

**DRAFT**  
**ALLENTOWN PARKING AUTHORITY LEGISLATIVE AND POLICY**  
**RECOMMENDATIONS**

I. Draft Legislative Recommendations.

- A. Section 615-26 – After “Resolution”, add “Ordinance”. [see section E below]
- B. Section 615-47(H) – After “Sidewalk”, add “unless otherwise provided by the City Council Resolution or Ordinance”. [see section E below]
- C. Section 615-47(I) – add “Unless otherwise provided by City Council Resolution or Ordinance”. [see section E below]
- D. Section 615-47M – change 6 inches to 9 inches – [parking away from curb]
- E. Section 615-48 – after last sentence add “For streets with widths less than 20 feet, except for streets controlled by parking signs, a vehicle may park on a portion of the street as long as there remains a 12 foot passage way for vehicular traffic and the vehicle is not on a sidewalk with a continuous run of concrete, macadam or other impervious surface from street to street, which bind the street upon which the vehicle is parked”.
- F. Section 615-58 – after “. . . violation notice” add “by hand, placing on a windshield or electronic mail to an email address registered with the Parking Authority for that vehicle, or by mailing the violation notice to the registered owner of the vehicle”. . . . At the end of the section add “Notwithstanding the foregoing, if a police officer or duly authorized Parking Authority employee is able to deliver the violation notice by hand or by placing it on the windshield without exposing themselves to a dangerous condition, such form of notice shall be required.”
- G. Section 615-97(6) – Initially it is noted that this statute is wrongly placed in the sequence of ordinances. Add after “paid in full”: “or otherwise in compliance with the payment plan imposed by the Magisterial District Judge”. – [this relates to the release of impounded vehicles]
- H. APA has recommended that the word “prison” or “imprisonment” and related phrases contained within Ordinance related to parking violations be deleted. [see attached list of ordinances implicated]

II. Internal Potential Policy Changes.

- A. Vehicle being out of inspection. For the first thirty days after the expiration of a vehicle’s inspection, APA will issue ticket warnings. In addition, APA has worked

diligently with its software company to develop a new software where multiple inspection violation tickets can not be given on the same day or consecutive days. The software company will be using the APA as a beta site (test project) and once an inspection ticket is issued, the software will be able to set a time period in which another inspection ticket can not be issued for a period of time still to be determined, i.e. fifteen (15). If this is successful, the software company will provide the software to other parking authorities in the Commonwealth and, eventually, nationally.

- B. Registration tickets. Due to the State controlling registration data, ticket warnings cannot be generated. It is logistically impossible for APA to obtain information in real time when the registration expired. In the alternative, a citizen who receives a registration ticket for failure to have the car registered, will be able to have the ticket rescinded by presenting valid registration within ten (10) days after receipt of the ticket.
- C. Double parking. APA has purchased warning sirens for its vehicles to notify people of an impending ticket.
- D. Tickets in decks for parking the wrong way. It is recommended that APA suspend tickets for vehicles which have not pulled the front of the car to face the wall in parking decks until a complete review of signage in the decks related to front-facing parking notice are reviewed or new software can be applied to make the first ticket a warning notice.
- E. Easier internal appeal and administrative review.

**§ 615-23. Violations and penalties.**

Whoever violates any provisions of this Chapter 615, where another penalty is not provided, shall be fined not more than \$50 and, in default of payment of fines and costs, **imprisoned** not more than 10 days.

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**§ 615-39. Violations and penalties for snow removal provisions. [Amended 6-6-1985 by Ord. No. 12658; 8-5-1987 by Ord. No. 12784]**

A. Any police officer or other duly authorized Parking Authority employee shall place on motor vehicles/conveyances parked in violation of the provisions of § 615-34, Declaration of snow emergency, and § 615-36, Prohibited parking, a notice of said violation. **[Amended 12-1-1993 by Ord. No. 13227; 10-6-1994 by Ord. No. 13283]**

(3) Failure of the owner or operator to make payment after 20 days shall make the § 615-36 § 615-39

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owner or operator subject to a penalty not to exceed \$100 and, in default of payment of fine and costs, be **imprisoned** not more than 10 days. **[Amended 4-9-2001 by Ord. No. 13901]**

B. Whoever violates § 615-38A, Snow removal, shall, upon conviction thereof, pay a fine or penalty of not less than \$25 nor more than \$300 and costs and, in default of payment of fine and costs, be **imprisoned** for not more than 30 days. **[Amended 10-6-1994 by Ord. No. 13283]**

C. Whoever violates § 615-38B, Snow removal, shall, upon conviction thereof, pay a fine or penalty of \$100 and costs and, in default of payment of fine and costs, be **imprisoned** not more than three days. **[Amended 10-6-1994 by Ord. No. 13283]**

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**§ 615-58. Notice of violation; violations and penalties for stopping, standing and parking provisions. [Amended 6-5-1985 by Ord. No. 12659]**

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicle parked in violation of the provisions of the following sections, including 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.

