



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 110828

Introduced November 17, 2011

Councilmember Kenney

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Chapter 12-2900 of The Philadelphia Code, entitled "Contractor Parking," by renaming said Chapter "Special Purpose Parking"; and by providing for parking permits for specified purposes in addition to contractor parking, including, but not limited to, home health care and real estate agent services; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-2900 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-2900. [CONTRACTOR PARKING] *SPECIAL PURPOSE PARKING*

§ 12-2901. Definitions.

(1) Authority. The Philadelphia Parking Authority.

[(2) Contractor vehicle. A vehicle bearing commercial license plates, registered to or leased by (as defined in § 12-2901(2)(a)) a contractor to whom all trade, occupation and business privilege licenses have been issued by the City of Philadelphia.

(a) "Leased Vehicle" means a vehicle owned by a leasing business which is being provided to a contractor through a leasing contract. A vehicle leased from an individual to a contractor is not a leased vehicle for purposes of this Chapter.]

[(3)] (2) [Contractor Parking Permit.] *Special Purpose Parking Permit*. [A permit] *Any of the following permits, each of which is to be placed in the window of a*

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vehicle indicating that the vehicle is being used to perform [a contractor] *the specified type of service*, with space provided to indicate where the work is being performed:

- (a) *Contractor Parking Permit.*
- (b) *Home Health Care Parking Permit.*
- (c) *Real Estate Agent Parking Permit.*

Each permit shall also state the license plate number of the vehicle for which the permit has been issued.

§ 12-2902. [Contractor Parking Permit] *General Provisions.*

(1) When a vehicle displaying a current and valid [contractor parking permit] *Special Purpose Parking Permit* is being used for [contractor] *the service for which the permit has been issued*, the driver may park [without limitation as to time and without payment of any parking meter fees on streets where parking is limited as to time but not prohibited, and may park in a loading zone for specified periods of time] *as specified herein and in the provisions of Sections 12-2903, 12-2904, or 12-2905.* [The Authority may limit the locations where Contractor Parking Permits will be honored.]

(2) Each [Contractor] *Special Purpose* Parking Permit shall be issued or renewed for one particular vehicle, shall be valid for six (6) months, and may not be transferred.

(3) [Contractor] *Special Purpose* Parking Permits shall be issued and renewed by the Authority. A person requesting issuance or renewal of a [Contractor] *Special Purpose* Parking Permit shall make written application to the Authority upon forms supplied by the Authority. The Authority shall approve the application if it determines that the [Contractor] *Special Purpose* Parking Permit is being requested for a [contractor] vehicle which is used [for contractor service] *to provide the service for which the permit is issued*, and if it finds that there are not three (3) or more unpaid parking violation fines imposed for the vehicle, or any unpaid taxes or fees due the City of Philadelphia, unless the applicant has entered into a payment agreement with the Authority and/or the City for such unpaid fines, taxes or fees. Upon approval of the application and payment of a fee of one hundred (\$100) dollars, the Authority shall issue or renew the [Contractor] *Special Purpose* Parking Permit.

(4) Replacement permits may be issued, upon surrender of the old permit, when a vehicle is taken out of service and replaced with a new vehicle, for the remainder of the life of the permit, at no additional charge.

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[(5) Contractor Parking Permits may be issued to municipal and monopoly utilities at no charge.]

§ 12-2903. Provisions Applicable Only to the Contractor Parking Permit.

(1) *Definitions.*

(a) *Contractor vehicle.* A vehicle bearing commercial license plates, registered to or leased by (as defined in § 12-2903(1)(a)(.1)) a contractor to whom all trade, occupation and business privilege licenses have been issued by the City of Philadelphia.

(.1) *"Leased Vehicle"* means a vehicle owned by a leasing business which is being provided to a contractor through a leasing contract. A vehicle leased from an individual to a contractor is not a leased vehicle for purposes of this Chapter.

(2) *When a vehicle displaying a current and valid Contractor Parking Permit is being used for contractor service, the driver may park without limitation as to time and without payment of any parking meter fees on streets where parking is limited as to time but not prohibited, and may park in a loading zone for specified periods of time. The Authority may limit the locations where Contractor Parking Permits will be honored.*

(3) *Contractor Parking Permits may be issued to municipal and monopoly utilities at no charge.*

§ 12-2904. Provisions Applicable Only to the Home Health Care Parking Permit.

