

Legislation Details (With Text)

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Title:	Amending Chapter 12-2700 of The Philadelphia Code, entitled "Permit Parking Districts," by creating a new Section providing for the establishment of Special Permit Parking Districts in certain areas of the City where there is insufficient on-street parking and where special parking regulations are needed, adding definitions and making technical changes, all under certain terms and conditions.				
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10/7/2010	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Chapter 12-2700 of The Philadelphia Code, entitled "Permit Parking Districts," by creating a new Section providing for the establishment of Special Permit Parking Districts in certain areas of the City where there is insufficient on-street parking and where special parking regulations are needed, adding definitions and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-2700 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-2700. PERMIT PARKING DISTRICTS.

* * *

§ 12-2702. Definitions.

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

[(a) Permit parking district means a contiguous or nearly contiguous area where curbside parking on public highways is limited to not less than one (1) hour between 6:00 A.M. and midnight from Monday through Saturday, or every day, except on legal holidays, unless a vehicle properly displays a parking permit authorized by this Chapter and is parked on a block posted pursuant to Section 12-2704 of this Chapter; provided, that when actual commerce and/or institutional use of property on the ground floor level of any block of a street exceeds fifty-percent, that block shall be excluded from the provisions of this Chapter.

(b) Parking permit means either a resident parking permit or a temporary parking permit authorized by this Chapter.

(c) Vehicle means an automobile, motorcycle, or van or passenger utility vehicle intended primarily for personal use and not exceeding twenty (20) feet in length.

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

(e) Company car means a car, the vehicle registration of which reflects that it is owned by a corporation. A privately owned car used by an individual for company business is not a company car for purposes of this Chapter.

(f) Temporary student resident means a person enrolled full time in a college, university, trade or business school, residing in a permit parking district for an academic term, whose vehicle is registered to his/her permanent address.]

(a) Company car. A car, the vehicle registration of which reflects that it is owned by a corporation. A privately owned car used by an individual for company business is not a company car for purposes of this Chapter.

(b) Leased vehicle. A vehicle owned by a leasing business which is being provided to an individual through a leasing contract. A vehicle leased from one individual to another individual is not a leased vehicle for purposes of this Chapter.

(c) Parking permit. Either a resident parking permit or a temporary parking permit authorized by this Chapter.

(d) Permit parking district. A contiguous or nearly contiguous area where curbside parking on public highways is limited to not less than one (1) hour between 6:00 A.M. and midnight from Monday through Saturday, or every day, except on legal holidays, unless a vehicle properly displays a parking permit authorized by this Chapter and is parked on a block posted pursuant to Section 12-2704 of this Chapter; provided, that when actual commerce or institutional use of property on the ground floor level of any block of a street exceeds fifty-percent, that block shall be excluded from the provisions of this Chapter.

(e) Senior citizen resident. A person sixty-five (65) years of age or older who resides within a permit parking district.

(f) Special permit parking district. A contiguous or nearly contiguous area where curbside parking on public highways is limited to not less than one (1) hour between 6:00 P.M. and 6:00 A.M. from Monday through Saturday, or every day, except on legal holidays, unless a vehicle properly displays a parking permit authorized by this Chapter and is parked on a block posted pursuant to Section 12-2713(5) of this Chapter; provided, that when actual commerce and/or institutional use of property on the ground floor level of any block of a street exceeds fifty-percent, that block shall be excluded from the provisions of this Chapter.

(g) Temporary student resident. A person enrolled full time in a college, university, trade or business school, residing in a permit parking district for an academic term, whose vehicle is registered to his or her

permanent address.

(h) Vehicle. An automobile, motorcycle, or van or passenger utility vehicle intended primarily for personal use and not exceeding twenty (20) feet in length.

* * *

§ 12-2713. *Special Permit Parking District.*

(1) Legislative Findings. The Council of the City of Philadelphia hereby finds:

(a) There are certain residential neighborhoods within the City where a large number of student rentals significantly increase the density of these neighborhoods;

(b) In a number of cases, as many as three students, all of whom may own vehicles, occupy a single dwelling unit;

(c) Most of the residential properties in these neighborhoods have no off-street parking, and the residents therefore rely solely on limited on-street parking;

(d) The limited on-street parking is inadequate for the large number of vehicles owned by permanent residents and temporary student residents of these areas, resulting in very serious parking problems for all residents;

(e) This parking problem sometimes is exacerbated by nearby commercial corridors with no on-site parking and limited on-street parking;

(f) Existing law on permit parking districts does not adequately address the specific needs of these areas;

(g) Therefore, special permit parking district controls are required to address those needs.

(2) District Boundaries. The following area shall be designated as a Special Permit Parking District:

The area bounded by Manayunk Avenue (north side only), West Salaignac Street, Ridge Avenue (west side only), Vassar Street (both sides), Cresson Street (both sides) and Shurs Lane (east side only).

(3) Requirements of the District.

Notwithstanding any provisions of this Chapter, to the contrary, the provisions of this Section shall apply to any area designated by Council as a special permit parking district.

