

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 30 - 2023

April 5, 2023

AN ORDINANCE

Amending the Chapter 615, Vehicles and Code, of the City of Allentown Code by increasing the distance a car can be parked from a curb from 6 to 9 inches, allow council to provide an exemption to parking In front of a private driveway or alongside any street or highway excavation or obstruction, or opposite the same under certain conditions, allowing parking in alleys that are less than 20 feet wide provided there is a 12 foot passage and the car is not parked on the sidewalk, allowing impounded vehicles to be released if the owner is in compliance with a payment plan and removing all imprisonment penalties.

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

SECTION ONE: That Chapter 615, Vehicles and Traffic, include the following changes and read as follows:

Chapter 615

Vehicles and Traffic

[HISTORY: Adopted by the City Council of the City of Allentown 9-18-1962 by Ord. No. 9898 (Part 5, Titles 1, 3 and 5 of the 1962 Codified Ordinances). Amendments noted where applicable.]

Part 1

Administration

Article I

Definitions

§ 615-1 **Definitions.**

In this chapter, the terms used shall have the meanings ascribed to them in the Vehicle Code of the Commonwealth of Pennsylvania, except as otherwise defined in this section:

POLICE OFFICER

Every officer of the Municipal Bureau of Police or any officer authorized by the municipality to direct or regulate traffic or to make arrests for violation of traffic regulations.

STREET or HIGHWAY

Every way or place of whatever nature, open to the use of the public as a matter of right, for purpose of vehicular travel. "Highway" shall not include a roadway or driveway upon grounds owned by private persons, colleges, universities or other institutions.

TRAFFIC CODE

The provisions of this Chapter **615**.

TRAFFIC CONTROL DEVICE

Any sign, signals, markings and devices not inconsistent with this chapter, placed or erected as herein provided, or any temporary warning signs placed by authority of recognized agencies for the purpose of guiding, directing, safeguarding, warning or regulating traffic.

VEHICLE CODE

The Vehicle Code of the Commonwealth of Pennsylvania.

Article II Traffic Division

§ 615-2 Establishment; officer in charge. [Amended 5-19-1994 by Ord. No. 13258]

There is established in the Department of Police a Traffic Division to be under the supervision and control of a police officer appointed by the Chief of Police.

§ 615-3 Duties of Division.

It shall be the duty of the Traffic Division, with such aid as may be rendered by other members of the Department of Police, to enforce the highway traffic regulations of the City and all of the state vehicle laws applicable to highway traffic in the City, to investigate accidents and to cooperate with the City Engineer and other officers of the City in the administration of traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the Traffic Division by this chapter.

§ 615-4 Investigation of accidents; prosecution of violators.

It shall be the duty of the Traffic Division, assisted by other police officers, to investigate traffic accidents and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

§ 615-5 Traffic accident studies.

Whenever the accidents at any particular location become numerous, the Traffic Division shall cooperate with the City Engineer in conducting studies of such accidents and determining remedial measures.

§ 615-6 Filing of accident reports.

The Traffic Division shall maintain a suitable system for filing traffic accident reports. Such reports shall be available for the use and information of the City Engineer for a minimum period of three years.

§ 615-7 Drivers' records files; Division to study.

- A. The Bureau of Police or the Traffic Division thereof shall maintain a suitable record of all traffic warnings, arrests and convictions reported for each driver, which record shall be filed alphabetically under the name of the driver concerned.
- B. The Division shall study the cases of all drivers charged with frequent or serious violations of traffic laws, involved in frequent traffic accidents or any serious accident and shall attempt to discover the reasons therefor. The Traffic Division shall take whatever steps are lawful and reasonable to prevent the

recurrence of such violations and accidents.

§ 615-8 Annual traffic safety report.

The Traffic Division shall prepare annually a traffic report which shall be filed with the Mayor. Such report shall contain information on traffic matters in the City as follows:

- A. The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;
- B. The number of traffic accidents investigated and other pertinent data on the safety activities of the police.

**Article III
Temporary Regulations**

§ 615-9 Authorization of Mayor.

The Mayor is authorized to establish any traffic regulation not provided for by ordinance by written executive order for a temporary period not to exceed 90 days subject to the provisions of this article.

**§ 615-10 Temporary regulations authorized.
[Amended 11-7-1984 by Ord. No. 12629]**

Temporary regulations for multiway stop intersections shall not be instituted for speed control but may be instituted where any of the conditions specified in Engineering and Traffic Studies, 67 Pa. Code Chapter 201, § 201.52(3), multiway stop installation warrants, are satisfied. Any of the following conditions may warrant a multiway stop installation:

- A. Where traffic signals are warranted and urgently needed, the multiway stop is an interim measure that can be installed to control traffic while arrangements are being made for the signal installation.
- B. Where an accident problem is indicated by five or more accidents in a twelve-month period of a type susceptible to correction by a multiway stop installation. Such accidents would include right-turn and left-turn collisions as well as right-angle collisions.
- C. Minimum traffic volume.
 - (1) The total vehicular volume entering the intersection from all approaches averages at least 500 vehicles per hour for any eight hours of an average day; and
 - (2) The combined vehicular and pedestrian volume from the minor street or highway averages at least 200 units per hour for the same eight hours, with an average delay to minor street vehicular traffic of at least 30 seconds per vehicle during the maximum hour; but
 - (3) When the 85th percentile approach speed of the major street traffic exceeds 40 miles per hour, the minimum vehicular volume warrant is 70% of the requirements of Subsection C(1) and (2).
- D. When the traffic volume on either of the roadways is over 400 vehicles per day and both of the following provisions are satisfied:
 - (1) The available corner sight distance for the driver on the minor road as defined in Engineering and Traffic Studies, 67 Pa. Code Chapter 201, § 201.6(16)(ii) (relating to engineering and traffic study elements), is less than the appropriate stopping sight distance value for traffic on the major roadway as specified in Engineering and Traffic Studies, 67 Pa. Code Chapter 201, § 201.6(16)(v).

- (2) There is no practical method of improving the corner sight distance or reducing the speed limit to satisfy the minimum stopping sight distance values.

§ 615-11 Written notice to Council.
[Amended 11-7-1984 by Ord. No. 12629]

During the first week of the temporary period, a written communication shall be sent by the Mayor to notify Council of such proposed regulation and the reasons therefor.

§ 615-12 Public posting of signs.
[Amended 11-7-1984 by Ord. No. 12629]

The temporary period shall begin upon the posting of signs or other appropriate notice to the public.

§ 615-13 Disapproval by Council.
[Amended 11-7-1984 by Ord. No. 12629]

- A. If an ordinance embodying any temporary regulation or any part thereof fails to be enacted by Council, such regulation or any part thereof shall, at the end of the temporary period of 90 days, cease to be effective.
- B. If Council directs that any temporary traffic regulations shall be discontinued immediately, the traffic control devices affecting such temporary regulation shall be removed at once and the regulation shall be void.

Article IV Traffic Control Maps

§ 615-14 Establishment; preparation by City Engineer.

There are established and adopted Traffic Control Maps as prepared by the City Engineer, showing the City's lawfully authorized traffic control and restricted parking areas as follows:

- A. One-way streets.
- B. Through streets and stop intersections.
- C. Parking meter zones.
- D. No parking or stopping at any time.
- E. Restricted parking.
- F. Traffic control lights.

§ 615-15 Changes in maps by ordinance; exception.

- A. Amendments to the Traffic Control Maps shall be made by ordinance.
- B. This section shall not restrict the authority of the Mayor to establish any traffic regulations for a temporary period not exceeding 90 days, in conformity with Article **III**.

§ 615-16 Procedure for recommended amendments.

- A. The Traffic Division shall submit to Council specific recommendations, whenever necessary, for additions, changes or deletions to the Traffic Control Maps.

- B. The Traffic Division shall include in such recommended additions, changes or deletions any permanent change in traffic control or parking areas requested by the Chief of Police.
- C. Subsections **A** and **B** above shall not restrict the power of Council to amend the Traffic Control Maps by ordinance at any time without prior recommendation or study by the Chief of Police.

§ 615-17 Preparation and maintenance of maps.

City Traffic Control Maps shall be prepared and maintained by the Traffic Division. At least one set of such maps as currently amended shall be kept on file in the office of the Traffic Division of the Bureau of Police. The Traffic Division may combine information for two or more Traffic Control Maps upon a single map. All Traffic Control Maps shall be public records, but the keeping of these maps to date shall not be a requisite condition for the prosecution of any violation of this chapter.

Article V
Accident Reports

[Added 5-17-1972 by Ord. No. 11939]

§ 615-18 Operator's duty to report accidents.

