



City of Philadelphia

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

BILL NO. 040920

Introduced October 21, 2004

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 of The Philadelphia Code, 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; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. A new Chapter 12-700 of The Philadelphia Code entitled "Prohibition Against Motor Vehicle Cruising", is hereby enacted, to read as follows:

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 the time of the violation, or if the owner is not present in the vehicle, the person operating the vehicle at the time of the violation of this Chapter.*

(b) *"Cruising" means driving 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 the area bounded by Lombard Street on the north, Front Street on the east, Bainbridge Street on the south, and Eleventh Street on the west.*

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(d) "Traffic control point" means a clearly identified reference point on a street in a designated area, as determined and marked by the Police Department.

§12-702. Cruising Prohibited.

No person shall engage in cruising on any street located 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, without regard as to whether that person was actually driving the motor vehicle each time it passed the traffic control point.

§12-703. Exclusions.

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

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

(b) any duly licensed public transportation vehicle;

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

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

(e) any vehicle bearing a valid residential parking permit for Districts 4, 7 or 22.

§12-704. Street Markings.

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. Such signs shall set forth a brief explanation of the ordinance, as well as a summary of the applicable penalties for violations thereof.

§12-705. Warning Notices.

Any person who, while having control and/or ownership of a motor vehicle, drives in a designated area past any traffic control point, for a third time within any two hour period, 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.

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Any person who violates the provisions of this Chapter shall be guilty of a summary offense and upon conviction thereof, shall be punished as follows:

- (a) For the first offense by a fine of one hundred (\$100) dollars;*
- (b) For a second offense occurring within one year of a prior violation of this Chapter which resulted in conviction, by 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 which resulted in convictions, by a fine of three hundred (\$300) dollars.*

SECTION 2. Effective Date. This Ordinance shall take effect immediately.

Explanation:

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

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