

## Legislation Details (With Text)

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<b>Title:</b>	Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," to revise various provisions related to the on-street parking system, all under certain terms and conditions.				
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6/5/2019	1	Committee on Streets and Services			
5/23/2019	1	CITY COUNCIL			

Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," to revise various provisions related to the on-street parking system, 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 12-100 GENERAL PROVISIONS

\* \* \*

§12-102. Definitions.

In this Title the following definitions apply:

\* \* \*

(13) Parking Meter. Any device, [or] mechanism *or internet-based application used to collect payment in exchange for on street vehicle parking. A parking meter must provide instructions indicating applicable fees and* [having visible indicators mounted on top of a post, no higher than four and one-half feet over all, which when installed near the curb, adjacent to a parking, space, shall indicate by proper legend the legal] parking time *limitations* established by the City.

\* \* \*

## CHAPTER 12-900 PARKING REGULATIONS AND PENALTIES

\* \* \*

### § 12-904. Loading and Unloading.

\* \* \*

[(1) Where a sign prohibits parking the operator of a passenger vehicle may nevertheless stop on the right side of any two-way street, or either side of any one-way street, for the purpose of loading or unloading passengers, and further, such a sign shall not prohibit the operator of a commercial vehicle from loading or unloading.

(2) Operators of commercial vehicles shall be permitted an additional period of 20 minutes after loading or unloading to transact business incidental to such loading or unloading.]

[(3)] (1) \* \* \*

\* \* \*

### § 12-913. Prohibitions in Specified Places.

(1) Except when necessary to avoid conflict with other traffic or to protect the safety of any person or vehicle or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

\* \* \*

(c) Park a vehicle:

\* \* \*

(ii) *For more than 20 minutes* [At] at any place where official signs prohibit parking.

\* \* \*

## CHAPTER 12-1000 PARKING METER REGULATIONS AND PENALTIES

\* \* \*

§ 12-1001. Designation of Parking Meter Zones.

\* \* \*

(3) In any parking meter zone, [on no more than each odd-numbered hundred block,] as determined by the Philadelphia Parking Authority, one metered location on either side of the street [shall] *may* be reserved for the exclusive parking of motorcycles, motor-driven cycles and mopeds.

\* \* \*

§ 12-1004. *Reserved.* [Parking Within Parking Spaces.

(1) The Department shall mark parking spaces adjacent to parking meters and vehicles shall be parked within such markings. It shall be unlawful to park a vehicle across any marking which designates a parking space; provided, however, that a vehicle so large that it cannot be parked within a single parking space, may be parked in two parking spaces provided that two parking meters are put in operation.

(2) On any street listed in subsection 12-1004(3), the following shall apply:

(a) No person shall park a motorcycle within a metered parking space if there is already a motorcycle or other vehicle parked in such metered space.

(b) No person shall park a motorcycle within a metered parking space unless the motorcycle is parked parallel to and within twelve inches (12") of the curb, and within twenty-four inches (24") of the front end of such metered parking space.

(3) Designated streets.

(a) Any street within the area bounded by Front street, Lombard street, Eleventh street, and Bainbridge street, including the streets making up the boundary of such area;

(b) Any street within the area bounded by Front street, Pine street, Second street, and Lombard street, including the streets making up the boundary of such area.]

§ 12-1005. Use of Parking Meters.

(1) When a vehicle is parked in a parking meter space the operator shall immediately [deposit] *pay* the designated fee [in] *using* [the] *a* parking meter, unless there is parking meter time remaining on the meter at the parking meter space. Any vehicle can use the balance of time on the parking meter until such time expires and additional [deposits] *payments* are required. Failure to [deposit] *pay* such fee for a vehicle at a parking meter whose time has expired shall constitute a violation of this Chapter.

