



Legislation Details (With Text)

File #: 2008-0256 **Version:** 2

Type: Ordinance **Status:** Passed Finally

File created: 4/1/2008 **In control:** Committee on Land Use and Economic Development

On agenda: **Final action:** 5/27/2008

Enactment date: 5/27/2008 **Enactment #:** 6

Effective date: 6/6/2008

Title: Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article VI, Parking, Chapter 549 - Residential Parking Permit Program, Sections 549.04, 549.08, 549.13 and 549.14 (b)so as to provide for the financial sustainability of the Residential Parking Permit Program.

Sponsors: Patrick Dowd, Bruce A. Kraus

Indexes: PGH. CODE ORDINANCES TITLE 05 - TRAFFIC, RESIDENTIAL PARKING PERMIT PROGRAM (RPPP)

Code sections:

Attachments: 1. 2008-0256.doc, 2. 2008-0256 version 2.doc

Date	Ver.	Action By	Action	Result
6/6/2008	2	Mayor	Signed by the Mayor	
5/27/2008	2	City Council	Passed Finally	Pass
5/21/2008	2	Committee on Land Use and Economic Development	AMENDED	Pass
5/21/2008	2	Committee on Land Use and Economic Development	AMENDED	Pass
5/21/2008	2	Committee on Land Use and Economic Development	Affirmatively Recommended as Amended	Pass
4/25/2008	1	Committee on Hearings	Public Hearing Scheduled	
4/2/2008	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Public Hearing	Pass
4/2/2008	1	Committee on Planning, Zoning & Land Use	Held for Cablecast Post Agenda	Pass
4/1/2008	1	City Council	Read and referred	
4/1/2008	1	City Council	Waived under Rule 8	Pass

Ordinance amending the Pittsburgh Code, Title Five, Traffic, Article VI, Parking, Chapter 549 - Residential Parking Permit Program, Sections 549.04, 549.08, 549.13 and 549.14 (b)so as to provide for the financial sustainability of the Residential Parking Permit Program.

BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH HEREBY ENACTS AS FOLLOWS:

SECTION 1. The Pittsburgh Code, Title Five, Traffic, Article VI, Parking, is hereby amended at Chapter 549 - Residential Parking Permit Program, Sections 549.04, 549.08, 549.13 and 549.14(b) as follows:

CHAPTER 549: RESIDENTIAL PARKING PERMIT PROGRAM

§ 549.01 Parking permit required during restricted hours; exceptions

§ 549.02 Definitions

§ 549.03 Designation of residential parking permit areas

§ 549.04 Designation criteria

§ 549.05 Designation process

§ 549.06 Recommendation of City Planning Commission

§ 549.07 Issuance of parking permits

§ 549.08 Visitor permits

§ 549.09 Posting signs indicating restrictions

§ 549.10 Display of parking permits

§ 549.11 Permit parking exemption

§ 549.12 Parking permit term and renewal

§ 549.13 Parking permit fees and exception

§ 549.14 Penalty

§ 549.15 Violations

§ 549.16 Permit revocation

§ 549.17 Minor exceptions

§ 549.02 DEFINITIONS.

For the purpose of this Chapter, the following terms shall have the meanings as set forth:

- (a) **BLOCKFACE.** All properties on one (1) side of a given street existing between two (2) consecutive intersecting streets.
- (b) **CERTIFIED RESIDENT.** A property owner having title to real property or a renter who has a valid apartment lease.
- (c) **COMMUTER VEHICLE.** A vehicle parking in a residential area in which it is not registered with the Commonwealth of Pennsylvania, Department of Motor Vehicles.
- (d) **HOUSEHOLD.** All persons occupying a dwelling unit.
- (e) **INFLUENCE AREA.** The area surrounding a facility in which it could reasonably be expected that nonresident motor vehicle owners or operators using the facility would seek parking spaces.
- (f) **LEASE.** A person pays rent or other remuneration for use of a parcel of real property as his residence or place of business. (Ord. 30-1981, eff. 9-22-81)
- (g) **MOTOR VEHICLE.** An automobile, truck, motorcycle or other motor-driven form of transportation not in excess of six thousand (6,000) pounds of gross weight or vehicles six thousand (6,000) to ten thousand (10,000) pounds of gross weight upon verification of necessity of use in the residential parking permit area. (Ord. 2-1991, eff. 2-4-91)
- (h) **OWN.** The a person has at least one-fourth (1/4) interest in a parcel of real estate within a residential parking area.
- (i) **PARKING MANAGEMENT PLAN.** A method specifically designed to address the identified parking needs of a clearly defined area through the use of techniques as a residential parking permit program, parking time restrictions, special meter zones and one-way street patterns.
- (j) **PARKING PERMIT OFFICER.** The Director of the Department of Public Works.
- (k) **RESIDENT VEHICLE.** A motor vehicle parked in a residential area in which it is registered or an application for registration has been made to the Pennsylvania Department of Motor Vehicles.
- (l) **RESIDENTIAL AREA or DISTRICT.** A continuous or nearly continuous area containing public streets and highways or parts thereof primarily abutted by residential parking or residential nonbusiness property including but not limited to schools, parks, churches, hospitals and nursing homes, and within an area zoned as a residential district which contains at least ten (10) adjacent blockfaces or at least one hundred (100) parking spaces.

