

PITTSTON TOWNSHIP
Luzerne County, Pennsylvania
ORDINANCE NO. 3-01 of 2025

**AN ORDINANCE OF THE TOWNSHIP OF PITTSTON, LUZERNE
COUNTY, PENNSYLVANIA, REGULATING THE ISSUANCE OF
HANDICAPPED PARKING SPACES AND SIGNS, PROVIDING FOR
APPLICATION REVIEW AND PROCEDURES FOR ISSUANCE OF
HANDICAPPED PARKING SPACES AND SIGNS**

WHEREAS, the Supervisors of the Township of Pittston seek to assist its disabled residents by providing appropriate public access to their residences, when possible and necessary from Township streets and rights-of-way;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Pittston as follows:

Section 1. Short Title

This Ordinance shall be known as the "Pittston Township Handicapped Parking Ordinance"

Section 2. Definitions

As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Handicapped Person: A person who shall qualify for the issuance of a handicapped motor vehicle registration plate or placard by the Commonwealth of Pennsylvania in accordance with the provision of Section 1338 of the Motor Vehicle Code, as amended.

Handicapped Parking Sign: A sign issued by the Township of Pittston reserving parking for one (1) vehicle space and sign erected at a designated and agreed upon area for access for a handicapped person.

Issuing Authority: The Supervisors of the Township of Pittston.

Motor Vehicle: A motor vehicle owned by the handicapped person or a family member residing with or at the residence of the handicapped person within the Township and for which a handicapped motor vehicle registration plate or placard has been issued by the Pennsylvania Department of Transportation, Bureau of Motor Vehicles.

Parking Space: Such space as the Township may determine, from time to time, is reasonably required for the parking of a vehicle permitted by this Ordinance, in order to accomplish the objective thereof, and which shall be nonexclusive, as hereinafter ordained.

Owner: Actual owner or legal tenant of the property wherein a sign will be erected.

Section 3. Permit Application; Procedure; Issuance; General Provisions

- A. A handicapped person, as herein defined, may apply in writing to the Township Police Department for the issuance of a handicapped parking permit, in accordance with the provisions of this Ordinance, for which the applicant shall pay to the Township an application fee of \$0.00.
- B. Applications are to be completed in their entirety. An incomplete application form will be denied.
- C. Applications shall be reviewed by the Pittston Township Police Chief, who will make a recommendation to the Township Supervisors regarding the granting or denying of a handicapped parking space.
- D. No permit shall be granted to any Township resident who shall have available any off-street parking or a driveway serving the residence unless exigent circumstances exist.
- E. Only one permit shall be issued to a resident or family unit residing at a specific address, and such permit which shall be a revocable license, shall be issued only to the disabled applicant. Only the handicapped person shall be authorized to park in the designated handicapped parking space.
- F. Any permit issued pursuant to the terms and provisions of this Ordinance shall be nontransferable, subject to all present and future Vehicle Codes, Township traffic and street cleaning and snow removal regulations and ordinances of the Township.
- G. Within 30 days after the death of a person to whom a handicapped parking permit has been issued, the personal representative of the deceased shall inform the Township of the death. Upon receipt of the notification, the handicapped parking sign shall be removed by the Township at the Township's expense.
- H. Within 30 days after the relocation of a person to whom a handicapped parking permit has been issued, said person shall inform the Township of the relocation. Upon receipt of the notification, the handicapped parking sign shall be removed by the Township at the Township's expense.
- I. All applicants must be residents who reside within 100 feet of the place where he or she is requesting the handicapped parking space to be designated.
- J. Approval or denial of applications will be made within forty-five (45) days by the Township Supervisors from the date of submission.

Section 4. General Provisions and Standards

- A. *Unlawful signs.* It shall be unlawful for any person or owner of realty to erect a reserved parking sign or handicapped parking sign upon the streets of the Township without first making an application. Any person who erects or utilizes a reserved parking sign or a

handicapped parking sign who has not followed the requirements of this Ordinance is subject to penalties set forth herein.

- B. *Authority to update stipulations.* Any stipulations made at the time of application regarding the eligibility of an applicant may be updated periodically at the request of the police chief.
- C. *Not to supersede existing signs.* Reserved parking signs shall not supersede existing parking regulations, including, but not limited to, street sweeping, snow ban or snow removal regulations.
- D. *Signs to remain Township property.* Reserved parking signs will remain the property of the Township of Pittston.
- E. *Notification of authority upon change in qualifications.* The issuing authority shall be notified immediately if an eligible person no longer qualifies for a sign under this Ordinance; for example, if an eligible person enjoys an improved health condition or moves from the premises wherein the sign is located. Failure to notify the issuing authority constitutes a violation of this article.
- F. *Definition of parking area.* The reserved parking area will be defined by the placement of the reserved parking sign. Each reserved parking sign shall state the address of the applicant.

Section 5. Revocation of Permit; Removal of Sign

The Township of Pittston reserves the right to revoke any permit or remove any sign for a handicapped parking space at any time for any reason upon a majority vote at a public meeting.

Section 6. Penalties.

- A. Any person who parks in a reserved parking space who is not authorized to do so shall be subject to immediate citation and the vehicle will be subject to immediate removal.
- B. No person shall erect a reserved or handicapped parking sign upon the streets of the Township without authority under this Ordinance.
- C. Any person violating any of the provisions of this Ordinance shall, upon summary conviction thereof in a summary proceeding before a district justice of be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than three hundred dollars (\$300.00). Each and every day upon which any person violates or continues to violate the provisions of this Ordinance shall constitute a separate offense.

Section 7. Repealer

Any Ordinances, Resolutions or Laws in conflict with this Ordinance are hereby **REPEALED**.

Section 8. Severability

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, invalid, unenforceable or beyond the power of the Township of Pittston, said provision or provisions shall not be construed to affect the validity of any of the remaining portions of this Ordinance. It is hereby declared as the intent of the Supervisors of Pittston Township that this Ordinance would have been adopted had such unconstitutional, invalid or unauthorized provision or provisions not been included therein.

Section 9. Enactment

This Ordinance shall be effective immediately upon passage and shall remain in force until modified, amended or rescinded by the Supervisors of Pittston Township.

DULY ENACTED AND ORDAINED, by the Supervisors of the Township of Pittston, Luzerne County, Pennsylvania in lawful session duly assembled this 17th day of March, 2025.

Submitted by Mr. . . . Slezak

Seconded by Mr. . . . Hawk

**ROLL CALL
BOARD OF SUPERVISORS**

<i>Supervisors:</i>	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mr. David A. Slezak, Chairman	[X]	[]	[]	[]
Mr. Joseph Hawk	[X]	[]	[]	[]
Ms. Deborah Taroli	[X]	[]	[]	[]

By: David A. Slezak
DAVID A. SLEZAK
Chairman, Board of Supervisors

ATTEST:

[Signature]
KYLE ROZITSKI, SECRETARY
(SEAL)

