

Legislation Text

File #: 140441, Version: 1

Amending Chapter 12-2800 of The Philadelphia Code, entitled "Administrative Adjudication of Parking Violations," by providing further regarding procedures for appealing adjudications of parking violations and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-2800 is hereby amended to read as follows:

CHAPTER 12-2800. ADMINISTRATIVE ADJUDICATION  
OF PARKING VIOLATIONS.

\* \* \*

§ 12-2808. Administrative Review.

\* \* \*

(3) A party aggrieved by the final determination of a Parking Hearing Examiner may obtain a review thereof by serving upon the Parking Authority, within thirty (30) days of the entry of such final determination, a notice of appeal on a form provided by the Parking Authority, setting forth the reasons why the final determination should be reversed or modified. Service of the notice of appeal upon the Parking Authority shall be made by certified or registered mail, return receipt [requested.] *requested; by first-class United States mail; by commercial delivery service; or in person. Appellant bears the burden of proving he or she timely appealed and cannot blame delivery service, unless using a method that provides proof of delivery.* Upon receipt of such notice of appeal, the Finance Director's Office shall furnish to the appellant [upon request] *written acknowledgement of the date the appeal was filed [and] and, upon request and* at the appellant's expense, a [record or transcript]*copy of the audio recording* of the original [contested violation certified] *hearing* by the Bureau of Administrative Adjudication. No appeal shall be conducted less than ten (10) days after the mailing of the [record or transcript] *audio recording* to the appellant.

*For purposes of calculating the time period for filing a notice of appeal, pursuant to this subsection, the 30 day period shall be computed so as to exclude the first and include the last day of such period. Whenever the 30th day shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of this Commonwealth or of the United States, such day shall be omitted from the computation.*

\* \* \*

SECTION 2. This Ordinance shall take effect in ninety (90) days.

**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.