

ORDINANCE NO. 15306

FILE OF CITY COUNCIL

BILL NO. 43 - 2016

JULY 20, 2016

AN ORDINANCE

Amending Article 539, Street Cleaning, by adding a provision exempting municipal vehicles engaged in official City business under the Street Cleaning program.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Article 539.07, Exceptions, is amended to include the following:

**ARTICLE 539
STREET CLEANING**

- 539.01 Definitions
- 539.02 Control Maps and Preparation
- 539.03 Parking Restrictions; Exception
- 539.04 Existing Parking Regulations; Emergencies
- 539.05 Year Round Street Cleaning
- 539.06 Reporting Requirements
- 539.07 Exceptions
- 539.99 Penalty

14437 §1 11/7/06 amending the Street Sweeping section by enacting cleaning throughout the year and added a sunset provision requiring Council review. 14656 §1 11/21/08 repealed the sunset provision on winter street cleaning and established an annual reporting requirement on Street Cleaning by May 15.

CROSS REFERENCES

- Parking Prohibitions Generally -- See Traffic Article 531
 - Parking Meter Zones Established -- See Traffic Article 533.02
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539.01 DEFINITIONS

Person means every natural person, firm, corporation, partnership, association, or institution. (14437 §1 11/7/06)

Street Cleaning shall include the year round sweeping, salting, plowing or snow removal of the designated streets. (14437 §1 11/7/06)

539.02 CONTROL MAPS AND PREPARATION

There are hereby established street cleaning control maps prepared and maintained by the Director of Public Works and kept on file in the office of the City Engineer. All street cleaning control maps shall be a matter of public record, but keeping these maps up to date shall not be a requisite condition for the prosecution to any violation of a legal regulation. (11863 §2 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06; 15221 §1 08/19/15)

539.03 PARKING RESTRICTIONS; EXCEPTIONS

A. No person shall stop, stand or park a vehicle, or cause or permit a vehicle to be parked or left unattended on a City street posted for "No Parking/Street Cleaning" during the designated days and hours chosen by regulations promulgated by the Director of Public Works or his designee. (14216 §1 10/8/04; 14437 §1 11/7/06)

B. The posted times designated on the "No Parking/Street Cleaning" signs shall remain in effect for the full length of time or until the street area has been cleaned. (11863 §3 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06)

C. Enforcement shall be suspended during winter storms and for a reasonable period of time thereafter as determined by the Director of Public Works or designee. A reasonable period of time should be no less than 24 hours from the end of the winter storm event. (14437 §1 11/7/06)

539.04 EXISTING PARKING REGULATIONS; EMERGENCIES

Nothing herein shall be construed to permit any motor vehicle to be parked on any street or in any parking area where parking is prohibited by the terms of any other article.

Nothing in the section shall be construed as prohibiting physicians or emergency cars, or any other person, firm or corporation operating authorized emergency vehicles while engaged in their duties, from parking a vehicle in designated areas upon the occasion of any emergency.

Nothing in this section shall be construed to prohibit taxicabs or public buses standing in any established taxicab or bus stand, provided the same are attended by the drivers thereof. (11863 §4 3/2/71)

In all cases, failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed Fifty (\$50.00) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93)

539.05 YEAR ROUND-STREET CLEANING

Street Cleaning will continue in the designated posted areas during the months of December through February. Those areas shall include the following districts: (14437 §1 11/7/06, 14656 §1 11/21/08; 15156 §1 10/15/14)

#1: Front Street to 10th Street, Chew to Sumner and 4th to Front from Chew to Union Streets, as posted.

#2: 10th to 17th from Martin Luther King Jr. Drive to Sumner Avenue, as posted.

#9: 4th to 12th Streets from Union to Chew Streets, as posted.

Both Districts #1 and #2 will be suspended during a winter event and will be reinstated on a Monday once the curb line is clear of snow piles, as posted.

539.06 REPORTING REQUIREMENTS

The Department of Public Works and the Allentown Parking Authority by or on May 15 of each year shall prepare and submit a report on year round street cleaning focusing on Winter Street cleaning to Allentown City Council's Public Works Committee for review at a public meeting. (14656 §1 11/21/08)

539.07 EXCEPTIONS

The provisions of this Ordinance shall not apply to Vehicles of the City of Allentown which display a Municipal plate, Municipal vehicle identification window sticker, Municipal placard and are engaged in official City business. In addition, any other type of vehicle on Official City business with an approved City placard displayed on the front dashboard will be exempt from provisions of this ordinance.

539.99 PENALTY

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicles parking in violation of the provisions of this ordinance, a notice of said violation.

A. For violation of "Prohibited Parking/Street Cleaning" the owner or operator may, within ten (10) days of the time when such violation was alleged, pay as a fine and in full satisfaction of each initial violation, the sum of Twenty (\$20) Dollars; and, after ten (10) days but within twenty (20) days of the violation, pay a penalty of Thirty (\$30) Dollars. Subsequent offenses will incur additional penalties when repeat violation occurs more than one time in a thirty (30) day period. For violation of "No Parking/Street Cleaning", the owner or operator may, within ten (10) days of the time when the subsequent notice was attached to his vehicle, pay as a fine and in full satisfaction of repeat violation, the sum of Fifty (\$50) Dollars; and, after ten (10) days but within twenty (20) days of the subsequent offense, pay a penalty of Sixty (\$60) Dollars. In all cases failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93; 13901 §5 4/19/01) (11863 §5 3/2/71; 13227 §5 12/1/93; 13901 §5 4/19/01; 14216 §1 10/8/04; 14437 §1 11/7/06; 14787 3/19/2010; 15131 § 5/7/14)

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
Candida Affa	X	
Julio A. Guridy	X	
Daryl Hendricks, VP	X	
Roger MacLean	X	
David K. McGuire	X	
Cynthia Y. Mota	X	
Ray O'Connell, Pres.	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on August 3, 2016 and signed by the Mayor on August 5, 2016.



CITY CLERK

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Administration

- **Summary and Facts of the Bill**

Allowing City or Officially placarded vehicles to park in street cleaning areas.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

It eliminates the ticketing of these vehicles

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

N/A

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

Next Council meeting for introduction.

- **Why should Council unanimously support this bill?**

It will eliminate the ticketing of City vehicles and other vehicles that are conducting Official City business while parked in these zones..