

ORDINANCE NO. 2000-8

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF COALDALE CHAPTER 100, VEHICLES AND TRAFFIC

The Code of Ordinances of the Borough of Coaldale Chapter 100, Vehicles and Traffic, is amended by the addition of the following Article VI, Residential Parking Permit:

**§ 100-27 Residential Parking**

1. Findings and Purpose: The Borough finds that:

A. Certain residential areas in the Borough are subjected to commuter vehicle parking, therefore, depriving the residents of those areas of spaces in which to park their own vehicles;

B. Those residential streets are also subjected to a high degree of commuter traffic which substantially reduces the quality of the ambient air level; and,

C. The establishment of a parking permit program for certain affected areas should facilitate efficient movement of traffic by providing for parking preference during certain hours of the day and days of the week. Therefore, the Borough considers it to be in the interest of the people of the Borough to provide for the establishment of a residential permit parking program to insure primary access to available parking spaces by neighborhood residents and also to provide a cleaner ambient air level.

2. Definitions: For the purpose of this section, words and terms listed in this subsection, as follows, shall have the following meanings:

COMMUTER VEHICLE - a motor vehicle parked in a residential area by a person not a resident of that residential area;

RESIDENT - a person who owns or leases real property within a residential area and who maintains either a voting residence, or bona fide occupancy, or both, at that address;

RESIDENTIAL AREA - a contiguous area containing public highways or parts of public highways primarily abutted by residential property or residential and non-business property (such as schools, parks, places of worship, hospitals and nursing homes).

3. Designation or Residential Permit Parking Areas: the following are designated as residential permit parking areas:

<u>Street</u>	<u>Side</u>	<u>Bounded by and including</u>
Water Street Lot behind Borough garage	North	Between 4 <sup>th</sup> and 5 <sup>th</sup> Street

Signs shall be erected along the streets in each residential permit parking area, indicating the days, hours, locations and conditions under which parking shall be by permit only.

4. Application for Permit: Application for a residential parking permit shall be made to the Chief of Police by the person desiring the permit, who shall be only the owner or the driver of a motor vehicle who resides on or is a proprietor of property immediately adjacent to a street or other location within a residential parking permit area. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, set pursuant to a Resolution of the Borough Council, which shall be for the use of the Borough, to be applied to the cost of administering the residential permit parking program. Each application shall contain the following information: the name of the owner or driver, as the case may be, of the motor vehicle; the address of the resident or the proprietor, as the case may be; the make, model and registration number of the motor vehicle; and the driver number as taken from the applicant's current driver's license. At the discretion of the Chief of Police, the applicant shall be required, at the time of making application, to present his driver's license and the vehicle registration card.

5. Issuance of Permit: Upon receipt of the application and the permit fee, and determination by him that the information upon the application shows that the applicant is entitled to a residential parking permit, the Chief of Police shall issue to the applicant a residential parking permit, which shall be valid for the remainder of the calendar year. The permit shall display the serial and registration numbers of the motor vehicles, the residential parking area number, and the expiration date. The permit shall be renewable annually before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any person to display other than the current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.

6. Temporary and Exemption Parking Permits: Temporary parking permits may be issued by the Chief of Police, upon payment of a fee established pursuant to a Resolution, to bona fide visitors of residents of a designated residential permit parking area, and exemption parking permits may be issued, without payment of a fee, to handicapped persons.

7. Responsibility of Permit Holder:

A. Notwithstanding any provision of this section to the contrary, the holder of a

residential parking permit shall be permitted to stand or park a motor vehicle operated by him in any designated residential parking area during those times when parking of motor vehicles is permitted in that area. While a vehicle for which a residential parking permit has been issued is so parked, that permit shall be displayed so as to be clearly visible through the windshield of the vehicle. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential permit parking area.

B. A residential parking permit shall not authorize its holder to stand or park a motor vehicle in any place where or at any time when stopping, standing or parking of motor vehicles is prohibited or set aside for other specified types of vehicles, nor shall the permit exempt its holder from the observance of any traffic or parking regulation other than residential permit parking regulation or restriction.

C. No person other than the permit holder whose name appears on the permit shall use a residential parking permit or display it on a vehicle operated; any such use or display by a person other than the permit holder shall constitute a violation of this section by the permit holder and by the person who so used or displayed the parking permit.

D. It shall constitute a violation of this section for any person falsely to represent himself as eligible for a residential parking permit or to furnish false information in an application to the Chief of Police in order to obtain a residential parking permit.

8. Revocation of Permits: The Chief of Police shall have authority to revoke the residential parking permit of any permit holder found to be in violation of any provision of this section. Upon written notification to him of the revocation, the permit holder shall surrender the permit to the Chief of Police. Failure to do so, when so requested, shall constitute a violation of this section. Provided: any person receiving such a notice may, within ten (10) days after the date of the notice, appeal to Borough Council for a hearing on the revocation, and the decision of Borough Council shall be final.

9. Penalties: Any person who violates any provision of this Part shall upon conviction, be sentenced to pay a fine of not more than fifteen (\$15.00) dollars and costs. It shall be the duty of the police officers and of parking enforcement personnel of the Borough to report to the appropriate official all violations of any provision of this Part, indicating, in each case: the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice

stating that the vehicle was parked in violation of this Part. The notice shall contain instructions to the owner or driver of the vehicle to report to the office of the Chief of Police and pay the sum of fifteen (\$15.00) dollars within seventy-two (72) hours after the time of the notice.

This Ordinance shall be effective upon passage, and approved in the manner prescribed by law.

ENACTED AND ORDAINED this 11<sup>th</sup> day of July, 2000.

**BOROUGH OF COALDALE**

BY: Clarence Keich  
Clarence Keich, President

ATTEST:

Renee M. Holmes  
Renee M. Holmes, Secretary

John Raducha  
John Raducha, Mayor