(1) *Definitions.*

(a) *Home Health Care Professional.* Any of the following licensed professionals when rendering predominantly medically-related services to a patient or patients in a home setting: nurses or nurses' aides, social workers, physicians or physicians' assistants, therapists, hospice workers, and such other providers of medically-related services as the Department may from time to time provide by regulation.

(b) *Home Health Care Vehicle.* A vehicle registered to a Home Health Care Professional or to an agency engaged in the business of providing home health care services.

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(2) *When a home health care vehicle displaying a current and valid Home Health Care Parking Permit is being used to enable a home health care professional to render home health care, the driver may park without limitation as to time and without payment of any parking meter fees on streets where parking is limited as to time but not prohibited, and may park in a loading zone for specified periods of time. The Authority may limit the locations where Home Health Care Parking Permits will be honored.*

§ 12-2905. *Provisions Applicable Only to the Real Estate Agent Parking Permit.*

(1) *Definitions.*

(a) *Real Estate Agent. A person with a valid real estate license who acts as an agent or broker for the sale or purchase of real property.*

(b) *Real Estate Agent Vehicle. A vehicle registered to a real estate agent or to a real estate company.*

(2) *When a vehicle displaying a current and valid Real Estate Agent Parking Permit is being used to enable a real estate agent to drive to a property being considered for sale or purchase, the driver may, between the hours of 10:00 A.M. and 8:00 P.M., park for a maximum of three consecutive hours without payment of any parking meter fees on streets where parking is limited as to time but not prohibited, and may park in a loading zone for specified periods of time. The Authority may limit the locations where Real Estate Agent Parking Permits will be honored.*

§ [12-2903] 12-2906. *Rules and Regulations.*

(1) The Authority shall promulgate rules and regulations to implement the provisions of this Chapter.

§ [12-2904] 12-2907. *Prohibited Conduct.*

(1) No person shall display a [Contractor] *Special Purpose* Parking Permit in a vehicle to invoke or attempt to invoke the parking privileges of this Chapter except in the vehicle for which a current and valid [Contractor] *Special Purpose* Parking Permit has been issued, and only when the vehicle is being used [for contractor services] *to provide the services covered by the permit.*

(2) No person shall make use of the [Contractor] *Special Purpose* Parking Permit to avoid or attempt to avoid liability for any parking violation, except when the person is performing [contractor] *services covered by the permit.*

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§ [12-2904.1] *12-2908*. Display of Invalid Permit.

No vehicle shall display any ticket, tag, handbill, or other writing simulating or in imitation of a [Contractor] *Special Purpose* Parking Permit.

§ [12-2905] *12-2909*. Penalties, Revocation of [Contractor] *Special Purpose* Parking Permit.

(1) Any person violating the provisions of § [12-2904] *12-2907* shall pay a fine of one hundred (100) dollars for each violation, together with costs of prosecution, or, in default thereof, shall be subject to imprisonment for a period not exceeding ten (10) days.

(2) Any person violating [§ 12-2904 or § 12-2904.1] § *12-2907* or § *12-2908* shall, in addition to the penalties set forth in subsection [12-2905(1)] *12-2909(1)*, have his or her [Contractor] *Special Purpose* Parking Permit revoked and such person may not reapply for a [Contractor] *Special Purpose* Parking Permit for a period of six (6) months thereafter, and be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.

§ 12-2910. On or before April 1, 2013, the Authority shall submit to the President and Chief Clerk of Council, with a copy to the Mayor, a report summarizing its experience with the provisions of this Chapter concerning the Home Health Care and Real Estate Agent Parking Permits, and recommending any changes to this Chapter that it considers necessary.

SECTION 2. Effective Date; Sunset. The provisions of this Ordinance shall take effect June 1, 2012, and shall expire on May 31, 2013, at which time the provisions of Chapter 12-2900 shall revert in their entirety to those in effect immediately prior to the enactment of this Ordinance.

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