H. In all cases, failure of the owner or operator to make payment after 20 days shall make the owner or operator subject to a penalty not to exceed \$100, and in default of payment of fine and costs, **imprisonment** for not more than 10 days. **[Amended 5-15-1991 by Ord. No. 13069; 4-21-1993 by Ord. No. 13194; 3-25-1996 by Ord. No. 13389; 4-19-2001 by Ord. No. 13901]**

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**§ 615-81. Notice of violation; violations and penalties for parking meter provisions. [Amended 6-5-1985 by Ord. No. 12660; 8-5-1987 by Ord. No. 12786; 12-1-1993 by Ord. No. 13227; 4-19-2001 by Ord. No. 13901; 8-18-2005 by Ord. No. 14312; 5-7-2014 by Ord. No. 15131]**

C. Failure of the owner or operator to make payment after 20 days shall make the owner or operator subject to a penalty not to exceed \$100 and, in default of payment of fine and costs, be **imprisoned** not more than 10 days.

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**§ 615-95. Violations and penalties for residential permit parking. [Amended 8-5-1987 by Ord. No. 12787; 12-1-1993 by Ord. No. 13227; 4-19-2001 by Ord. No. 13901; 4-6-2009 by Ord. No. 14702]**

permit stickers for this area shall be exempt from the one- to three-hour time limit and meter requirements. The Bureau of Traffic Planning and Control will erect or cause to be erected signs. These signs shall indicate the one- to three-hour time limit and the exclusion for vehicles with residential permit parking stickers or shall indicate the exclusion of said vehicles from meter requirements. The one- to threehour time limit shall be enforced from 8:00 a.m. to 6:00 p.m. weekdays, excluding holidays.

B. In areas with existing parking meters, operators with valid residential parking permits will be allowed to be parked at meters within the designated area without the need to deposit coins.

C. Existing parking regulations. All existing parking regulations shall remain in effect. These include but are not limited to prohibited parking areas, street cleaning restrictions, five-minute parking areas, loading zones, and the seventy-two-hour parking rule. Holders of residential permit parking stickers will not be exempt from these regulations.

A. It shall be unlawful and a violation of this article for any person to stand or park a motor vehicle for a period exceeding the time limitation established pursuant hereto. No person shall move and repark a vehicle on the same side of the street within the same block in order to avoid a parking time limit. For violation of any provisions of this article, the owner or operator may, within 10 days of the time when such notice was attached to his vehicle, pay as a penalty the sum of \$15; after 10 days but within 20 days of the violation, the sum of \$25. In all cases, failure of the owner or operator to make payment within 20 days shall make the owner or operator subject to a penalty not to exceed \$100 and, in default of payment of fine and costs, **imprisonment** for not more than 10 days.

B. It shall be unlawful and a violation of this article for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor.

C. It shall be unlawful and a violation of this article for a person holding a valid parking permit issued pursuant hereto to permit the use of display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this article both by the person who so uses or displays the permit on a motor vehicle other than that for which it is issued.

D. It shall be unlawful and a violation of this article for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits. It shall further be unlawful and a violation of this article for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential permit parking area.

E. For violation of any provision contained in § 615-95B, C and D of this article, the person committing the unlawful act shall be subject to a penalty not to exceed \$300 and/or **imprisonment** for not more than 10 days for each such violation.

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**§ 615-101. Violations and penalties for impoundment provisions.**

Whoever violates any of the provisions of this article shall be fined not more than \$50 and costs for each offense and, in default of payment, shall be **imprisoned** not more than 10 days.

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**§ 615-108. Violations and penalties for abandoned vehicles. [Amended 2-21-1973 by Ord. No. 11995]**

Whoever violates any of the provisions of this article shall be fined not more than \$300 or **imprisoned** not more than 90 days, or both.

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**§ 615-116. Violations and penalties for street cleaning provisions. [Amended 3-2-1971 by Ord. No. 11863; 12-1-1993 by Ord. No. 13227; 4-19-2001 by Ord. No. 13901; 10-8-2004 by Ord. No. 14216; 11-7-2006 by Ord. No. 14437; 3-19-2010 by Ord. No. 14787; 5-7-2014 by Ord. No. 15131]**

B. For violation of "Prohibited Parking/Street Cleaning" the owner or operator may, within 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 \$20; and, after 10 days but within 20 days of the violation, pay a penalty of \$30. Subsequent offenses will incur additional penalties when repeat violation occurs more than one time in a thirty-day period. For violation of "No Parking/Street Cleaning," the owner or operator may, within 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 \$50; and, after 10 days but within 20 days of the subsequent offense, pay a penalty of \$60. In all cases, failure of the owner or operator to make payment within 20 days shall make the owner or operator subject to a penalty not to exceed \$100 and, in default of payment of fines and costs, **imprisoned** for not more than 10 days.