(m) **RESIDENTIAL PERMIT PARKING PROGRAM AREA.** A residential area designated as herein provided wherein resident vehicles displaying a valid permit as described herein shall be exempt from parking time restrictions established pursuant to this Chapter.
(Ord. 30-1981, eff. 9-22-81)

§ 549.04 DESIGNATION CRITERIA.

(a) A residential area shall be deemed eligible for consideration as a residential parking permit area if, based upon surveys and studies prepared by the Department of City Planning or its designee, it is established that the residential parking area is impacted by commuter vehicles for extended periods of time during the day or night, on weekends or during holidays, and each newly created residential parking permit district will guarantee selling at least 50 permits. The 50 permit requirement will be waived if the petitioning street is not contiguous to any other streets with legal on-street public parking. Any streets that are currently part of a Residential Permit Parking area and meet the requirements for the waiver, shall have the option of remaining in their current district or choose to create a new Residential Permit Parking district.

(b) In determining whether a residential area identified as eligible for residential parking may be designated as a residential parking permit area, the City Planning Commission shall take into account factors which include, but are not limited to, the following:

- (1) The extent of the desire or the need of the residents for residential parking and their willingness to bear the administrative cost in connection therewith;
- (2) The extent to which the legal on-street parking spaces are occupied by motor vehicles during the period proposed by parking restrictions;
- (3) The extent to which the parking in the area during the period proposed by parking restrictions are commuter vehicles rather than resident vehicles;
- (4) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces;
- (5) At least seventy-five (75) percent of legal parking spaces are utilized during peak periods as determined by the parking study; and
- (6) At least fifteen (15) percent of the current spaces are utilized by nonresidents for more than two (2) hours.

(Ord. 30-1981, eff. 9-22-81)

SECTION 2. The Pittsburgh Code, Title Five, Traffic, Article VII, Parking, is hereby amended at Chapter 549, Section 549.08, as follows:

§ 549.08 VISITOR PERMITS.

The agency or group designated by the Parking Permit Officers is authorized upon application to issue no more than one (1) visitor parking permit per household or business of residential parking permit areas for use of bonafide transient visitors therein. The visitor's permits shall have all rights and privileges of a regular permit, except that use by the same vehicle shall be limited to no more than **[five (5)] three (3)** consecutive weekdays in a month unless additional use is approved by the enforcement office.

(Ord. 13-1993, eff. 5-25-93)

SECTION 3. The Pittsburgh Code, Title Five, Traffic, Article VII, Parking, is hereby amended at Chapter 549, Section 549.13, as follows:

§ 549.13 PARKING PERMIT FEES AND EXCEPTION.

(a) The fee for the residential parking permit shall be twenty dollars (\$20.00) a year or one-half (1/2) the

annual fee for a six-month period for each vehicle applied for by an eligible applicant and ~~one dollar (\$1.00)~~ ~~ten dollars (\$10.00)~~ one dollar (\$1.00) for each visitor's permit. The Parking Permit Officer shall determine the license year.

(b) *Exception.* In the event the permittee sells the permitted vehicle and obtains another vehicle, or shall replace the window of the permittee's vehicle, during the term of the parking permit, upon permittee's application for permit for new vehicle and permittee's presenting proof of sale of permitted resident vehicle, or proof of windshield replacement, a duplicate permit shall be issued by the Parking Permit Officer at no additional cost.

(Ord. 2-1991, eff. 2-4-91)

SECTION 4. The Pittsburgh Code, Title Five, Traffic, Article VII, Parking, is hereby amended at Chapter 549, Section 549.14, as follows:

§ 549.14 PENALTY.

(a) Violation of any provision of this chapter except 549.15 and 549.14(b) shall subject the violator to a fine of not more than ~~[twenty-five dollars (\$25.00)]~~ thirty-five dollars (\$35.00).

(b) In any RPPP district, any part of which falls within one thousand two hundred (1,200) feet of a Public Assembly facility with a seating capacity of more than sixty thousand (60,000), the violation of any provision of this chapter except 549.15 shall subject the violator to a fine of not more than one hundred dollars (\$100.00) on days when events occur at these public facilities.

(Ord. 30-1981, eff. 9-22-81; Ord. 25-2002, § 1, eff. 7-30-02)

§ 549.15 VIOLATIONS.

(a) No person shall falsely represent himself as eligible for a parking permit or furnish false information and application to the Parking Permit Officer.

(b) No person shall hold a valid parking permit issued pursuant hereto or permit the use of display of the permit on a motor vehicle other than that for which the permit is issued.

(c) No person shall produce, copy or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the Parking Permit Officer, and no person shall use or display the facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a residential parking permit area.

(Ord. 30-1981, eff. 9-22-81)

SECTION 5. All else in this Chapter remains unchanged.