The operator of a vehicle involved in an accident resulting in bodily injury or death to any person, or damage to the property of any one person in excess of \$200 shall, if such accident was not then and there personally investigated by a police officer of the City, within five days after such accident, make a report of such accident to the Bureau of Police.

§ 615-19 Occupant's duty to report for injured operator.

Whenever the operator of a vehicle is physically incapable of making a required accident report and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall, if such accident was not then and there personally investigated by a police officer of the City, within five days after such accident, make a report of such accident to the Bureau of Police.

Article VI
Enforcement; Penalty

§ 615-20 Obedience to traffic direction.

[Amended 8-3-1983 by Ord. No. 12567]

No person shall fail to comply with any lawful order, signal or direction of a police officer or any appropriately attired person authorized by the Chief of Police to direct, control or regulate traffic.

§ 615-21 Obedience to official traffic equipment; exception.

No person shall fail to comply with the indication of any official traffic equipment unless otherwise directed by a police officer.

§ 615-22 Damage to traffic control devices, tags, notices or summons.

No person shall deface, damage, move, obstruct, destroy, change the wording of, alter or otherwise interfere with any traffic control device. No person shall deface, change the wording of, discard, destroy or throw away any traffic tag, notice or summons.

§ 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.~~

Part 2 Traffic Regulations

Article VII Operation of Vehicles

§ 615-24 **Entering obstructed intersection.**

No operator of a vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal to proceed.

§ 615-25 **Driving through procession.**

No operator of a vehicle shall drive between vehicles comprising a funeral when such vehicles are conspicuously designated or between vehicles of any military convoys or other authorized processions while they are in motion.

§ 615-26 **Driving or parking on sidewalk.**

[Amended 7-22-1999 by Ord. No. 13771]

The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway, nor shall any person park a vehicle at any place between the curblineline and property line of any street unless specifically granted an exception, by Council, in the form of a resolution **or condition to these provisions**, where it is determined that such use will not interfere with the public's use of right-of-way, and a written agreement with the City.

§ 615-27 **Horns and sounding devices.**

Whenever authorized signs are erected indicating a zone of quiet, no operator of a vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency. No person shall at any time sound the horn or other warning device of a vehicle except when absolutely necessary as a warning signal while actually driving such vehicle.

§ 615-28 **Use of snow tires or chains.**

[Amended 3-4-1958 by Ord. No. 8592]

In the event an emergency is declared by the Mayor or his duly designated representative because of snow or ice accumulation, no person shall use, operate or drive any motor vehicle on any street or highway within the City without the vehicle being equipped with snow tires or chains.

Article VIII Weight Limitations

§ 615-29 **Vehicle weight limits established on certain bridges.**

[Amended 6-3-1987 by Ord. No. 12770; 1-22-2004 by Ord. No. 14148]

- A. On the following bridges or parts thereof, by authority granted by § 4902(a) of the Pennsylvania Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or part thereof, as the case may be:
[Amended 4-5-2017 by Ord. No. 15351]

Bridge	Maximum Weight Combinations		
	Gross Location	(tons)	(tons)
Brookdale and Second Street			3
Catalina Avenue	Over Little Lehigh Creek		16
Gordon Street	Over Jordan Creek		8
Ott Street	Over Cedar Creek	27	40
Schreiber's Bridge			3
Walnut Street (county-owned)	Over Cedar Creek	3	3

B. Any person who violates any provision of the section shall be prosecuted under §§ 4902(a) and 4902(g-1) of the Pennsylvania Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

Article IX Operation in Parks

[NOTE: Traffic and parking regulations for vehicles in parks are contained in Chapter 425, Parks and Recreation Areas.]

Article X Pedestrians

§ 615-30 Pedestrians to keep to right on crosswalk.

Pedestrians shall move whenever practical upon the right half of crosswalks.

§ 615-31 Overtaking vehicles to permit pedestrians to cross.

Whenever any vehicle has stopped at a marked crosswalk or at an intersection to permit a pedestrian to cross the highway, no operator of any other vehicle approaching from the rear shall pass such stopped vehicle.

§ 615-32 Pedestrians crossing at intersections.

Pedestrians shall not leave the curbstone to cross at controlled intersections unless:

- A. Directed by a police officer;
- B. On the green or GO traffic signal at intersections not having pedestrian signals; or
- C. On the WALK signal at intersections having pedestrian signs. Pedestrians shall not cross highways

anywhere except at intersections nor at intersections having pedestrian signals except at the places and in the manner directed.

Article XI
Snow Routes; Snow Removal

§ 615-33 Definitions.

[Amended 1-7-1970 by Ord. No. 11784]

The following words, when used in this article shall, unless the context clearly indicates otherwise, mean or include as follows:

CITY

The City of Allentown.

PERSON

Any natural person, firm, copartnership, association or corporation.

STREET

Every way or place of whatever nature, within the City, open to the use of the public as a matter of right, for purpose of vehicular travel.

VEHICLE

Any device in, upon or by which any person or property is or may be transported or drawn upon a public street.

§ 615-34 Declaration of snow emergency.

[Amended 12-1-1970 by Ord. No. 11838; 10-6-1994 by Ord. No. 13283]

- A. In the event weather conditions make it necessary for motor vehicle traffic to be expedited and parking on City streets be prohibited or restricted for snow plowing and other purposes, the Mayor or the Mayor's designated representative shall declare a snow emergency. The declaration of a snow emergency may be made on any of the seven days of the week at any time between the hours of 7:00 a.m. and 11:00 p.m. Such declaration shall not go into effect until four hours after it has been announced. Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Mayor or the Mayor's representative, except that any street area which has become clear of snow and ice from curb to median line for the length of the entire block shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route.
- B. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

§ 615-35 Snow emergency routes.

[Amended 3-20-1997 by Ord. No. 13557; 12-26-2011 by Ord. No. 14961]

Upon declaration of an emergency and for the duration thereof, parking shall be prohibited on the following streets, except as provided for in § **615-34**:

Street	From	To
7th	Union	City line

Street	From	To
12th	Green	Tilghman
12th	Hamilton	Walnut
15th	Elm	Mauch Chunk Road
17th	Hamilton	City line
24th	Hamilton	East Texas Boulevard
Chew	4th	City line
East Hamilton	Carlisle	Aubrey
Emaus Ave	Bradford	Mack Boulevard
Front	North City line	Gordon
Gordon	American Parkway	Front
Hamilton	Front	4th
Hamilton	12th	20th
Hanover Avenue	East Hamilton	City line
Irving	Hanover Avenue	Union Boulevard
Lehigh	Auburn	South 12th
Liberty	17th	19th
North 19th	Liberty	Roth Avenue
North 4th	Gordon	Chew
Oxford Drive	Lehigh	Salisbury Drive
South 10th	Martin Luther King, Jr., Dr.	Wyoming
South 4th	Hamilton	Walnut
South 4th	Priscilla	Susquehanna
South 8th	Walnut	Union
South 8th	Harrison	Susquehanna
St. John	South 8th	Lehigh

Street	From	To
Susquehanna	South 4th	City line
Tilghman	Front	30th
Union Boulevard	Irving	Club Avenue
Walnut	South 4th	South 12th

§ 615-36 Prohibited parking.

[Amended 1-3-1973 by Ord. No. 11984; 10-6-1994 by Ord. No. 13283]

In the event any street is scheduled by the Mayor, or the Mayor's designated representative, for snow removal, it shall be unlawful for any person to park a vehicle at or failure to remove a vehicle from any place along such street:

- A. Four hours following such posting on all established four-hour-or-less parking meter zones on streets;
- B. Four hours following such posting on all established limited parking zones on streets; and
- C. Six hours following such posting on all other streets.

§ 615-37 Removal of vehicles.

[Amended 1-7-1970 by Ord. No. 11784; 10-6-1994 by Ord. No. 13283; 1-7-1999 by Ord. No. 13727]

Any vehicle parked in violation of the provisions of this article 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 for impounding of vehicles. All 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.

§ 615-38 Snow removal.

[Amended 1-7-1970 by Ord. No. 11784; 10-6-1994 by Ord. No. 13283]

- A. No person shall remove snow or ice from private property and put, place, deposit or cause to be put, placed or deposited snow or ice so removed upon the right-of-way of any street.
- B. No person shall remove or cause to be removed snow or ice from any sidewalk or footway and put, place, deposit or cause to be put, placed or deposited snow or ice so removed upon that portion of the street normally used for the travel of vehicles.
- C. This section shall not be in force and effect in areas where curbside parking is prohibited or there is no available private property upon which to put, place or deposit snow or ice so removed.

