



**BOROUGH OF
WEST CONSHOHOCKEN**
MONTGOMERY COUNTY, PENNSYLVANIA

WEST CONSHOHOCKEN BOROUGH HALL
112 FORD STREET, WEST CONSHOHOCKEN, PENNSYLVANIA 19428
www.westconsho.com

**PLANNING COMMISSION COMMITTEE MEETING
PUBLIC MEETING
September 5, 2024 at 7:00 P.M.**

PUBLIC AMENDED AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment on the Agenda
5. Approval of Minutes
6. Old Business
 - a. MacKenzie Park Updates
7. New Business
 - a. 218 Brittmuir Ave Subdivision
 - b. Repair of Motor Vehicles on Public Streets and Sidewalk Ordinance
8. Public Comment
9. Adjourn

DRAFT

ORDINANCE NO. 2024-_____
BOROUGH OF WEST CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CONSHOHOCKEN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CONSHOHOCKEN TO ADD A NEW CHAPTER ENTITLED “REPAIR OF MOTOR VEHICLES ON PUBLIC STREETS AND SIDEWALKS” WHICH ADDS DEFINITIONS; PROHIBITS THE REPAIR OF MOTOR VEHICLES ON PUBLIC STREETS AND SIDEWALKS; PROVIDES FOR EXCEPTIONS IN EMERGENCY SITUATIONS; ESTABLISHES PENALTIES FOR VIOLATIONS; AND PROVIDES FOR ENFORCEMENT

WHEREAS, the Pennsylvania Borough Code authorizes Borough Council of the Borough of West Conshohocken (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough of West Conshohocken (“Borough”) and the maintenance of peace, good government, health and welfare of and its citizens;

WHEREAS, the Borough Council desires to regulate and prohibit the repair and maintenance of motor vehicles on public streets and sidewalks of the Borough to better maintain the peace, good government, health, safety and welfare of the Borough and its citizens;

WHEREAS, the Borough Council has met the procedural requirements of the Pennsylvania Borough Code for the adoption of the proposed Ordinance, including advertising and holding a public hearing; and

WHEREAS, the Borough Council, after due consideration of the proposed Ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of the Borough will be served by this amendment of the Code of the Borough of West Conshohocken as set forth below.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, as follows:

§I. CODE AMENDMENT. The Code of the Borough of West Conshohocken is hereby amended as follows:

A. A new Chapter 85 entitled “Repair of Motor Vehicles on Public Streets and Sidewalks” is hereby added to Part II, General Legislation, of the Code of the Borough of West Conshohocken to read as follows:

CHAPTER 85 REPAIR OF MOTOR VEHICLES ON PUBLIC STREETS AND SIDEWALKS**§ 85-1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH

The Borough of West Conshohocken.

MOTOR VEHICLE

Any vehicle which is self-propelled except an electric personal assistive mobility device or a vehicle which is propelled solely by human power.

PERSON

Any individual, partnership, limited liability partnership, firm, company, limited liability company, corporation, association, or any other legal entity and with respect to each, its agents, servants and employees.

PUBLIC SIDEWALK

All of the constructed public walkways within the Borough.

PUBLIC STREET

All of the roads, streets and alleys within the legal rights-of-way of the Borough.

§ 85-2 Motor vehicle repairs prohibited.

It shall be unlawful for any person to service, repair, mend, fix, alter, modify, or dismantle any motor vehicle or part thereof, including, but not limited to, removal or repair of transmissions; removal or repair of motors or motor accessories; removal or repair of rear ends; repair of front ends; changing of crankcase oil, transmission oil and lubrication of chassis; brake replacement; engine tune-ups; or major body repairs, on any public street or sidewalk of the Borough.

§ 85-3 Emergency situations.

A person may service, repair, mend, fix, alter, modify, or dismantle a temporarily disabled motor vehicle on a public street or sidewalk, limited to changing or repairing tires; adding water, gasoline, or oil; replacing a battery; or using battery jumper cables, provided, such emergency road service shall be completed within three (3) hours; the motor vehicle being serviced shall not block or obstruct any public street or sidewalk; the service shall not be performed at any location on a regular basis or as a business; and such service, parking, standing, stopping, or operation of the motor vehicle shall not be in violation of any other Ordinance of the Borough or the Vehicle Code of the Commonwealth of Pennsylvania.

§ 85-4 Penalties.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

§ 85-5 Enforcement.

This chapter shall be enforced by the Borough of West Conshohocken Police Department.

§II. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

§III. REVISIONS. The Borough Council of the Borough of West Conshohocken does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.

§IV. SEVERABILITY. If any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

§V. EFFECTIVE DATE. This amendment shall take effect immediately upon its enactment.

§VI. FAILURE TO ENFORCE NOT A WAIVER. The failure of the Borough of West Conshohocken to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

ATTEST: **BOROUGH OF WEST CONSHOHOCKEN:**

By: _____
Michael English, Manager

By: _____
Stephen Blumenthal, Council President

Approved by the Mayor of the Borough of West Conshohocken, this _____ day of _____, 2024.

By: _____
Danelle Fournier, Mayor