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ORDINANCE NO. 2024-E

AN ORDINANCE OF CONEWAGO TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 145, "VEHICLES AND TRAFFIC" OF THE CONEWAGO TOWNSHIP CODE TO PROHIBIT THE PARKING OF VEHICLES UPON TOWNSHIP ROADS OR THE PUBLIC RIGHT-OF-WAY FOR PURPOSES OF HUMAN HABITATION

WHEREAS, pursuant to 53 P.S. § 66506 of the Second Class Township Code, the Conewago Township Board of Supervisors ("Board") may make ordinances necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health and welfare of the Township and its citizens; and

WHEREAS, pursuant to 53 P.S. § 67328 of the Second Class Township Code, the Board may adopt and amend ordinances from time to time that regulate parking to promote the convenience and protection of the public; and

WHEREAS, traffic and parking regulations have been held to be a valid exercise of police powers in the Commonwealth of Pennsylvania; and

WHEREAS, the Conewago Township Code ("Conewago Code"), Chapter 145, "Vehicles and Traffic," contains all traffic and parking regulations of a permanent nature for the Township; and

WHEREAS, the Board desires to further amend Chapter 145 of the Conewago Code to further promote health, safety, and welfare in the Township by prohibiting the human habitation of vehicles parked upon Township roads or the public right-of-way.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania, as follows:

SECTION 1. Amendments. Chapter 145, "Vehicles and Traffic," Article III, "Parking Regulations," is hereby amended to add the following new Section 145-16.1, entitled, "Parking for certain purposed prohibited," to read as follows:

"No vehicle shall be parked upon any Township road or public right-of-way for any of the following purposes:

A. Human habitation. "Habitation" for purposes of this section shall be defined to include use as sleeping accommodations, rest facilities, or any other use, either temporary or permanent, which can be similarly construed as the state or process of living in a particular place. This definition is understood to be inclusive rather than exclusive and shall be given the broadest construction necessary to protect the health and welfare of the citizens of the Township."

SECTION 2. Repealer. All ordinances or parts thereof inconsistent with the provisions of this Ordinance, including the previously adopted Chapter 145, "Vehicles and Traffic," are hereby repealed.

SECTION 3. Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall be effective immediately following its legal enactment.

DULY ENACTED AND ORDAINED this 21st day of October, 2024, by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania.

ATTEST:

Tamara Bittle, Secretary

CONEWAGO TOWNSHIP

By: Charlotte Shaffer, Chair