§ 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]**

- (1) Each such owner or operator may, within 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 \$35. **[Amended 4-9-2001 by Ord. No. 13901]**
- (2) Each such owner or operator may, from the 11th to the 20th day of the time when such notice was attached to his motor vehicle/conveyance, pay as a penalty and in full consideration of each violation the sum of \$50.
- (3) 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.~~ **[Amended 4-9-2001 by Ord. No. 13901]**
 1. 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]**

Article XII Cruising

[Added 1-16-1985 by Ord. No. 12644]

§ 615-40 Purpose.

A general public nuisance and threat to the public safety results from the repetitive unnecessary driving of motor vehicles, also known as "cruising," in a designated area of downtown Allentown. The purpose of this article is to reduce the noise, air pollution and congestion resulting from cruising, and to insure access for safety vehicles to and through said designated area by restricting repetitive driving of motor vehicles in said designated areas.

§ 615-41 Definitions.

For the purpose of this article the following definitions shall apply:

CRUISING

Driving a motor vehicle on a street past a traffic control point, designated by a police officer, in the designated area under conditions in which traffic is congested at or near the control point, three or more times within any two-hour period from 9:00 p.m. to 5:00 a.m. Passing the control point a third time under the same conditions stated herein shall constitute cruising and therefore a violation of this section.

DESIGNATED AREA

That area of the City of Allentown bounded by Front Street on the east, Union Street on the south, 14th Street on the west, and Liberty Street on the north and shall include the aforementioned boundary streets.

[Amended 12-14-1989 by Ord. No. 12945]

TRAFFIC CONTROL POINT

A reference point on a street in the designated area selected by a police officer for the purpose of enforcing this article.

§ 615-42 **Cruising prohibited.**

- A. No person shall cruise. For the purposes of this prohibition, the person having care, custody, or control of a motor vehicle shall be considered the person cruising regardless of whether that person was actually driving the motor vehicle.
- B. For the purposes of this section, the person having "care, custody or control of a motor vehicle" shall mean either the owner of said vehicle, if present in the vehicle at the time of the violation or, if the owner is not so present, the person or persons having the owner's express authority to use the vehicle.

§ 615-43 **Exclusions.**

This article shall not apply to official emergency or police vehicles, licensed taxicabs for hire, other business vehicles being driven for business purposes, and for residents of the designated area traveling to a specific destination.

§ 615-44 **Violations and penalties for cruising.**

Any person violating the provisions of this article shall be fined \$25.

Part 3 Stopping, Standing and Parking

Article XIII Stopping, Standing and Parking

§ 615-45 **Parking in prohibited areas.**

When signs are erected lawfully giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets designated as prohibited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article **III**.

§ 615-46 **Parking limited in designated areas.**
[Amended 4-6-2009 by Ord. No. 14701]

When signs are erected lawfully giving notice thereof, no person shall park a vehicle longer than the time permitted upon any street or parts of streets designated as limited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article **III**.

§ 615-47 **Parking prohibited in specific areas.**

No person shall park a vehicle or tractor or permit it to stand, whether attended or unattended, upon a highway or in any of the following places:

- A. Within an intersection.
- B. On a crosswalk.
- C. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless local officials shall indicate a different length by signs or markings.
- D. Within 25 feet from the intersection of curblines or, if none, then within 15 feet of the intersection of property lines at an intersection of highways.
- E. Within 30 feet upon the approach to any official flashing signal, stop sign or traffic signal located at the side of the roadway.

- F. Within 15 feet of the driveway entrance to any fire station.
- G. Within 15 feet of a fire hydrant.
- H. On a sidewalk **unless otherwise provided for by legislative action.**
- I. In front of a private driveway or alongside any street or highway excavation or obstruction, or opposite the same, unless a clear and unobstructed width of not less than 20 feet upon the main traveled portion of the street or highway shall be left free for passage of other vehicles thereon **unless otherwise provided for in this chapter.**
- J. In the 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. [Amended 3-23-1965 by Ord. No. 10657]
- K. At any place where official signs have been erected prohibiting standing and parking.
- L. Within 50 feet of the nearest rail or railway crossing.
- M. Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator of a vehicle shall not stop, stand or park such vehicle on the highway within a business or residence district other than parallel with the edge of the highway, headed in the direction of authorized traffic movement and with the right-hand wheels on a two-way highway or the curbside wheels on a one-way highway within **six nine** inches of the edge of the highway or curb. Vehicles which, because of the type or construction, cannot load or unload parallel to the curb shall be exempt, while loading or unloading only, from the requirements of standing parallel to the curb. [Amended 4-6-2009 by Ord. No. 14702]
- N. At any place where official signs have been erected prohibiting parking pursuant to any declared emergency under the provisions of this article. [Amended 2-28-1967 by Ord. No. 11120]

§ 615-48 Blocking garage entrance.

[Amended 3-25-1996 by Ord. No. 13387; 2-21-2003 by Ord. No. 14061]

No person shall park a vehicle at any time in front of, opposite to, or in such a position as to block entrance to or exit by a vehicle from a garage or driveway. The only exception to this is on streets with widths of 20 feet or more where said vehicle is able to park on an apron to a garage and it is able to be more than 50% off the roadway, and it is not parked on a sidewalk. **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.**

§ 615-49 Greasing or repair work.

[Amended 3-25-1996 by Ord. No. 13389]

No vehicle shall stand on any street or sidewalk for the purpose of greasing or repair work except in case of emergency repairs.

§ 615-50 Displaying or advertising vehicles for sale.

No vehicle shall be displayed or advertised for sale while parked upon any street.

§ 615-51 Parking truck and trailers.

No truck trailer or trailer shall be parked upon any street without having attached thereto a means of mechanical traction constructed or designed for the purpose of pulling or drawing such trailer.

§ 615-52 Storage of vehicles on streets.

No vehicle shall be stored upon any street. As used herein, "stored" shall mean the parking of a vehicle in one place upon any street continuously for over 72 hours.

§ 615-53 Parking of inoperable or illegally registered vehicles.

- A. No person shall park or leave on the streets, highway or public property of the City any mechanically inoperable vehicles or vehicles without current registration plates. **[Amended 9-26-1961 by Ord. No. 9610]**
- B. No person shall park or leave on the streets, highways or public property of the City any vehicle without a current inspection sticker unless the vehicle is legally parked in front of, or in close proximity to, an official Pennsylvania State Inspection Station which identifies said vehicle by work order specifying a state inspection will be performed within 24 hours. Additional work orders beyond the initial twenty-four-hour period are prohibited. **[Amended 3-6-1991 by Ord. No. 13035]**

§ 615-54 Parking prohibited on private property.

[Amended 3-6-1991 by Ord. No. 13036]

- A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property, except in the case of emergency or disablement of the vehicle, in which case the operator, within 24 hours, must show proof of the emergency and disablement and remove the vehicle from the private property.
- B. The provisions of this section shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions, and the operator of the vehicle violates such posted restrictions. For the purpose of this section, "private parking lot" means a parking lot open to the public or used for parking without charge; or a parking lot used for parking with a charge. The City hereby adopts the regulations promulgated by the Pennsylvania Department of Transportation which defines posting for public notice pursuant to 75 Pa.C.S.A. § 3353(b)2 and any amended or successor statute(s).

§ 615-55 Parking prohibited at handicapped areas.

[Amended 4-21-1993 by Ord. No. 13194]

- A. No person shall park or leave unattended a vehicle at any place specifically reserved for handicapped parking, unless the parked vehicle has a state issued plate or placard (displayed in a conspicuous manner) for a handicapped person or severely disabled veteran, and is being used in the immediate service of a handicapped person or severely disabled veteran.
- B. For the purpose of this section, a reserved handicapped parking place must be indicated by a PennDOT-approved sign with universally accepted handicapped symbols. Each sign must indicate that a state issued placard or plate must be displayed at all times while parking in the space.

§ 615-56 Parking, stopping, standing or drifting prohibited in loading zone or five-minute zone.

[Amended 3-25-1996 by Ord. No. 13389]

No person shall allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark without loading activity for more than 20 minutes in a marked loading zone or more than five minutes in a five-minute zone.

§ 615-57 Washing vehicles on streets and sidewalks.

[Amended 3-25-1996 by Ord. No. 13389]

No vehicle shall stand on any street or sidewalk for the purpose of washing.

**§ 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 **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** 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.

