

ORDINANCE NO. 14787

FILE OF CITY COUNCIL

BILL NO. 12

INTRODUCED BY DONOVAN, O'CONNELL, AND SCHLOSSBERG

MARCH 3, 2010

AN ORDINANCE

Amending Title V Traffic by increasing the penalty for double parking and parking large vehicles on streets; and deleting the second and subsequent increases in fines for street cleaning:

Section One: That Article 531.99 is amended to include the following changes:

**531.99 NOTICE OF VIOLATION; WAIVER**

Any police officer or duly authorized Parking Authority employee shall place on motor vehicles/ conveyances parked in violation of the provisions of the following sections, a notice for the owner or operator to report to such place as may be designated by the Parking Authority in regard to the violation. (12659 §1 6/5/85)

A. For violation of Sections 531.02, Parking Limited in Designated Areas and 531.09, Parking of Inoperable or Illegally Registered Vehicles, the owner or operator within ten (10) days of the time when such notice was attached to his motor vehicle/ conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Fifteen (\$15) Dollars, and after ten (10) days, but within Twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (12659 §1 6/5/85; 13069 §1 8/8/91; 13227 §1 12/1/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

B. For violation of Article 531.03, Parking Prohibited in a Lane Ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, and 531.10, Parking Prohibited on Private Property, the owner or operator within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (12659 §1 6/5/85; 13069 §1 3/25/96; 13901 §1 4/19/01; 14025 §1 10/4/02; 14059 §1 2/21/03)

C. For violation of Section 531.03 (J), Parking Prohibited in a lane ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, the owner or operator, within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of ~~Seventy (\$75) Dollars~~ One Hundred (\$100) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of ~~One Hundred (\$100) Dollars~~ \$200 dollars One Hundred Fifty (150) Dollars. (14059 §1 2/21/03; 14490 §1 6/8/07)

D. For violation of Section 531.05, Greasing or Repair Work, the owner or operator, within ten (10) days of the time when such notice was attached to the motor vehicle/ conveyance, pay as a penalty, Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13389 §1 3/25/96)

E. For violation of Section 531.11, Parking Prohibited at Handicapped Areas, the owner or operator, within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty in full satisfaction of each violation, the sum of Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13194 §1 4/21/93; 13389 §1 3//25/96; 13902 §3 4/19/01)

F. For violation of any other provision of this article, the owner or operator may, within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty the sum of Fifteen (\$15) Dollars after ten (10) days but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 8/8/91; 13194 §2 12/1/93; 13901 §2 4/19/01)

G. For violation of Section 531.12, Parking, Stopping, Standing or Drifting Prohibited in a Loading Zone or Five Minute Zone, the vehicle is subject to immediate towing and/or a notice placed on the vehicle. The owner or operator, within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, will pay as a penalty, the sum of Fifteen (\$15) Dollars and after ten (10) days, but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

H. In all cases, failure of the owner or operator to make payment after twenty (20) days, shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and default of payment of fine and costs, imprisoned not more than ten (10) days. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §24/19/01)

I. For violation of Section 531.08, Storage of Vehicles on Street, the owner or operator may, within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty the sum of Thirty-five (\$35) dollars after ten (10) days but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. Any vehicle parked in violation of the provisions of this ordinance may be removed by any member of the Police Bureau, their designee, or a designated Allentown Parking Authority personnel. Any vehicle removed may be towed to and placed at any area designated by the Mayor or his duly designated representative or the Parking Authority, for impounding of vehicles. All fines and costs for removal, towing, storage or parking of any vehicle removed under the provisions of this section shall be paid by the owner of the vehicle and the vehicle shall remain impounded until all costs are paid. (13901 §2 4/19/01)

J. For violation of ~~Sections 531.07, Parking Truck and Tractor Trailers, and~~ 531.13, Washing Vehicles on Streets and Sidewalks, the owner or operator within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Twenty-five (\$25) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Thirty-five (\$35) Dollars. (13901 §2 4/19/01)

K. For Violation of Section 531.03 (G), Parking Prohibited within fifteen (15') feet of a fire hydrant, the vehicle is subject to immediate towing. The owner or operator within ten (10) days of violation pay a penalty of Fifty (\$50) Dollars, and after ten (10) days, but within twenty (20) days of the violation, pay the sum of One Hundred (\$100) Dollars. In addition, the owner will be responsible for all towing and storage fees, and costs of the vehicle, and all must be paid prior to its release. (14025 §1 10/4/02)

L. Any vehicle that has been cited two (2) times within a one year period shall be towed upon the third citation for violating Article 531.11, Parking Prohibited at Handicapped Areas, and Article 531.12, Parking, Stopping, Standing or Drafting Prohibited in a Loading Zone or Five Minute Zone. The owner of said vehicle will be responsible for all towing and storage fees and the costs of the vehicle, and all must be paid, including all fines, prior to its release. (14514 8/2/07)

M. For violation of Sections 531.07, Parking Truck and Tractor Trailers, the owner or operator within ten (10) days of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after then (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (13901 § 2 4/19/01

Section Two: That Article 539.99, Penalty is amended to read as follows:

539.99 PENALTY

**539.99 PENALTY**

Any police officer or duly authorized Parking Authority employee shall place on motor vehicle/conveyance 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 notice was attached to his motor vehicle/conveyance, 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)

~~Any police officer or duly authorized Parking Authority employee shall place on motor vehicle/conveyance 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 notice was attached to his motor vehicle/conveyance, 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. 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) 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)~~

**AMENDED AT THE MARCH 17<sup>TH</sup> COUNCIL MEETING:**

1. Changing the 200 to 150, in 531.99 C (7-0)
2. Reinstating the original provision (deleting the proposed amendment) keeping the escalating fee in tact (5-2, Donovan, Guridy)

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy		X
Ray O'Connell	X	
Michael Schlossberg	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	6	1

I hereby certify that the foregoing Ordinance was passed by City Council on March 17th and signed by the Mayor on March 19<sup>th</sup>, 2010.

  
CITY CLERK