\* \* \*

(5) If a mobile payment system for parking meter fees is implemented, the required fee for the initial payment through the system up to the posted time limit shall be the fee designated in subsections 12-1005(2), (3) and (4). If the mobile payment system permits additional time to be added beyond the posted time limit, the required fee for the next time limit period shall be two times the fee for the initial period and three times the fee

for the initial period if a second period of additional time is purchased. In each case the additional time permitted shall be up to the posted time limit. The system shall not accept payment for additional time beyond three times the initial time limit. *An additional processing fee of forty cents (\$.40) may be charged for each transaction in which additional time is added.*

§ 12-1005.1. Parking Meter Kiosk Receipt Required.

(1) When a vehicle is parked in a parking meter kiosk space *with respect to which the kiosk issues a receipt for purposes of display*, the receipt dispensed by the kiosk evidencing payment of the parking fee for that space shall be displayed in such a manner as to be clearly visible through the curb side portion of the vehicle's windshield. Failure to properly display the kiosk receipt shall be considered a failure to pay the meter fee.

(2) No vehicle shall display any ticket, tag, handbill, receipt, or other writing simulating or in imitation of a valid parking meter kiosk receipt.

\* \* \*

§ 12-1010. Penalty.

[(1) Any person violating any provisions of this Chapter, shall upon a summary conviction pay a fine of ten (10) dollars together with costs of prosecution; except that any person violating Section 12-1008 shall pay a fine of one hundred (100) dollars together with costs of prosecution.]

[(2)](1) Any person violating any of the provisions [of Sections 12-1002, 12-1004, 12-1005, 12-1005.1 and 12-1006] of this Chapter shall [, in addition to the penalties set forth in Section 12-1010(1),] 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.

\* \* \*

§ 12-1117. Physically Handicapped and Disabled or Severely Disabled Veteran Parking.

\* \* \*

(3) Reserved on-street parking for physically handicapped persons and severely-disabled veterans; reserved on-street accessible parking spaces.

\* \* \*

(f) On each side of each hundred block on which there is metered parking, one reserved accessible parking space shall be located as close as possible to an accessible curb ramp, marked by signs at both ends of the space showing the symbol of accessibility. Parking at each accessible space shall be regulated by [an electronic] *a parking* meter which has no moving parts, handles or thumb slides [, which is programmed to accept at least seven different coins or tokens, and which is painted blue]. No vehicle may park at any such space except a motor vehicle bearing a handicapped plate, a handicapped parking placard, a severely-disabled veteran's plate, or a severely-disabled veteran placard and which is being operated by or for the transportation of a physically handicapped person or a severely-disabled veteran. Drivers of such vehicles shall be entitled to park in an accessible space for a period of sixty (60) minutes in excess of the maximum time limit and without

payment of any parking meter fees during that sixty (60) minute period. Such motor vehicles shall comply with all parking prohibitions, including, but not limited to, snow emergency, street cleaning or resident parking.

\* \* \*

## CHAPTER 12-2700. PERMIT PARKING DISTRICTS

\* \* \*

### § 12-2702. Definitions.

For the purpose of this Chapter:

(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, *or, upon establishment by the Parking Authority of a system of permit recognition based on identification of the registration plate of the vehicle, a permit issued under such system*, 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 *a physical document or sticker evidencing either a resident parking permit or a temporary parking permit authorized by this Chapter or a permit obtained under a system of permit recognition based on identification of the registration plate of the vehicle.*

\* \* \*

(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.]

\* \* \*

### § 12-2705. Issuance of Resident Parking Permits.

(a) Subject to the provisions of subsections (b), (c), (d), and (e) of this Section, the [Department of Licenses and Inspections] *Philadelphia Parking Authority* shall issue one (1) resident parking permit for the vehicle described in the application to an applicant who has submitted a completed permit application and an annual permit fee of thirty-five dollars (\$35.00) for the first vehicle in a household; fifty dollars (\$50.00) for the second vehicle in a household; seventy-five dollars (\$75.00) for the third vehicle in a household; and one hundred dollars (\$100.00) for the fourth or more vehicles in a household; provided, however, that in determining the number of vehicles in a household, the Department shall not count motorcycles or motor-driven cycles; and provided, further, that the annual fee for each motorcycle or motor-driven cycle shall be thirty-five dollars (\$35.00).

