenue and Station Street	Traffic Light
Franklin Street at Summit Street and Goucher Street	Traffic Light

2. Any driver of a vehicle who disobeys the directions of any traffic signal, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-203. Intersections Where Turn Prohibited on Red Signal.

1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

Intersection	Vehicles Traveling On	Facing
Goucher Street and Franklin Street	Goucher Street	Franklin Street

2. Any driver of a vehicle who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-204. One-Way Roadways Established.

1. The following are established as one-way roadways, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

Street	From	To	Direction of Travel
Harlan Avenue	Station Street	Louisa Place	south
Harlan Avenue	Summit Avenue	Clay Street	north
Vickroy Avenue	Entire length		south

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-205. Stop Intersections Established.

1. The following intersections are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by of the Vehicle Code, 75 Pa.C.S.A. §§3323(b), and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that Section of the law.

Stop Street	Intersecting or Through Street	Direction of Travel
Franklin Street	Melander Street	
Franklin Street	Mendall Alley	
Glennwood Avenue	Austin Street	
Glennwood Avenue	Harlan Avenue	
Glennwood Avenue	Station Street	
Harlan Avenue	Clay Street	
Harlan Avenue	Station Street	
Harlan Avenue	Summit Avenue	
Harlan Avenue	Vickroy Avenue	
Summit Avenue	Vickroy Avenue	
Vickroy Avenue	Clay Street	
Vickroy Avenue	Harlan Avenue	
Vickroy Avenue	Station Street	

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(*Ord. 489, 10/13/2014*)

§15-206. Operation of Motor Vehicles Restricted on Public Lands.

1. No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Borough or any other public agency or instrumentality within the Borough without the permission of the property owner and a permit from the Borough Council or its designated official of the Borough.

2. Any person who violates an provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(*Ord. 489, 10/13/2014*)

§15-207. Snowmobile Roads Designated.

1. It shall be unlawful for any person to operate a snowmobile on any highway, street or road in the Borough other than as provided above. Provided, nothing in this Section shall prohibit any person from operating a snowmobile on any other street in the Borough:

A. As authorized by the Vehicle Code, 75 Pa.C.S.A. §7721, for emergency and bridge crossings and for direct crossing of streets or two-lane highways.

B. For special snowmobile events where authorized in advance and the street is blocked off as provided in the Vehicle Code, 75 Pa.C.S.A. §7723. Any person who violates any provision of this Section shall be subject to the penalties prescribed in §7752(a) of the Vehicle Code, 75 Pa.C.S.A. §7752 (a).

(*Ord. 489, 10/13/2014*)

Part 3

Restrictions on Size, Weight and Type of Vehicle and Load

§15-301. Vehicle Weight Limits Established on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

Street or Bridge	Between	Maximum Gross Weight
As per PennDOT		

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, 75 Pa.C.S.A. §§4902(a), 4902(g-1) and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

(Ord. 489, 10/13/2014)

§15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, 75 Pa.C.S.A. §4902(a), it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

Street or Bridge	Between	Restrictions
As per PennDOT		

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g)(1) of the Vehicle Code, 75 Pa.C.S.A. §§4902(a), 4902(g)(1) and, upon conviction, shall be sentenced to pay a fine of \$75 and costs.

(Ord. 489, 10/13/2014)

§15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code 75 Pa.C.S.A. §§4902(b), it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street.

Street or Bridge	Between	Restrictions
As per PennDOT		

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(b) and 4902(g)(2) of the Vehicle Code, 75 Pa.C.S.A. §§4902(b), 4902(g)(2), and,

upon conviction, shall be sentenced to pay a fine of not more than \$500 and costs.
(*Ord. 489, 10/13/2014*)

§15-304. Truck Traffic Restricted on Certain Streets.

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

Street or Bridge	Between
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As per PennDOT

Provided, nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(*Ord. 489, 10/13/2014*)

Part 4

General Parking Regulations

§15-401. Vehicles to Be Parked Within Marked Spaces.

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

(Ord. 489, 10/13/2014)

§15-402. Parking Prohibited at All Times in Certain Locations.

Parking shall be prohibited at all times in the following locations:

Street	Side	Between
		[Reserved]

(Ord. 489, 10/13/2014)

§15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

Street	Side	Between	Days	Hours
Boston Street		Summit to Mendell	Friday	2 a.m. to 8 a.m.
Clay Street		Entire Length	Friday	2 a.m. to 8 a.m.
Ferndale Avenue		Entire Length	Thursday	2 a.m. to 8 a.m.
Franklin Street		Borough of Ferndale and Upper Yoder Township	Tuesday	2 a.m. to 8 a.m.
Glenwood Avenue		Entire Length	Thursday	2 a.m. to 8 a.m.
Harlan Avenue		Moxham Avenue and Breezewood Avenue	Wednesday	2 a.m. to 8 a.m.
Station Street		Summit Avenue to Glenwood Avenue	Every other Thursday	2 a.m. to 8 a.m.
Summit Avenue		Franklin Street and Ferndale Avenue	Tuesday	2 a.m. to 8 a.m.
Suter Street		to dead end and Quaker Avenue	3 rd Friday	2 a.m. to 8 a.m.

