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Filed in the Department of State on
the 30th day of November 19 84
Thomas R. Davis
Secretary of the Commonwealth

ARTICLES OF INCORPORATION

PARKING AUTHORITY OF THE CITY OF ALLENTOWN

845915

SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with the Act of June 5, 1947, P.L. 458, as amended, the

ALLENTOWN PARKING AUTHORITY

hereby sets forth its Articles of Incorporation, as follows:

(a) The name of the Authority is the ALLENTOWN PARKING AUTHORITY.

(b) Said Authority is formed under the Act of June 5, 1947 P.L. 458, as amended, and by Ordinance No. 12628 of the City of Allentown, duly approved October 17, 1984.

(c) No other Authority organized under the aforesaid Act of Assembly is now in existence in and for the incorporating municipality of the City of Allentown.

(d) The name of the incorporating municipality is the City of Allentown in said Commonwealth, and the names and addresses of its municipal authorities are as follows:

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MAYOR Joseph S. Daddona
1928 Walnut Street
Allentown, PA 18104

COUNCILPERSON John E. Harry
722 Gordon Street
Allentown, PA 18102

COUNCILPERSON Benjamin F. Howells, Jr.
3020 Pearl Avenue
Allentown, PA 18103

COUNCILPERSON Barbara C. Irvine
239 S. 17 Street
Allentown, PA 18104

COUNCILPERSON Frank J. Palencar
2007 S. Delaware Street
Allentown, PA 18103

COUNCILPERSON Karen A. Ritter
250 E. Elm Street
Allentown, PA 18103

COUNCILPERSON Watson W. Skinner
934 N. 19 Street
Allentown, PA 18104

COUNCILPERSON Emma D. Tropicano
416 N. Ninth Street
Allentown, PA 18102

(e) The purpose and powers shall be as provided for in the aforesaid Act of Assembly, as amended, from time to time.

(f) The names, addresses and respective terms of office of the first members of the Board of said Authority are as follows:

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| <u>Name and Address</u> | <u>Term of Office</u> |
|---|-----------------------|
| N. James Fluck 319 Springhouse Road Allentown, PA 18104 | Five (5) Years |
| T. Anthony Iannelli The Hamilton Plaza Fourth and Hamilton Streets Allentown, PA 18101 | Four (4) Years |
| Charles L. Fletcher 1122 N. 22 Street Allentown, PA 18104 | Three (3) Years |
| Carl Stelmack 2440 S. Lumber Street Allentown, PA 18103 | Two (2) Years |
| Councilperson John E. Barry 722 Gordon Street Allentown, PA 18102 | One (1) Year |

WITNESS the municipal seal of the said City of
Allentown, duly attested by the Mayor and City Controller,
this *26th* day of *November*, 1984.

CITY OF ALLENTOWN

BY: *Joseph J. ...*

Mayor

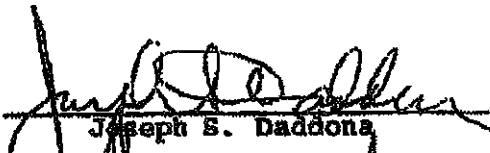

ATTEST:

Louis J. ...
City Controller

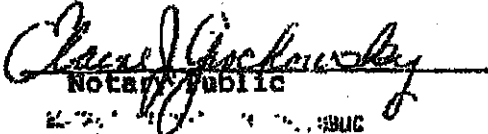
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COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF LEHIGH :

JOSEPH S. DADDONA and LOUIS J. HERSHMAN, being duly sworn say that they are respectively the Mayor and City Controller of the City of Allentown in the said Commonwealth; that the facts set forth in the said Articles of Incorporation are true and correct; that the said Articles are based upon an Ordinance as therein recited.


Joseph S. Daddona

Louis J. Hershman

SWORN and subscribed
before me this 26 day of
November, 1984.


Notary Public

NOTARY PUBLIC
EXPIRES 12/31/85
BY COMMISSION EXPIRES 12, 1985
Notary Public, State of Pennsylvania

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Administration

ORDINANCE NO. 12628

FILE OF CITY COUNCIL

Bill No. 35-1984

Introduced by Mr. Harry and Ms. Ritter

September 19, 1984

Amended by Mr. Skinner and Mr. Harry

October 17, 1984

AN ORDINANCE

Organizing a Parking Authority under the Act of 1974, June 5, P.L. 458, as amended, in the City of Allentown to include all powers necessary or convenient for the administration, supervision and enforcement of an efficient system of off-street and on-street parking; and further, providing for the delegation to the Allentown Parking Authority of certain municipal functions relating to off-street and on-street parking, under certain terms and conditions.