(4) Designation of Special Permit Parking District.

The Council may designate an area as a special permit parking district, by ordinance, when Council determines that the proposed special permit parking district satisfies the requirements set forth in Section 12-2703(1) and further determines that such proposed district has a high density residential population with a large number of rentals to students.

(5) Posting of Signs.

(a) Upon designation by Council of a special permit parking district, the Department of Streets shall erect signs on all blocks of streets within such district which shall be such as to inform an ordinarily observant person of the restrictions, provided that at least one resident of each of at least fifty-one percent (51%) of the dwelling units located within the district have completed a formal petition requesting that such signs be posted on all blocks of streets within the district subject to the provisions of subsection (5)(c) of this Section.

(b) Residents of a special permit parking district may elect to remove the designation and the signs if at least one resident of each of at least fifty-one percent (51%) of the dwelling units located within the district has completed a formal petition for such removal.

(c) When a block has no residents, and commercial and/or institutional use of the property on the block does not exceed fifty percent (50%), the Department of Streets, or its designee, can make a determination whether or not to post the block based on a consideration of parking needs in the area.

(6) Issuance of Resident Parking Permits.

(a) Subject to the provisions of subsections (6)(b) through (6)(k) of this Section, the Department of Licenses and Inspections shall issue to an applicant, who has submitted a permit fee of thirty-five dollars (\$35.00) and completed permit application, one (1) resident parking permit for the vehicle described in the application with the following exceptions:

(.1) Senior citizen applicants shall not be required to pay the permit fee; and

(.2) Any applicant applying for a permit for a vehicle registered to an address, other than the address for which the permit is sought, shall pay a permit fee of fifty dollars (\$50.00) for the first vehicle, seventy-five dollars (\$75.00) for the second vehicle, and one hundred dollars (\$100.00) for the third vehicle.

(b) Except as provided in subsection (6)(e) of this Section, no resident parking permit shall be issued for a vehicle when its owner and principal operator does not reside within the special permit parking district for which the resident parking permit is sought.

(c) Except as provided in subsection (6)(e) of this Section, no resident parking permit shall be issued for a vehicle when the applicant is not the owner and principal operator of that vehicle.

(d) Except as provided in subsections (6)(e) and (6)(f) of this Section, a resident parking permit shall not be issued for a vehicle which does not display valid Pennsylvania license plates or is not registered to the home address of the applicant.

(e) The provisions of subsections (6)(b), (6)(c) and (6)(d) of this Section may be waived when an applicant establishes to the satisfaction of the Department of Licenses and Inspections that: (i) he or she is a resident of a dwelling unit for which a parking permit is sought; (ii) he or she is the principal operator of the motor vehicle for which a permit is sought; and (iii) the vehicle is either a leased vehicle or a company car supplied to the applicant by his or her employer for general use.

(f) The provisions of subsection (6)(d) may be waived when the applicant establishes to the satisfaction of the Department of Licenses and Inspections that he or she is a temporary student resident of a dwelling unit for which a parking permit is sought, by producing a signed lease and proof of current enrollment

at a school, college or university.

(g) For any dwelling unit having a lawful parking space on the premises, whether in a garage or otherwise, no more than one parking permit shall be issued.

(h) No more than three parking permits shall be issued for any single dwelling unit.

(i) Residents of apartment or condominium buildings containing more than three dwelling units shall not be eligible for parking permits within the Special Permit Parking District.

(j) Parking permits shall not be issued to any commercial or industrial establishment for use by employees or patrons of such establishment.

(k) Notwithstanding the previous subsections, (6)(a) through (6)(j) of this Section, the Department of Licenses and Inspections shall not issue a resident parking permit to any applicant when that applicant has three (3) or more unpaid parking violation fines, until such fines are paid or until the applicant has entered into a payment agreement satisfactory in its terms to and with the Philadelphia Parking Authority for the payment of the unpaid fines.

(7) Renewal of Resident Parking Permits.

Renewal of resident parking permits shall be in accordance with Section 12-2706, provided that senior citizen residents of a special permit parking district shall not be required to pay a renewal fee.

(8) Transfer of Resident Parking Permits.

Transfer of resident parking shall be in accordance with Section 12-2707.

(9) Issuance of Temporary Parking Permits.

Issuance of temporary parking permits shall be in accordance with Section 12-2708.

(10) Use of Resident Parking Permits and Temporary Parking Permits.

Use of Resident Parking Permits and Temporary Parking Permits shall be in accordance with Section 12-2709.

(11) Exemption for the Physically Disabled.

The provisions of this Chapter shall in no way supersede the provisions of § 12-1117 of this Title, relating to parking by physically disabled persons.

(12) Rules and Regulations.

Rules and regulations shall be promulgated in accordance with Section 12-2711.

(13) Penalty.

Any person violating any provision of this Chapter shall be subject the penalties set forth in Section 12-

2712.

SECTION 2. This Ordinance shall become effective in 30 days.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.