Street	Side	Between	Days	Hours
Vickroy Avenue		Entire Length	Friday	2 a.m. to 8 a.m.

(Ord. 489, 10/13/2014)

§15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations.

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

Street	Between
	[Reserved]

(Ord. 489, 10/13/2014)

§15-405. Parking Time Limited in Certain Locations Certain Days and Hours.

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

Street	Side	Between	Days	Hours
		[Reserved]		

(Ord. 489, 10/13/2014)

§15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.

The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked in any such zone except as specifically provided for that zone:

Street	Side	Location	Authorized Purpose or Vehicle
		[Reserved]	

(Ord. 489, 10/13/2014)

§15-407. Penalties.

Any person who violates any provision of this Part, upon conviction, shall be sentenced to pay a fine of not more than \$25 and costs. Provided, it shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the appropriate official all violations of any provision of this Part indicating, in each case, the Section violated; the license number of the vehicle involved in the violation; the

location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation.

(Ord. 489, 10/13/2014)

Part 5**Regulation of Pedalcycles and Nonmotorized Vehicles****§15-501. Riding and Parking of Pedalcycles on Sidewalks Along Certain Streets Prohibited.**

1. It shall be unlawful for any person to ride or to park a pedalcycle on the sidewalk along any street in the Borough.

2. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

(Ord. 489, 10/13/2014)

§15-502. Restrictions on Use of Pushcarts.

1. The word "pushcart," as used in this Section, shall mean a vehicle, including a pedalcycle, propelled solely by human power, and used or intended for use for the display, transport, exhibit or sale of goods, wares or merchandise.

2. It shall be unlawful for any person to propel a pushcart upon any sidewalk in any business district except as necessary to move the pushcart to a location from which it is to be loaded or unloaded or from which goods, wares or merchandise are to be sold or dispensed under permit from the Borough as provided in subsection .3 of this Section.

3. It shall be unlawful for any person to park a pushcart upon any sidewalk except for the purpose of selling or dispensing from that pushcart goods, wares or merchandise to passersby under permit from the Borough. Every such permit shall be issued to the person making application for the permit, upon payment of a fee, which shall be for the use of the Borough set by the Borough by resolution. The permit shall be granted to the applicant, upon payment of the fee, and upon the applicant signing an agreement with the Borough that he shall be bound by the conditions imposed by Borough and made a part of the permit, dealing with the following matters:

A. Restricting or limiting the parking of the pushcart to one or more stated locations upon the sidewalk and to stated days and hours at each location.

B. Stating requirements to be adhered to in connection with the disposal of garbage and refuse resulting from the operations carried on.

C. Requiring that there be no violation of any law, ordinance or regulation pertaining to health, sanitation and the handling of food or drink.

4. Any person who violates any provision of this Section, or any condition of any permit granted under this Section, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(Ord. 489, 10/13/2014)

§15-503. Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.

1. It shall be unlawful for any person to ride on a sled upon any sidewalk in the Borough, or upon any roadway unless that roadway is on a portion of a street blocked off for sledding by authority of §15-105. Provided, nothing in this subsection shall

prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.

2. It shall be unlawful for any person to engage in roller-skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:

A. Any street except in order to cross the roadway.

B. Any sidewalk located in a business district, except that nothing in this subsection shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.

3. Any person who violates any provision of this Section, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

(Ord. 489, 10/13/2014)

Part 6**Pedestrian Regulations****§15-601. Pedestrians to Obey Traffic-Control Signs.**

At all locations in the Borough where official traffic-control signals are installed, pedestrians, except where directed otherwise by pedestrian-control signals installed under §15-602 of this Part, shall obey the directions of those traffic-control signals, as follows:

- A. When facing a green signal, a pedestrian may proceed across the roadway within a crosswalk.
- B. When facing a steady yellow signal, a pedestrian shall not start to cross the roadway.
- C. When facing a steady red signal, a pedestrian shall not enter the roadway.

(Ord. 489, 10/13/2014)

§15-602. Pedestrian-Control Signal Locations Established.

1. At the following locations, official pedestrian-control signals shall be erected (or are ratified if previously erected):

Location

[Reserved]

2. Every pedestrian facing a steady or flashing “Don't Walk” signal shall obey the directions of that signal, as follows:

- A. When facing a steady “Don't Walk” signal, a pedestrian shall not start to cross the roadway in the direction of the signal, but any pedestrian who has partially completed his crossing on the “Walk” signal should proceed to a sidewalk or safety zone while the “Don't Walk” signal is showing.
- B. When facing a flashing “Don't Walk” signal a pedestrian shall not start to cross the roadway in the direction of the indication, but any pedestrian who has partly completed crossing during the “Walk” indication should proceed to a sidewalk or safety zone.

Any pedestrian who fails to obey the directions of a “Don't Walk” signal, as indicated above, shall be guilty of an offense and a violation of this Part.

(Ord. 489, 10/13/2014)

§15-603. Penalty for Violation.

Any pedestrian who violates any provision of this Part shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of \$5 and costs.

(Ord. 489, 10/13/2014)