WHEREAS, there is an ever increasing trend in the number of persons and vehicles entering the City; and

WHEREAS, the free circulation of traffic of all kinds through the streets of the City and the availability of parking for those vehicles is necessary to the health, safety and general welfare of the public; and

WHEREAS, the administration and enforcement of an efficient system of on-street regulation and the provision of sufficient off-street facilities is a benefit to the public and to the economic development of the City; and

WHEREAS, the establishment of a parking authority will promote the equitable and efficient provision of parking for the public safety, convenience and welfare.

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

SECTION 1. That it is the intention of the City of Allentown to organize a Parking Authority to be known as "ALLENTOWN PARKING AUTHORITY".

SECTION 2. That the Parking Authority of the City of Allentown is to be formed under the Act of June 5, 1947, P.L. 458, as amended.

SECTION 3. That there is no Parking Authority under said Act in existence in or for the City of Allentown.

SECTION 4. That the name of the incorporating municipality is the CITY OF ALLENTOWN, and the names and addresses of its Mayor and Members of City Council are as follows:

DADDONA, Joseph S., Mayor
1928 Walnut Street, Allentown, Pennsylvania

HARRY, John E., Councilperson
722 Gordon Street, Allentown, Pennsylvania

HOWELLS, Benjamin F., Jr., Councilperson
3020 Pearl Avenue, Allentown, Pennsylvania

IRVINE, Barbara C. (Council President)
239 South 17th Street, Allentown, Pennsylvania

PALENCAR, Frank J., Councilperson
2007 South Delaware Street, Allentown, Pennsylvania

RITTER, Karen A., Councilperson
250 East Elm Street, Allentown, Pennsylvania

SKINNER, Watson W. (Council Vice-President)
934 North 19th Street, Allentown, Pennsylvania

TROPIANO, Emma D., Councilperson
416 North Ninth Street, Allentown, Pennsylvania

SECTION 5. That the said Parking Authority shall provide efficient and equitable parking services to the public to meet the needs of the growing and changing City of Allentown and promote economic growth particularly in the downtown business area. That the purpose and powers of the said Parking Authority shall be as determined in the Parking Authority Law 1947, June 5, P.L. 458, as amended.

SECTION 6. That prior to the incorporation, the Mayor of the City of Allentown, shall appoint five (5) members, all of whom shall be residents of the City, who shall serve on the Board of the Parking Authority of the City of Allentown. The members who are first appointed shall serve for terms of one, two, three, four and five years respectively. Thereafter the term of office shall be five (5) years. The members of the Board shall include a member of the Council of the City of Allentown, the Director of Administration and Finance and a representative of the Allentown Economic Development Corporation. The position of any member of the Board appointed because of his capacity as Councilperson, Director of Administration and Finance or Allentown Economic Development Corporation representative who ceases to be so engaged shall automatically be considered vacant. The member of the Council of the City of Allentown and the Director of Administration and Finance shall not serve as the Chairperson of the Allentown Parking Authority.

SECTION 7. That Articles of Incorporation under the aforesaid Act shall be drawn and executed by the proper officers and under the municipal seal of the City of Allentown after the passage of this Ordinance.

SECTION 8. The Allentown Parking Authority is hereby empowered, subject to the provisions of this Ordinance, to exercise all powers necessary or convenient for the administration and enforcement of an efficient system of off-street and on-street parking regulations within the City of Allentown.