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

- A. For violation of § **615-46**, Parking limited in designated areas, the owner or operator, within 10 days of the time when such violation was alleged, pay as a penalty and in full satisfaction of each violation the sum of \$15 and, after 10 days but within 20 days of the violation, the sum of \$25. **[Amended 8-8-1991 by Ord. No. 13069; 12-1-1993 by Ord. No. 13227; 3-25-1996 by Ord. No. 13389; 4-9-2001 by Ord. No. 13901]**
- B. For violation of § **615-54**, Parking prohibited on private property, the owner or operator, within 10 days of the time when such violation was alleged, pay as a penalty and in full satisfaction of each violation the sum of \$35 and, after 10 days but within 20 days of the violation, the sum of \$50. **[Amended 3-25-1996 by Ord. No. 13069; 4-9-2001 by Ord. No. 13901; 10-4-2002 by Ord. No. 14025; 2-21-2003 by Ord. No. 14059; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- C. Violation of § **615-47J**, Parking prohibited (double parking). **[Amended 2-21-2003 by Ord. No. 14059; 6-8-2007 by Ord. No. 14490; 3-3-2010 by Ord. No. 14787; 8-15-2012 by Ord. No. 15009]**
- (1) For violation of § **615-47J**, 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 10 days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation the sum of \$100 and, if after 10 days but within 20 days of the violation, the sum of \$150. On the second violation offense, the owner or operator, within 10 days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation the sum of \$200, and if after 10 days but within 20 days of the violation, the sum of \$250. On the third and subsequent violation offense, the owner or operator, within 10 days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation the sum of \$300 and, if after 10 days but within 20 days of the violation, the sum of \$350.
- (2) Lazy parker provision. If the violator of § **615-47J** is adjacent to an open space within 10 feet of an available parking space, an additional \$100 shall be added to the penalty.
- D. For violation of § **615-49**, Greasing or repair work, the owner or operator, within 10 days of the time when such violation was alleged, pay as a penalty \$50 and, after 10 days but within 20 days of violation, the sum of \$100. **[Amended 3-25-1996 by Ord. No. 13389]**
- E. For violation of § **615-55**, Parking prohibited at handicapped areas, the owner or operator, within 10 days of the time when such violation was alleged, pay as a penalty in full satisfaction of each violation the sum of \$50 and, after 10 days but within 20 days of violation, the sum of \$100. **[Amended 4-21-1993 by Ord. No. 13194; 3-25-1996 by Ord. No. 13389; 4-19-2001 by Ord. No. 13902]**
- F. For violation of any other provision of this article, the owner or operator may, within 10 days of the time when such violation was alleged, pay as a penalty the sum of \$15, and after 10 days but within 20 days of the violation, the sum of \$25. **[Amended 8-8-1991 by Ord. No. 13069; 12-1-1993 by Ord. No. 13194; 4-19-2001 by Ord. No. 13901]**

- G. For violation of § **615-56**, 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 10 days of the time when such violation was alleged, will pay as a penalty the sum of \$15 and, after 10 days but within 21 days of the violation, the sum of \$25. [**Amended 5-15-1991 by Ord. No. 13069; 4-21-1994 by Ord. No. 13194; 3-25-1996 by Ord. No. 13389; 4-19-2001 by Ord. No. 13901**]
- 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**]
- I. For violation of § **615-52**, Storage of vehicles on streets, the owner or operator may, within 10 days of the time when such violation was alleged, pay as a penalty the sum of \$35 and , after 10 days but within 20 days of the violation, the sum of \$50. Any vehicle parked in violation of the provisions of this section 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. [**Amended 4-19-2001 by Ord. No. 13901**]
- J. For violation of § **615-53**, Parking of inoperable or illegally registered vehicles, and § **615-57**, Washing vehicles on streets and sidewalks, the owner or operator shall, within 10 days of the time when such violation was alleged, pay as a penalty and in full satisfaction of each violation the sum of \$25 and, after 10 days but within 20 days of the violation, the sum of \$35. [**Amended 4-19-2001 by Ord. No. 13901; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)**]
- K. For violation of § **615-47G**, Parking prohibited within 15 feet of a fire hydrant, the vehicle is subject to immediate towing. The owner or operator within 10 days of violation shall pay a penalty of \$50 and, after 10 days but within 20 days of the violation, pay the sum of \$100. 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. [**Amended 10-4-2002 by Ord. No. 14025**]
- L. Any vehicle that has been cited two times within a one-year period shall be towed upon the third citation for violating § **615-55**, Parking prohibited at handicapped areas, and § **615-56**, Parking, stopping, standing or drifting 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. [**Amended 8-2-2007 by Ord. No. 14514**]
- M. For violation of § **615-51**, Parking truck and trailers, the owner or operator, within 10 days of the time when such violation was alleged, pay as a penalty and in full satisfaction of each violation the sum of \$35 and, after then 10 days but within 20 days of the violation, the sum of \$50. [**Amended 4-19-2001 by Ord. No. 13901; 3-3-2010 by Ord. No. 14787; 5-7-2014 by Ord. No. 15131**]
- N. Tampering with boots and other devices prohibited Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle pursuant to this article, or who shall move or attempt to move the vehicle immobilized before official release of the vehicle has been secured, shall be, upon conviction thereof, sentenced to pay a fine of not less than \$500 nor more than \$1,000, plus costs of repairing or replacing said device, together with the cost of prosecution, and, in default of payment of said fine and costs, to a term as determined by the court. [**Added 10-20-2021 by Ord. No. 15754**]

Article XIV
Limitations on the Parking of Trucks and Trailers

[Amended 9-15-2006 by Ord. No. 14421]

§ 615-59 Purpose.

Allentown City Council finds it necessary to regulate the parking of large vehicles and trailers to reduce public safety hazards and maintain the quality of residential neighborhoods, thereby preserving the value of property in those districts. The street grid in Allentown predates the manufacturing and licensing of large vehicles and trailers; over 90% of the streets are 36 feet wide, leaving eight feet for parking and 10 feet for the flow of two-lane traffic. Large vehicles and trailers create safety hazards by encroaching into the abutting lane and moving traffic across the center lane. Such parking and obstructions, besides being a public safety issue, impedes the free flow of traffic. Parked close to an intersection, such vehicles and trailers negatively impact the distance for vehicles entering the street. Large vehicles and trailers parked in residential areas generate complaints from residential neighborhoods in regard to traffic impediments and safety hazards, as well as noise.

§ 615-60 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUS

A motor vehicle designed to transport 16 or more passengers, including the driver; or a motor vehicle, other than a taxicab or limousine, designed to transport not more than 15 passengers, including the driver. The term does not include a vehicle used in a ridesharing arrangement, as defined in the Act of December 14, 1982 (P.L. 1211, No. 279), entitled, "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," or a school bus.

DUAL-WHEEL MOTOR HOME

A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck camper.

OVERSIZED VEHICLE

A motor vehicle that has a Class 5 license or above, or any equivalent license or above, or with a gross vehicle weight of over 11,000 pounds.

[Amended 2-8-2007 by Ord. No. 14468]

OWNER

A person, other than a lienholder, having the property right in or title to a motor vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

PARK or PARKING

When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway; and, when prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

RECREATIONAL TRAILER

A trailer designed or adopted and used exclusively for recreational purposes.

SCHOOL BUS

- A. A motor vehicle which is designed to carry 11 passengers or more including the driver and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.
- B. The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this commonwealth as a bus prior to March 1, 1993; or, a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this commonwealth as a bus prior to September 15, 1993.

TRACTOR TRAILER

A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

TRAILER

Every vehicle, wagon or truck without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

TRUCK CAMPER

A structure designed, used or maintained primarily to be loaded or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space.

§ 615-61 Prohibitions.

[Amended 6-25-2007 by Ord. No. 14500; 2-8-2007 by Ord. No. 14468; 5-25-2007 by Ord. No. 14500; 2-8-2007 by Ord. No. 14468]

It shall be unlawful for any person to park, or allow to remain parked, on any street or parts of streets, the following vehicles: buses, dual-wheel motor homes, oversized vehicle, school buses, tractor trailers, trailers, and truck campers within the districts listed below as defined and circumscribed in Chapter 660, Zoning; and on any street abutting such zone; and, that this prohibition shall apply to any designated district established in Chapter 660, Zoning, except for I-2, Limited Industrial, and I-3, General Industrial Districts.

§ 615-62 Exceptions.

These provisions of this article shall not apply to:

- A. Vehicles of the City of Allentown, such as fire apparatus and ambulances, or vehicles engaged in the work of a public utility;
- B. Vehicles of service companies, contractors, repairmen, delivery trucks or others actually engaged in working operations in the vicinity during the actual period of such between the hours of 7:00 a.m. and 8:00 p.m.

§ 615-63 Permit for loading or unloading recreational vehicles or truck campers.

[Amended 9-16-2009 by Ord. No. 14742; 7-17-2013 by Ord. No. 15082]

Permits shall be issued by the Allentown Parking Authority to the owners of recreation vehicles or truck campers for a twenty-four-hour permit to unload or load said vehicle with the option of a twenty-four-hour renewal by notifying the Allentown Parking Authority.

§ 615-64 Violations and penalties for truck and trailer provisions.

