

Legislation Text

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Amending Chapter 12-2400 of The Philadelphia Code, entitled “Towing and Immobilizing of Parked or Abandoned Vehicles,” and Chapter 12-2700, entitled “Permit Parking Districts”, by adding new temporary parking permit provisions, penalties, and violations; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-2400 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-2400. TOWING AND IMMOBILIZING OF PARKED OR ABANDONED VEHICLES.

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§ 12-2405. Removal or Immobilization of Parked Vehicles; Notice.

(1) Any vehicle may be removed, by means of towing to the nearest Official Towing Station or immobilized for up to seventy-two (72) hours by means of applying a boot and then towed to the nearest Official Towing Station if not reclaimed, by or under the direction of a member of the Department, or its designated agent whenever any vehicle is:

* * *

(n) parked with an invalid residential parking permit, in violation of Section 12-2709(g), or an invalid contractor parking permit, in violation of Section 12-2904.1[.];

(o) *Parked with an illegal use of a temporary parking permit in violation of Section 12-2709 (h).*

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SECTION 2. Chapter 12-2700 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-2700. PERMIT PARKING DISTRICTS.

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§ 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 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 that circumstances exist which require extended parking privileges, the Department of Licenses and Inspections 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 shall issue to the applicant a temporary parking permit valid for one calendar day for use by a bona fide guest of the applicant. 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 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.] *Upon application of a resident of a permit parking district and submission of a fee of one hundred (100) dollars, the Department of Licenses and Inspections shall issue to the applicant a temporary parking permit valid for a period of six (6) months from the date of purchase for use by a bona fide guest of the applicant. The Department shall limit the number of such permits to one (1) per household.*

(e) The Department of Licenses and Inspections 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. The provisions of this subsection shall not apply to subsection (d).

§ 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 the Police Department.

(b) A parking permit shall not guarantee or reserve a space within a permit parking district. A parking permit shall not authorize the stopping, standing, or parking of any vehicle in such places and during such times as the stopping, standing, or parking is prohibited or set aside for specific types of vehicles. A parking permit shall not excuse the observance of any traffic regulation other than maximum parking time limits of one (1) hour or more and the necessity for depositing fees in parking meters and then only on blocks which have been posted pursuant to Section 12-2704 of this Chapter.

(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.

(d) Until its expiration, surrender, or revocation, a parking permit shall remain valid for such time as the holder continues to reside within the same permit parking district.

(e) A parking permit shall be valid only in the permit parking district for which it is issued except in the case of overlapping districts as set forth in subsection (3) of Section 12-2703 of this Chapter.

(f) For the purposes of this Chapter the person to whom a parking permit is issued shall be deemed its holder and shall be responsible for the use or misuse of any parking permit issued to him or her.

(g) No vehicle shall display any ticket, tag, handbill, or other writing simulating or in imitation of a residential parking permit or temporary parking permit.

(h) A temporary parking permit issued under Section 12-2708(d) shall not be used by a bona fide guest for more than five (5) consecutive days and no more than fifteen (15) days within any thirty (30) day period.

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§ 12-2712. Penalty.

(1) Any person violating any provision of this Chapter shall be subject to revocation of his or her permit and, upon summary conviction, be fined one hundred (100) dollars for each violation together with the costs of prosecution.

(2) Any person violating any of the provisions of Sections 12-2709 of this Chapter shall, in addition to the penalties set forth in Section 12-2712(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.

(a) Any person found to have violated the provisions of subsection 12-2709(h) shall be ineligible to apply for a temporary parking permit issued under Section 12-2708(d) for a period not to exceed one (1) year from the date that a final determination is made on the violation. For purposes of this subsection, a final determination refers to the payment of the fine for the violation, a default or a final adjudication on the merits from which no timely direct appeal is available.

SECTION 3. This Ordinance shall be effective immediately.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.