

**BOROUGH OF CLARKS SUMMIT**  
**LACKAWANNA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2014-03**

AN ORDINANCE ADOPTING TITLE 75 Pa. C.S.A. §6309 ET SEQ. PERTAINING TO IMPOUNDMENT FOR NONPAYMENT OF FINES FOR VECHICLES OR COMBINATIONS WITH A GROSS WEIGHT RATING OF 17,001 POUNDS OR MORE; AND 75 Pa.C.S.A. §6309.1 ET SEQ.PERTAINING TO IMPOUNDMENT FOR NONPAYMENT OF FINES FOR VECHICLES OR COMBINATIONS WITH A GROSS WEIGHT RATING OF 17,000 POUNDS OR LESS; AND Title 75 Pa.C.S.A § 6309.2. IMMOBLIZATION, TOWING AND STORAGE OF VECHICLE FOR DRIVING WITHOUT OPERATING PRIVILEDGES OR REGISTRATION ; AND FURTHER DESIGNATING APPROPRIATE TOWING AND STORAGE AGENT(S) FOR VECHICLES OR COMBINATIONS SUBJECT TO THE ABOVE WITHIN THE BOROUGH OF CLARKS SUMMIT, LACKAWANNA COUNTY, PENNSYLVANIA.

NOW THEREFORE, be it Ordained by the Borough of CLARKS SUMMIT, Lackawanna County, Pennsylvania, and hereby ordained by and with the authority of same, as follows:

**ARTICLE I. GENERAL SCOPE**

Section 1.01 Promoting public- safety, by adopting and electing to be subject to the provisions in Title 75 Pa.C.S.A.§6309, §6309.1 and § 6309.2 et seq. to be applied all vehicles or combinations thereof, subject to the terms thereof, within the Borough of CLARKS SUMMIT.

**ARTICLE II. TITLE 75 Pa.C.S.A §6309**

Section 2.01. The Borough hereby adopts and elects to be subject to the provisions of the provisions of Title 75 Pa.C.S.A.§ 6309 et. seq., as may be amended, and incorporated herein by reference, for enforcement within the Borough of CLARKS SUMMIT,

**ARTICLE III. TITLE 75 Pa.C.S.A §6309.1**

Section 3.01. The Borough hereby adopts and elects to be subject to the provisions of the provisions of Title 75 Pa.C.S.A.§ 6309.1 et. seq., as may be amended, and incorporated herein by reference, for enforcement within the Borough of CLARKS SUMMIT.

**ARTICLE IV. TITLE 75 Pa.C.S.A §6309.2**

Section 4.01. The Borough hereby adopts and elects to be subject to the provisions of the provisions of Title 75 Pa.C.S.A. § 6309.2 et. seq., as may be amended, and incorporated herein by reference, for enforcement within the Borough of CLARKS SUMMIT.

#### **ARTICLE V. DESIGNATION OF APPROPRIATE TOWING AND STORAGE AGENTS.**

Section 5.01 The Borough designates the following as appropriate towing and storage agent(s) under TITLE 75 Pa.C.S.A. .§6309, §6309.1 and § 6309.2:

- a. Johnson Towing 1024 Scranton Carbondale Highway, Scranton, Pa,
- b. Red Line Towing 347 Main Ave, Dickson City, Pa; and
- c. Plummer and Plummer Towing, La Plume, Pa.

#### **ARTICLE VI. ENFORCEMENT**

Section 6.01. In addition to all those persons who may be by law authorized to enforce prosecution of this ordinance or Title 75.Pa.C.S.A.§6309, §6309.1 and § 6309.2, it is specifically designated by way of explanation and not limitation that any police officer of the Borough of CLARKS SUMMIT, together with any other police officers under any Interjurisdictional Agreement(s) with the Borough of CLARKS SUMMIT, may enforce the terms hereof.

#### **ARTICLE VII SEVERABILITY, REPEAL and ENACTMENT**

Section 7.01. Severability. If any sentence, clause, section, or part of this Ordinance is, for any reason, determined to be invalid, illegal or unconstitutional, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included in this Ordinance.

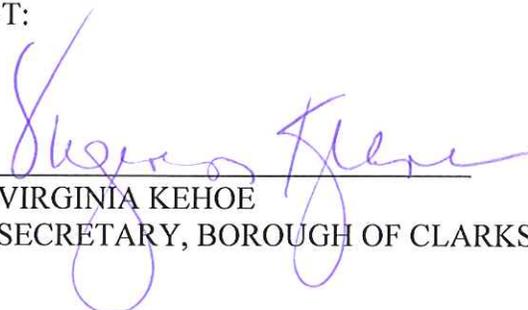
Section 7.02. Repeal of Prior Ordinances. Any prior Ordinances or parts thereof inconsistent with the terms of this Ordinance are hereby repealed. Nothing herein is intended to effect any prosecution already initiated under any prior ordinance nor is it intended to affect prosecution under Title 75 of the Pennsylvania Consolidated Statutes, as may be amended.

Section 7.03. Enactment. This Ordinance shall be effective upon enactment or as otherwise permitted by law.

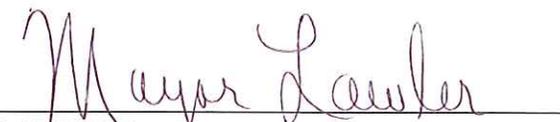
ORDAINED AND ENACTED INTO LAW by the Borough Council of CLARKS SUMMIT in lawful session assembled, this 6th day of August, 2014.

**BOROUGH OF CLARKS SUMMIT**

BY:   
GERMAINE CAREY  
PRESIDENT, BOROUGH COUNCIL

ATTEST:  
  
VIRGINIA KEHOE  
SECRETARY, BOROUGH OF CLARKS SUMMIT

**APPROVED** this 6th day of August, 2014.

BY:   
PATTY LAWLER  
MAYOR, BOROUGH OF CLARKS SUMMIT