[Amended 5-7-2014 by Ord. No. 15131]

For violation of Article **XIV**, Limitations on the Parking of Trucks and Trailers, the owner or operator, within 10 days of the time when such violation was alleged, shall pay as a penalty in full satisfaction of each violation the sum of \$50 and, after 10 days but within 20 days of violation, the sum of \$100. In addition to the fine, the Police Department may have the vehicle or trailer immediately towed if the vehicle is posing an immediate safety hazard.

Article XV Parking Meters

[Amended 4-3-1956 by Ord. No. 8024; 3-6-2019 by Ord. No. 15517]

§ 615-65 **Definitions.**

The following words, whether in the singular or plural, when used in this article, shall have the meanings ascribed to them in this article except in those instances where the context clearly indicates otherwise:

PARKING METER

A device intended to assist public authorities in enforcing ordinances limiting the time during which vehicles may be parked on any street or highway or other public place within a parking meter zone.

PARKING METER ZONE

Streets or highways, or portions thereof, or municipal parking lots operated by the City or the Parking Authority of the City on which parking meters are installed, operated and used.

PUBLIC PLACE

Any municipal parking lot operated by the City or the Parking Authority of the City.

§ 615-66 **Parking meter zones established; Traffic Control Maps.**

[Amended 7-3-1962 by Ord. No. 9844; 8-18-2005 by Ord. No. 14312]

- A. All municipal parking lots operated by the City of Allentown or the Parking Authority of the City of Allentown.
- B. Parking meter zones shall be established and set forth by legend on the Traffic Control Maps of the City.

§ 615-67 **Holidays excepted.**

[Amended 6-3-1993 by Ord. No. 13201; 8-18-2005 by Ord. No. 14312; 3-6-2019 by Ord. No. 15517]

Parking restrictions and limitations in any parking meter zone are exempted on Sundays when there is no event at the PPL Center and on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Martin Luther King, Jr. Day and Christmas.

§ 615-68 **Time of parking limited by zone; hours of operation.**

[Amended 6-3-1993 by Ord. No. 13201; 8-18-2005 by Ord. No. 14312; 4-15-2015 by Ord. No. 15196; 1-18-2017 by Ord. No. 15345; 3-6-2019 by Ord. No. 15517]

On all days, other than those set forth in § **615-67**, parking in all zones is hereby limited not to exceed the maximum time stated in each meter. The hours of operation of residential permit parking are Monday through Saturday from 8:00 a.m. to 10:00 p.m. The hours for the operation of on-street parking meters are Monday through Saturday on Hamilton Street between 4th to 10th Streets and the unit blocks between Walnut and Linden Streets shall be from 8:00 a.m. to 9:00 p.m., and from 8:00 a.m. to 6:00 p.m. in all other areas, except as set forth in § **615-81**.

§ 615-69 Marking of spaces.
[Amended 8-18-2005 by Ord. No. 14312]

In all parking meter zones, a parking meter shall be installed for each parking space. All parking spaces may be placed either parallel, diagonal or perpendicular to the curb. Parking in other than designated parking spaces is prohibited in any parking meter zone.

§ 615-70 Meter signals.
[Amended 8-18-2005 by Ord. No. 14312; 3-6-2019 by Ord. No. 15517]

Each parking meter shall indicate by a proper legend the established legal parking time and, when in operation, shall also indicate on or by its display the duration of the period of legal parking or any illegal or overtime parking.

§ 615-71 Manner of parking.
[Amended 3-6-2019 by Ord. No. 15517]

Every vehicle parked parallel with the curb in any parking meter zone on a street or highway shall be parked with the facing forward in the direction of the flow of traffic. Every vehicle parked perpendicular to the curb of any street or highway or on any parking lot within a parking meter zone and designated as the "front-end parking only," shall be parked with the front end of the vehicle facing forward into the parking space. All vehicles shall be parked entirely within the lines of the designated parking space controlled by the meter situated adjacent thereto.

§ 615-72 Deposit of proper forms of currency or electronic payment in meter.
[Amended 7-3-1962 by Ord. No. 9844; 12-22-1975 by Ord. No. 12161; 8-18-2005 by Ord. No. 14312; 4-15-2015 by Ord. No. 15196; 3-6-2019 by Ord. No. 15517]

- A. Upon parking any vehicle in any parking meter zone, the operator shall immediately deposit, in the meter controlling such space or zone, any legally acceptable form of currency or electronic payment. Upon the deposit and placing the meter in operation, such parking space may be lawfully occupied by any vehicle during the period of parking time as indicated on the meter.
- B. Pursuant to this section, Council is hereby authorized and empowered to designate the proper coin or amount to be placed in such meter and to amend the instructions on the meter to reflect the proper coin or amount required for the operation of such meter. The rate per hour shall be \$1 except for Hamilton Street between 4th to 10th Streets and the unit blocks between Walnut and Linden Streets, where the rate shall be \$2, except as set forth in § 615-81.

§ 615-73 No parking beyond meter-indicated time.
[Amended 7-3-1962 by Ord. No. 9844]

No owner or operator of any vehicle shall cause, allow, permit or suffer such vehicle to be parked overtime or beyond the period of legal parking time as indicated or set forth on the instructions of such meter.

§ 615-74 Use of meter funds.
[Amended 6-3-1993 by Ord. No. 13201]

The payments required to be deposited in parking meters are levied and assessed as fees to provide for the proper regulations and control of traffic upon the streets and highways and other public places of the City, including the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters and municipal parking lots. The coins required to be deposited in

parking meters shall be collected and accounted for under the direction of the Executive Director of the Parking Authority and deposited by the Director at least once a week.

§ 615-75 Slugs prohibited.

No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for legal coins of the United States.

§ 615-76 Injuring or defacing meters.

No person shall deface, injure, tamper with or willfully break, destroy or impair the usefulness of any parking meter installed by authority of Council or by the Parking Authority of the City.

§ 615-77 Exceptions.

[Amended 8-18-2005 by Ord. No. 14312; 1-16-2013 by Ord. No. 15053]

Nothing in this article shall be construed as prohibiting the Authority from providing for free parking space for loading or unloading of commercial vehicles, for bus stops, taxicab stands or for other matters of a similar nature. The provisions of this article shall not apply to vehicles of the City of Allentown or to the Allentown School District which display a municipal plate and are engaged in official business.

§ 615-78 Enforcement.

[Amended 6-3-1993 by Ord. No. 13201]

The duty of enforcing the provisions of this article shall be on the Department of Police and the Allentown Parking Authority. In case of emergency, any of the provisions of this article may be temporarily suspended by such Director or Chief of Police, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions, during such emergency, may demand or required.

§ 615-79 Duty of police.

[Amended 7-21-1970 by Ord. No. 11813; 6-3-1993 by Ord. No. 13201; 8-18-2005 by Ord. No. 14312]

It shall be the duty of police officers or Parking Authority personnel or other duly authorized City employees of the City, acting in accordance with instructions issued by the Chief of Police or the Chief's designee, or the Executive Director of the Parking Authority, to turn in the violation ticket. The violation shall contain:

- A. The number of each parking meter which indicates that the vehicles occupying the parking space adjacent to such parking meter is, or has been, parked in violation of any of the provisions of this article.
- B. The state license number of such vehicle.
- C. The day and hour at which such vehicle is parked in violation of any of the provisions of this article at the time of his inspection.
- D. Any other facts, a knowledge of which may be considered necessary to a thorough understanding of the circumstances attending such violation.

§ 615-80 Verification of meters.

[Amended 6-3-1993 by Ord. No. 13201]

All parking meters located in the City of Allentown shall be checked for accuracy at least once a year. At the completion of each calendar year, a statement verifying that the annual inspection has been completed shall be submitted to City Council.

**§ 615-80.1 Authority of Parking Authority to fix and adjust rates for on-street parking.
[Added 3-6-2019 by Ord. No. 15517]**

- A. Provided the City Council is notified 30 days in advance of any rate change, or as soon as practicable after the scheduling of an event at the PPL Center, the Parking Authority is authorized to fix, adjust, charge and/or collect rates and other charges, including enforcement charges for on-street parking for specific locations, dates and hours as follows:
- (1) After 2 hours, the hourly parking rate may be adjusted for Hamilton, Linden and Walnut Streets, between 4th to 12th Streets and the unit blocks between Linden and Walnut Streets, up to the total amount charged by any designated rate for event parking at the PPL Center on the date of such events, not to exceed \$10 per hour.
 - (2) On dates when there are no events at the PPL Center, the hourly parking rate for Hamilton, Linden and Walnut Streets, between 4th and 12th Streets and the unit blocks between Linden and Walnut Streets, may be adjusted down to no charge and/or the hours of operation of on-street parking meters reduced.
 - (3) On the dates when there are events at the PPL Center, the penalty of any violation notice shall be the sum of \$25 if paid within 10 days and, after 10 days, but within 20 days, the sum of \$50.
- B. City Council must be notified 30 days in advance of any rate change and such change shall be noted at the next available Council meeting. All rate changes shall be posted on the Parking Authority's website and posted on its social media. City Council retains authority to further set limitations, veto and/or override any action taken by the Parking Authority hereunder by approval of a motion at any regularly scheduled meeting of City Council as set forth and in accordance with City of Allentown Home Rule Charter Section 807D and written notice to the Parking Authority.
- C. The Parking Authority shall provide Council with a written annual report on parking fee rate structures that will be distributed on a Council agenda and referred to an appropriate committee for discussion. The report shall include procedures and rationale related to adjusting such fees. The start times and enforcement times shall be a part of this report. The report shall be sent to the full Council for approval by resolution at a regularly scheduled Council meeting.