\* \* \*

(e) The provisions of subsections (b), (c) and (d) of this Section may be waived when an applicant establishes to the satisfaction of the [Department of Licenses and Inspections] *Philadelphia Parking Authority*

that he or she is a resident of the permit parking district for which a permit is sought, that he or she is the principal operator of the motor vehicle for which a permit is sought, and that the vehicle is either a leased vehicle or a company car supplied to the applicant by his or her employer for general use.

(f) Notwithstanding the previous subsections (a), (b), (c), (d) and (e) of this Section 12-2705, the [Department of Licenses and Inspections] *Philadelphia Parking Authority* 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.

\* \* \*

#### § 12-2707. Transfer of Resident Parking Permits.

(a) Upon submission by the holder of a resident parking permit of a transfer fee of ten (10) dollars and a permit transfer application, the [Department of Licenses and Inspections] *Philadelphia Parking Authority* shall issue a new resident parking permit to the applicant for transfer to a qualifying vehicle.

(b) The transfer of a resident parking permit shall not affect its expiration date.

#### § 12-2708. Issuance of Temporary Parking Permits.

(a) Upon application of a resident of a permit parking district and submission of a fee of fifteen (15) dollars, the [Department of Licenses and Inspections] *Philadelphia Parking Authority* shall issue to the applicant a temporary parking permit valid for a period not exceeding fifteen (15) days for use by a bona fide guest of the applicant or by a person doing business with the applicant.

(b) Upon application of a resident of a permit parking district, submission of a fee of thirty (30) dollars and demonstration to the satisfaction of the [Department] *Parking Authority* that circumstances exist which require extended parking privileges, the [Department of Licenses and Inspections] *Parking Authority* shall issue to the applicant a temporary parking permit valid for a period not exceeding thirty (30) days for use by a bona fide guest of the applicant.

(c) Upon application of a resident of a permit parking district and submission of a fee of seven (7) dollars, the [Department of Licenses and Inspections] *Parking Authority* shall issue to the applicant a temporary parking permit valid for one calendar day for use by a bona fide guest of the applicant, *provided that* [. Such] *such* permits may be sold in multiple units for use by the resident during a calendar year. Such permits not used during the calendar year shall not be valid during the next calendar year and the fee paid for such unused permits shall not be refundable. The Department may limit the number of permits issued to a household at any single purchase, or in any period of time during the calendar year, or in total during any calendar year.

(d) The [Department of Licenses and Inspections] *Parking Authority* shall have the right to limit the number of temporary permits issued to any one (1) household at any one time and the number of times a temporary permit is issued consecutively to any one (1) vehicle.

#### § 12-2709. Use of Resident Parking Permits and Temporary Parking Permits.

(a) All resident parking permits and temporary parking permits shall be displayed in or on vehicles in the manner prescribed by *this Chapter* and the [Police Department] *Philadelphia Parking Authority*.

\* \* \*

(c) Whenever the holder of a parking permit, or the vehicle for which the permit was issued no longer fulfills one or more of the applicable provisions of this Ordinance, the holder shall surrender the parking permit in the manner prescribed by the [Department of Licenses and Inspections] *Parking Authority*.

\* \* \*

#### § 12-2711. Rules and Regulations.

(a) The Department [of Licenses and Inspections, Streets] *of Streets, the Philadelphia Parking Authority* and *the* Police shall promulgate rules and regulations relating to their respective obligations to implement and enforce the provisions of this Chapter.

(b) When promulgating rules and regulations, the Department shall make every reasonable effort to devise methods to preserve the integrity of the permit parking system.

\* \* \*

### CHAPTER 12-2900. CONTRACTOR PARKING

#### § 12-2901. Definitions.

\* \* \*

(3) *Contractor Parking Permit*. A permit to be placed in the window of a vehicle indicating that the vehicle is being used to perform a contractor service, with space provided to indicate where the work is being performed, *or, upon establishment by the Parking Authority of a system of permit recognition based on identification of the registration plate of the vehicle, a permit issued under such system.*

\* \* \*

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Explanation:

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.