

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.

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

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.

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.

CITY CLERK