§ 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]

- A. Any police officer or other duly authorized Parking Authority employee shall issue a violation notice to any vehicles parked in violation of the provisions of this article a notice of said violation.
- B. Each such owner or operator may, within 10 days of the time when such violation was alleged, pay as a penalty and in full satisfaction of each violation the sum of \$10; and after 10 days but within 20 days of the violation the sum of \$25, except as set forth within § 615-81. **[Amended 3-6-2019 by Ord. No. 15517]**
- 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.~~

Article XVI
Residential Permit Parking

[Amended 5-7-1986 by Ord. No. 12708]

§ 615-82 Purpose.

The City Council of the City of Allentown considers it to be in the interest of the citizens of the City of Allentown to provide for the establishment of a residential permit parking (RPP) program in order to alleviate the hardship experienced by residents in obtaining on-street parking space to preserve the residential quality of neighborhoods and to provide for improvement in air quality. The powers and duties as contained in this article shall be performed by the Parking Authority.

§ 615-83 Residential permit parking program.

The Parking Authority is hereby authorized to designate, subject to the approval by City Council, as herein provided, certain streets and other public areas within the City of Allentown as permit parking areas in which resident vehicles displaying valid parking permits may stand or be parked without limitation by parking time restrictions established by this article. Vehicles not displaying valid parking permits may stand or be parked for a limited time not to exceed the time specified upon adequately posted signs.

§ 615-84 Designation of residential permit parking areas.

[Amended 9-7-1983 by Ord. No. 12568; 4-6-2009 by Ord. No. 14702]

A residential area, regardless of current zoning designation, shall be considered for designation as a residential permit parking area provided that designation criteria established by this article be satisfied and that City Council, through enactment of an ordinance, authorize the posting of appropriate signs specifying time limits and period of the day for its application.

§ 615-85 Designation criteria.

[Amended 11-4-1987 by Ord. No. 12804]

A residential area shall be deemed impacted and thereby eligible for residential permit parking provided that the following criteria are satisfied:

- A. In areas zoned other than Central Business District, the following criteria must be met:
- (1) At least 50% of the street level, front footage use is residential or non-business-related.
 - (2) During any period between the hours of 8:00 a.m. and 6:00 p.m. on weekdays, except holidays, the number of vehicles parked and/or standing, legally or illegally, at on-street parking spaces is equal to 70% or more of the legal on-street parking capacity of the area. For purposes of this evaluation, a legal parking space shall be 20 linear feet.
 - (3) During the same time period as specified above, 10% or more of the vehicles parking and/or standing on the streets in the area are not registered in the name of a person residing within a three-block distance of the location at which the vehicle is parked.
 - (4) On streets where there are parking meters and/or time restricted parking in § 615-90A(2) and (3) are not criteria for designation.
- B. In areas zoned Central Business District, the following criteria must be met:
- (1) At least 80% of the street level front footage abutting the street designated have a residential or non-business-related use.
 - (2) During any period between the hours of 8:00 a.m. and 6:00 p.m. on weekdays except holidays, at least 80% of all occupied on-street parking spaces are occupied by vehicles registered in the name of a person residing within a three-block distance of the location at which the vehicle is parked.
 - (3) If the above criteria are not met at any time, the Allentown Parking Authority shall notify City Council.

City Council may consider revoking the residential parking permit status for that street.

§ 615-86 Designation process.

[Amended 4-6-2009 by Ord. No. 14702]

- A. If the area in question is not an approved Residential Permit Parking Zone and a sufficient number of residents have requested to be a residential permit parking zone then the Parking Authority will schedule and administer a public hearing. For this hearing, every resident and property owner of the proposed plan area shall be notified by mail. On the basis of testimony taken, City Council shall or shall not designate the areas as an official residential permit parking area.
- B. On blocks or portions there within a Residential Parking Permit Zone where parking meters and/or time-restricted parking already exists, the Parking Authority may designate the area as a residential permit parking block.
- C. On blocks or portions thereof within a Residential Parking Permit Zone where no parking meters and/or time-restricted parking exists, the following process is to be followed:
 - (1) A block or portion thereof may be considered as a potential residential parking block or portion thereof upon the receipt by the Parking Authority of verified petitions from the residents of that block or portion thereof. The petition process may be initiated at the resident's request by the Allentown Parking Authority. A separate petition must be filed for each block and, in order for the petition to be valid, it must contain the signatures of the majority of households in that block.
 - (2) The Parking Authority shall conduct surveys of potential residential parking areas to determine the following:
 - (a) The number of legal on-street parking spaces available on each block in the area.
 - (b) The number of legal on-street spaces occupied by parked vehicles during an average weekday on each block in the area. Two surveys will be made on different days of the week and at different times of the day. One observation will be made in the early part of the day and the other later in the day.
 - (c) The number of parked vehicles in the area which are registered to addresses of persons who do not live in the area.
 - (3) If all designation criteria for a particular block has been satisfied, the Parking Authority shall direct the Bureau of Traffic Planning and Control to erect, or cause to be erected, signs on the designated block indicating that parking beyond the stipulated number of hours is by permit only. This restriction shall be considered a temporary traffic regulation subject to approval by City Council.

§ 615-87 Issuance of parking permits.

[Amended 4-6-2009 by Ord. No. 14702]

Following City Council's approval of the designation of a residential permit parking area, the Parking authority may issue appropriate permits and shall cause parking signs to be erected in the area indicating the times and conditions under which parking shall be allowed. A permit shall be issued upon application and payment of the applicable fee, only to the owner or operator of a motor vehicle who resides in the appropriate residential permit parking area. A separate permit shall be required for each motor vehicle. Commercial vehicles exceeding a gross weight of 10,000 pounds are not eligible for permits. Eligibility for a permit shall be as follows:

- A. Residents. The resident must prove residency and vehicle ownership or evidence of having a leased or company-owned vehicle. The Parking Authority shall establish criteria for proof of residence. A

separate application shall be required for each vehicle and each application shall be accompanied by a permit fee.

- B. Visitors. Special permits may be issued to visitors for a period of time not to exceed 14 days. No resident of a residential permit parking area shall be issued more than two visitor permits at any time.
- C. Residents living in the Central Business District have the option of purchasing a permit to park in an adjacent designated area.
- D. Caregiver. Caregivers may be issued a parking permit sticker, provided the address of the resident receiving the care is within said parking area, and the resident requiring care forfeits a current, valid permit or does not possess a current residential permit parking permit. The requirements to obtain a parking permit for a caregiver are:
 - (1) A completed application form in both the resident's and caregiver's name and address;
 - (2) A current DMV vehicle registration for the vehicle the applicant is requesting a permit for;
 - (3) Proof of residency in the permit area of the person receiving the care;
 - (4) A letter from the resident identifying the permit applicant as the caregiver;
 - (5) Photo identification and employment verification of the caregiver.

§ 615-88 Display of permit.
[Amended 9-7-1983 by Ord. No. 12568]

Permits shall be displayed on the driver's side of the rear bumper so as to be readily visible to enforcement personnel.

§ 615-89 Permit parking exemption.
[Amended 9-7-1983 by Ord. No. 12568; 2-15-1984 by Ord. No. 12595; 4-19-2001 by Ord. No. 13901; 1-16-2013 by Ord. No. 15053]

- A. A resident vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the residential permit area for which the permit has been issued without being limited by time restrictions or meter requirements established pursuant to this article. However, said resident's vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this article including Article **XIII**, Stopping, Standing and Parking and Article **XIX**, Street Cleaning, of this chapter, as well as loading zones, five-minute parking zones, handicapped zones and other special parking restrictions. All other motor vehicles parked within a residential permit parking area shall be subject to the time restrictions and meter requirements adopted as provided in this article as well as the penalties provided for herein. The provisions of this article shall not apply to vehicles of the City of Allentown or to the Allentown School District which display a municipal plate and are engaged in official business. A person shall not allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark.
- B. A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.

