



City of Philadelphia

Philadelphia, PA 19107

BILL NO. 050068

Introduced February 3, 2005

Councilmember DiCicco

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

AN ORDINANCE

Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," by enacting a new Chapter 12-700, entitled "Prohibition Against Motor Vehicle Cruising," to prohibit motor vehicle cruising in an area bounded by Lombard Street on the north, Front Street on the east, Bainbridge Street on the south, and Eleventh Street on the west and in an area bounded by Chestnut Street on the north, Twelfth Street on the east, Spruce Street on the south and Thirteenth Street on the west; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 12. TRAFFIC CODE.

* * *

CHAPTER 12-700. PROHIBITION AGAINST MOTOR VEHICLE CRUISING.

§12-701. Definitions.

For the purpose of this Chapter, the following definitions shall apply:

(a) "The person having control and/or ownership of a motor vehicle" means either: the owner of the vehicle as stated on the vehicle registration, if present in the vehicle at any time the vehicle passes a traffic control point, regardless of whether such owner was driving the vehicle; or, if the owner is not present in the vehicle, the person operating the vehicle at any time when the vehicle passes a traffic control point.

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(b) "Cruising" means driving or riding in a motor vehicle on a street, past a traffic control point as established by the Police Department, more than twice in any two hour period, between the hours of 7:00 p.m. and 3:30 a.m.

(c) "Designated area" means one of the following areas:

(1) the area bounded by, and including, Lombard Street on the north, Front Street on the east, Bainbridge Street on the south, and Eleventh Street on the west.

(2) the area bounded by, and including, Chestnut Street on the north, Twelfth Street on the east, Spruce Street on the south and Thirteenth Street on the west.

(d) "Traffic control point" means a clearly identified reference point on a street in a designated area.

§12-702. Cruising Prohibited.

No person shall engage in cruising in a designated area. For purposes of this Chapter, the person having control and/or ownership of a motor vehicle shall be considered the person cruising.

§12-703. Exclusions.

The prohibition on cruising set forth in Section 12-702 shall not apply to:

(a) any municipal, emergency, police, fire, ambulance or other governmental vehicle when operated in an official capacity;

(b) any duly licensed public transportation vehicle;

(c) any vehicle normally utilized for business and/or commercial purposes when operated for such business or commercial use;

(d) any vehicle being operated as part of a bona fide neighborhood town watch patrol;

(e) for the designated area defined in Section 12-701(c)(1), any vehicle bearing a valid residential parking permit for Districts 4, 7 or 22.

(f) for the designated area defined in Section 12-701(c)(2), any vehicle bearing a valid residential parking permit for District 4.

§12-704. Street Markings.

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The streets located within a designated area shall be clearly marked with permanent fixed signs advising the public that the designated area is subject to regulation under the Philadelphia Anti-Cruising Ordinance, sufficient to satisfy the requirements of Section 6109(c) of the Pennsylvania Vehicle Code.

§12-705. Warning Notices.

Any person who violates Section 12-702 shall be issued a written warning notice. The warning notice shall state that each successive trip past a traffic control point in violation of this Chapter, after receipt of this warning, shall constitute a separate violation of this Chapter, and no additional notice shall be required prior to issuance of any citation.

§12-706. Penalty.

Any person who violates the provisions of this Chapter shall be subject to the following penalties:

- (a) For the first offense, a fine of one hundred (\$100) dollars;*
- (b) For a second offense occurring within one year of a prior violation of this Chapter, a fine of two hundred (\$200) dollars;*
- (c) For a third or any subsequent offense occurring within one year of two or more prior violations, a fine of three hundred (\$300) dollars.*

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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