SECTION 9. In accordance with the general grant of authority contained in the "Parking Authority Law", Act of June 5, 1947, P.L. 458, as amended, and Section 8 of this Ordinance, and pursuant to the limitation of the "Parking Authority Law" that Authorities may not engage in the performance of municipal functions except such functions as are delegated to it by municipal ordinance, The Allentown Parking Authority is hereby delegated, subject to the provisions of Section 10 of this Ordinance, the power and right to exercise those municipal functions necessary or convenient for the administration, supervision and enforcement of an efficient system of off-street and on-street parking, including the power and right:

- (1) to conduct research and maintain data related to off-street and on-street parking programs;
- (2) to distribute, issue and process parking tickets;
- (3) to enforce parking regulations by the issuance of parking tickets and by booting, towing and impounding vehicles as provided by law, including

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the providing for and the establishment of procedures governing the removal and impounding of any vehicle parked on the highways or City property in violation of law;

- (4) to collect on behalf of the City of Allentown all revenue derived from on-street parking programs except fines and penalties from contested on-street parking violations and to pay to the City of Allentown said revenue in excess of:
 - (a) costs incurred by the Authority for on-street parking programs including the costs of administration, operation, (including a reasonable allowance for repair and replacement of equipment), and enforcement.
 - (b) costs incurred by the Authority for off-street parking programs in excess of revenues derived therefrom; off-street costs shall include administration, operation, (including a reasonable allowance for maintenance of facilities and debt service), and enforcement;
- (5) to acquire parking meters and related supplies, and to locate, install and maintain such parking meters;
- (6) to administer a program of residential permit parking as provided by law; and,
- (7) to make, from time to time, such regulations as are necessary and convenient for the administration, supervision and enforcement of an efficient system of on-street parking, including the regulation or prohibition of stopping, standing or parking.

SECTION 10. The delegation of authority provided for it in Section 9 of this Ordinance shall not be construed as an authorization to the Authority to undertake any municipal function currently exercised by the executive and administrative branch of the City government unless and until the Mayor, or such other officers of the executive and administrative branch of City government as he shall designate, or as required by law, has reviewed, or caused to be reviewed, and has approved the transfer of any executive or administrative municipal function to the Authority; nor shall said delegation be construed in contravention, limitation or enlargement of any other Ordinance of the City of Allentown, relating to the regulation of off-street or on-street parking, unless specifically authorized herein or by Ordinances of City Council.

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SECTION 11. The Mayor, the Director of Administration and Finance and such other officers of the City of Allentown as may be appropriate or required are hereby authorized to take whatever action is necessary and proper to effectuate the purposes of this Ordinance in order to provide for the establishment of an efficient and coordinated system of off-street and on-street parking within the City of Allentown.

SECTION 12. The Authority shall actively consult with residents, civic and business organizations, and institutions on the installation of parking meters and implementation of regulations and residential permit parking within areas where these groups, individuals or institutions would be affected by the contemplated action.

SECTION 13. That this Ordinance shall take effect twenty (20) days following its passage by City Council and approved by the Mayor.

I hereby certify that the foregoing Ordinance was passed by City Council and signed by His Honor the Mayor on the 17th day of October, 1984.

Elizabeth M. Borneman
CITY CLERK

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Commonwealth of Pennsylvania

Department of State

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Office of the Secretary of the Commonwealth

To All to Whom These Presents Shall Come, Greeting:

Whereas, in and by the provisions of the Municipality Authorities Act approved May 2, 1945, P. L. 362, as amended, the Secretary of the Commonwealth is authorized and required to issue a

CERTIFICATE OF INCORPORATION

evidencing the incorporation of an authority under the provisions of said Act, and

Whereas, The stipulations and conditions of said Act have been fully complied with by the Municipal Authorities of the City of Allentown

Commonwealth of Pennsylvania desiring the organization of ALLENTOWN PARKING AUTHORITY

Therefore, Know Ye, That subject to the Constitution of this Commonwealth, and under the authority of Act No. 164, approved the second day of May, Anno Domini one thousand nine hundred and forty-five, P. L. 362, as amended, I DO BY THESE PRESENTS, which I have caused to be sealed with the Great Seal of the Commonwealth; declare and certify the creation, erection and incorporation of

ALLENTOWN PARKING AUTHORITY

into a body politic and corporate in deed and in law by the name chosen hereinbefore specified, now to become operative with authority to transact business, and which shall exist for a term of fifty years unless sooner dissolved according to law.

Such corporation shall have and enjoy and shall be subject to all the powers, duties, requirements, and restrictions, specified and enjoined in and by the above Act of Assembly and all other applicable laws of this Commonwealth.

Given under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 30th day of November in the year of our Lord one thousand nine hundred and eighty four and of the Commonwealth the two hundred and ninth.

William R. Davis

Secretary of the Commonwealth