§ 615-90 Application for and duration of permit.

Each parking permit issued shall be valid for one year from the date of issuance. Permits may be renewed annually upon reapplication in the manner required by the Parking Authority. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence

address or address of real property owned or leased within a residential permit parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Parking Authority. If a resident sells or otherwise transfers a vehicle bearing a parking permit sticker, he shall remove the sticker before the transfer. If a resident transfers a vehicle bearing a valid permit parking sticker and acquires another vehicle, he shall provide the Parking Authority with proof of the transfer an affidavit attesting to the removal of the sticker. The Parking Authority shall then provide, at no cost, a new sticker which will expire at the same time as the original sticker.

§ 615-91 Permit fees.

[Amended 2-17-1988 by Ord. No. 12827]

The initial cost for each Residential Parking Permit shall be \$25 and each annual renewal cost will be \$20. The cost for visitor parking permits will be \$2.

§ 615-92 Revocation of permit.

The Parking Authority is authorized to revoke the residential parking permit of any person found to be in violation of this article and, upon written notification thereof, the person shall surrender such permit to the Parking Authority. Failure when so requested to surrender a residential parking permit so revoked shall constitute a violation of law and of this article.

§ 615-93 Residential parking permit zones.

The following areas are hereby designated as the residential parking permit zones:

- A. Residential Parking Permit Zone No. 1. Area bounded by Turner Street on the south, Allen Street on the north, 7th Street on the east and 10th Street on the west, but not to include 7th Street or Turner Street from Hall Street to 7th Street. Along the boundaries of Turner, Allen and 10th Streets, both sides of the street shall be included in the program. In addition, the 100 block of North 8th Street from Linden Street to Turner Street is included in this zone, as well as the 400 block of North 9th Street and the north side of the 800 block of Linden Street. **[Amended 2-8-2001 by Ord. No. 13889; 4-6-2009 by Ord. No. 14702; 9-2-2015 by Ord. No. 15223]**
- B. Residential Parking Permit Zone No. 2. Area bounded by Turner Street on the south, Allen Street on the north, 4th Street on the east and 7th Street on the west but not be include Turner Street from Morris Street to 7th Street. Along each of the four boundaries, both sides of the street shall be included in the program. **[Amended 2-8-2001 by Ord. No. 13889]**
- C. Residential Parking Permit Zone No. 3.
 - (1) Area bounded by Turner Street on the north, Court Street on the south, 4th Street on the east and Penn Street on the west, but not to include Turner Street. Along the boundaries of Court Street, 4th Street, and Penn Street, both sides of the street shall be included in the program.
 - (2) Area bounded by Turner Street on the north, Linden Street on the south, Penn Street on the east, and Law Street on the west, but not to include Turner Street. Along the boundaries of Linden Street, Penn Street and Law Street, both sides of the street will be included.
 - (3) Area bounded by Walnut Street on the north, Law Street on the west, Union Street on the south, and 4th Street on the east. Along each of the four boundaries, both sides of the street are to be included.
 - (4) Area bounded by Maple Street on the north, Law Street on the west, Walnut Street on the south and College Street on the east. Along each of the four boundaries, both sides of the street are to be included. **[Amended 11-4-1987 by Ord. No. 12804]**
- D. Residential Parking Permit Zone No. 4.

- (1) Area bounded by Maple Street on the north, Union Street on the south, 13th Street on the west and 10th Street on the east. Along each of the four boundaries, both sides of the street are to be included. Also included is the unit block of South Jefferson Street. [**Amended 4-6-2009 by Ord. No. 14702**]
- (2) Area bounded by Walnut Street on the north, Union Street on the south, 8th Street on the east and 10th Street on the west but not to include Walnut Street from Fountain to 10th Street, and Jackson Street from 9th to 10th Streets and all areas included in the between these boundaries. [**Amended 9-2-2015 by Ord. No. 15223**]

E. Residential Parking Permit Zone No. 5.

- (1) Area bounded by Chew Street on the north, Linden Street on the south, 10th Street on the east and 13th Street on the west but not to include 10th Street from Chew Street to Turner Street. Both sides of the street are to be included. Also included is the 200 block of North Poplar Street. [**Amended 4-6-2009 by Ord. No. 14702**]
- (2) Area bounded by Turner Street on the north, Fountain Street on the east, Linden Street on the south and 10th Street on the west but not to include Turner Street. Both sides of the street are to be included.
- (3) Area bounded by Linden Street on the north, Court Street on the south, Howard Street on the east and 13th Street on the west, to include both sides of the streets on the boundary streets.

F. Residential Parking Permit Zone No. 6.

- (1) An area bounded by Gordon on the north from 13th to 16th Streets, 13th Street from Gordon to Turner, Turner on the south from 13th to West Street, inclusive of the north side of Turner and West Street on the west from Gordon to Turner. [**Amended 9-2-1993 by Ord. No. 13214**]
- (2) On the 200 block of North 19th Street, bounded by Turner on the south and Chew on the north. [**Amended 2-5-1998 by Ord. No. 1369**]

§ 615-94 **Regulations and procedures.**

- A. Time restriction on parking. Except as otherwise designated, on-street parking will be restricted to a one- to three-hour time limit on streets that now have legal, on-street parking except for metered areas. Vehicle bearing valid residential parking 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 three-hour 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.

§ 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**]

- 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.~~

Article XVII Impounding

[Amended 6-5-1985 by Ord. No. 12661]

§ 615-96 **Authority of Bureau of Police and Allentown Parking Authority.**

The Bureau of Police and the designated enforcement officer(s) of the Allentown Parking Authority shall have the authority to remove and impound any motor vehicle/conveyance parked on the streets or highways of the City in violation of any ordinances of the City or of any provisions of the Motor Vehicle Code of the Commonwealth of Pennsylvania.

§ 615-97 **Scofflaw.**

- A. If any motor vehicle/conveyance is illegally parked in violation of this chapter or any applicable provision of the Motor Vehicle Code of the Commonwealth of Pennsylvania or whose owner is delinquent in payment of fines and costs imposed by a Magisterial District Judge and for whom a warrant of arrest has been issued by a Magisterial District Judge or whose owner is delinquent in payment of fines and penalties as a result of his violation of the parking laws of the City or the Commonwealth of Pennsylvania, then that owner's motor vehicle(s)/conveyance(s) shall be prohibited from parking on City streets and shall be seized, removed and impounded or immobilized. **[Amended 10-8-1998 by Ord. No. 13700]**
- B. Nonparking offenses.
 - (1) Upon conviction of or entry of a plea of guilty or nolo contendere for one or more of the following non-parking-related offenses and upon imposition of a fine or fines which separately or together with any other outstanding or unpaid fines imposed for the following offenses total in excess of \$250, the owner of the motor vehicle/conveyance shall be allowed 24 hours either to pay the fine or fines and costs or to make arrangements to pay installments, during which time the vehicle/conveyance may be rendered temporarily inoperable by the Bureau of Police. **[Amended 5-21-2004 by Ord. No. 14183]**

- (a) 75 Pa.C.S.A. § 1301 (relating to registration and certificate of title required);
 - (b) 75 Pa.C.S.A. § 1332 (relating to display of registration plate);
 - (c) 75 Pa.C.S.A. § 1371 (relating to operation following suspension of registration);
 - (d) 75 Pa.C.S.A. § 1501 (relating to drivers required to be licensed);
 - (e) 75 Pa.C.S.A. § 1786 (relating to required financial responsibility);
 - (f) 75 Pa.C.S.A. § 7124 (relating to fraudulent use or removal of registration plate).
- (2) If the owner neither makes payment nor makes arrangements for payment within the twenty-four-hour period or defaults upon such payment, an impoundment order for the vehicle/conveyance may be issued, and its enforcement directed by a police officer, a Magisterial District Judge or an authorized impoundment official as authorized by the issuing authority.
 - (3) The owner of any vehicle/conveyance impounded under this section may obtain possession of the vehicle/conveyance by:
 - (a) Furnishing proof of valid registration and financial responsibility; and
 - (b) Paying all fines and costs associated with the impoundment or making arrangements with the appropriate authority to make payments of all fines and costs by installments.
 - (4) This Subsection **B** applies only to non-parking-related violations set forth above and does not in any manner limit the authority of the Bureau of Police to seize, remove, impound or immobilize a vehicle/conveyance pursuant to Subsection **A** for parking related violations. **[Amended 5-21-2004 by Ord. No. 14183]**
 - (5) The Bureau of Police and the designated law enforcement officer(s) of the Allentown Parking Authority are hereby further empowered to immobilize any motor vehicle/conveyance parked on the streets or highways of the City of Allentown in violation of this chapter by attaching a wheel-locking device.
 - (6) No immobilized or impounded motor vehicle/conveyance shall be released until all costs and fines including towing and storage charges owed by the vehicle's owner have been paid in full **or otherwise in compliance with the payment plan imposed by the Magisterial District Judge.** For the purpose of this section "all fines and costs" shall include fines, penalties and costs owed by the vehicle's owner on either a state citation or a notice of outstanding parking ticket issued by the Allentown Parking Authority. **[Amended 10-9-1998 by Ord. No. 13700]**

§ 615-98 Designation of garages; bonding; charges.

The Bureau of Police shall do the following:

- A. Designate garages as approved storage places of the storage of impounded motor vehicles/conveyances, such list of designated garages to be posted in the Bureau of Police.
- B. Provide for the bonding of approved storage places in an adequate amount for the indemnifying of the owner of a motor vehicle/conveyance against the loss thereof or injury or damage thereto, while in the study of such poundkeeper.
- C. Fix specific towing and storage charges and post a list of towing and storage charges in the Bureau of Police and the offices of the Allentown Parking Authority.

§ 615-99 Notice to owner.

Within 12 hours from the time of removal of a motor vehicle/conveyance, notice of the fact that such motor vehicle/conveyance has been impounded shall be sent by the Bureau of Police or the Allentown Parking Authority, whichever has impounded said motor vehicle/conveyance, designating the place from which the motor vehicle/conveyance was removed, the reason for its removal and the pound in which it has been impounded.

§ 615-100 Payment of charges.

The payment of towing and storage charges, unless such payment shall be made "under the protest," shall be final and conclusive and shall constitute a waiver of any right to recover the money so paid. In the event that the towing and storage charges are paid "under protest," the offender shall be entitled to a hearing before a Magisterial District Judge or court of record having jurisdiction, in which case the defendant shall be proceeded against and receive such notice as provided by applicable law in other cases of summary offense, and shall have the same right as to appeal and waiver of hearing.

§ 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.~~

**Article XVIII
Abandoned Vehicles**

§ 615-102 Definitions.

The following words and phrases, when used in this article, shall have the meanings ascribed in this section unless the context clearly indicates a different meaning:

PARKING LOT

A parking lot open to the public if used for parking with or without a charge.

[Amended 2-21-2003 by Ord. No. 14062]

PERSON

Any individual, partnership, limited partnership, association or corporation.

PRIVATE PROPERTY

A lot or piece of property in private ownership.

[Amended 2-21-2003 by Ord. No. 14062]

PUBLIC PROPERTY

Any real property owned or controlled by the City of Allentown or the Allentown Parking Authority.

[Amended 5-25-1965 by Ord. No. 10697; 1-7-1999 by Ord. No. 13727]

STREET or HIGHWAY

The entire width between the boundary lines of any public right of way constructed and maintained for the use of the public and vehicular traffic.

VEHICLE

A machine ordinarily propelled by power and designed to travel by the use of wheels, treads, runners or slides and to transport persons or property and shall include, without limitation, automobiles, trucks, trailers, motorcycles and tractors.

§ 615-103 Abandoned vehicles.

[Amended 5-25-1965 by Ord. No. 10697; 2-21-2003 by Ord. No. 14062]

No person shall abandon a vehicle within the City on either public or private property. For purposes of this article, an abandoned vehicle shall be:

- A. The vehicle is physically inoperable and is left unattended on a highway or other public property for more than 48 hours; or
- B. The vehicle has remained illegally on a highway or other public property for a period of more than 48 hours; or
- C. The vehicle is left unattended on or along a highway or other public property for more than 48 hours and does not bear all of the following, or:
 - (1) A valid registration plate;
 - (2) A certificate of inspection;
 - (3) An ascertainable vehicle identification number; or
- D. The vehicle has remained on private property without the consent of the owner or person in control of the property for more than 48 hours; or, a vehicle with a deflated tire or tires; or one without a tire or tires, or a vehicle without current license tags; or, a partially disabled wrecked or junked vehicle when allowed to remain in such condition for a period of 48 hours.

§ 615-104 Removal of vehicle.

[Amended 5-25-1965 by Ord. No. 10697; 1-7-1999 by Ord. No. 13727; 2-21-2003 by Ord. No. 14062]

Any such abandoned vehicle may be removed by the Bureau of Police, or a designated Allentown Parking Authority personnel, after five days' written notice to the registered owner thereof to remove such vehicle. If the vehicle constituted a safety hazard, the Bureau of Police or the Allentown Parking Authority may remove it immediately and, within 12 hours, send a written notice to the registered owner stating the cause of removal and the procedure to follow in reclaiming the vehicle.

§ 615-105 Removal of vehicle on public or private property.

[Amended 2-21-2003 by Ord. No. 14062]

Any such abandoned vehicle may be removed by the Bureau of Police or the Allentown Parking Authority. In order for a vehicle to be towed from a parking lot, the lot must be posted to notify the public of any parking restrictions and the consequences there.

§ 615-106 Exceptions.

[Amended 5-25-1965 by Ord. No. 10697]

The provisions of this article shall not apply to such vehicles in an enclosed building, a vehicle on the premises of a business enterprise when necessary to the operation of such business or to a vehicle in an appropriate storage place or depository.

§ 615-107 Permitting abandonment of vehicle.

[Amended 5-25-1965 by Ord. No. 10697; 2-21-2003 by Ord. No. 14062]

No person owning property within the City shall allow or permit another person to abandon a vehicle on his

property. In addition, the owner of a property on which a vehicle is parked or left unattended in violation of a City ordinance may have the vehicle removed. The owner must sign the Pennsylvania State Form MV-952. The Bureau of Police or the Allentown Parking Authority will be responsible for collecting a fee from the property owner prior to the tow. The fee will be per vehicle and will be equal to that charged by the towing company under contract with the Authority or the City. In the event that the owner of the vehicle claims the vehicle and pays all costs associated with the tow, the Bureau of Police and/or the Allentown Parking Authority will reimburse said owner.

§ 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.~~

Article XIX Street Cleaning

§ 615-109 Definitions.
[Amended 11-7-2006 by Ord. No. 14437]

As used in this article, the following terms shall have the meanings indicated:

PERSON

Every natural person, firm, corporation, partnership, association, or institution.

STREET CLEANING

Includes the year-round sweeping, salting, plowing or snow removal of the designated streets.

§ 615-110 Control maps and preparation.
[Amended 3-2-1971 by Ord. No. 11863; 10-8-2004 by Ord. No. 14216; 11-7-2006 by Ord. No. 14437; 8-19-2015 by Ord. No. 15221]

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.

§ 615-111 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. **[Amended 10-8-2004 by Ord. No. 14216; 11-7-2006 by Ord. No. 14437]**
- 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. **[Amended 3-2-1971 by Ord. No. 11863; 10-8-2004 by Ord. No. 14216; 11-7-2006 by Ord. No. 14437]**
- 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. **[Amended 11-7-2006 by Ord. No. 14437]**

§ 615-112 Existing parking regulations; emergencies.

- A. 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.

- B. 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.
- C. 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. **[Amended 3-2-1971 by Ord. No. 118363]**

§ 615-113 Year-round street cleaning.

[Amended 11-7-2006 by Ord. No. 14437; 11-21-2008 by Ord. No. 14656; 10-15-2014 by Ord. No. 15156]

- A. Street cleaning will continue in the designated posted areas during the months of December through February. Those areas shall include the following districts:
 - (1) No. 1: Front Street to 10th Street, Chew to Sumner and 4th to Front from Chew to Union Streets, as posted.
 - (2) No. 2: 10th to 17th from Martin Luther King, Jr. Drive to Sumner Avenue, as posted.
 - (3) No. 9: 4th to 12th Streets from Union to Chew Streets, as posted.
- B. Both Districts No. 1 and No. 2 will be suspended during a winter event and will be reinstated on a Monday once the curblin is clear of snow piles, as posted.

§ 615-114 Reporting requirements.

[Amended 11-21-2008 by Ord. No. 14656]

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.

§ 615-115 Exceptions.

[Amended 8-3-2016 by Ord. No. 15306]

The provisions of this article 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 article.

§ 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]

- A. 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 article, a notice of said violation.
- 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.~~

SECTION TWO: All Ordinances, Resolutions and/or other Regulations inconsistent with the above provisions are repealed to the extent of their specific inconsistency with the provisions of the code.

SECTION THREE: The provisions of this Ordinance are declared to be severable, and if any provision, sentence, clause, section, term, phrase, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impact any of the remaining provisions, sentences, clauses, sections, terms, phrases or parts of this Ordinance.

SECTION FOUR; This Ordinance shall become effective ten (10) calendar days after the date of adoption.