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Title: Ordinance amending and supplementing the Pittsburgh Code at Title Five: Traffic, Article VII: Parking, Chapter 549: Residential Parking Permit Program by adding "Dynamic Hours" to subsection 549.02 Definitions.

Sponsors:

Indexes: PGH. CODE ORDINANCES TITLE 05 - TRAFFIC

Code sections:

Attachments: 1. Summary 2017-1225

Date	Ver.	Action By	Action	Result
3/6/2017	1	Mayor	Signed by the Mayor	
2/21/2017	1	City Council	Passed Finally	Pass
2/15/2017	1	Standing Committees	AFFIRMATIVELY RECOMMENDED	Pass
2/14/2017	1	City Council	Waived under Rule 8	Pass
2/14/2017	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code at Title Five: Traffic, Article VII: Parking, Chapter 549: Residential Parking Permit Program by adding "Dynamic Hours" to subsection 549.02 Definitions.

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1.

CHAPTER 549: - RESIDENTIAL PARKING PERMIT PROGRAM

§ 549.01 - PARKING PERMIT REQUIRED DURING RESTRICTED HOURS; EXCEPTIONS.

No person shall park in a designated residential parking permit area without a residential parking permit during restricted periods for more than two (2) hours.

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

§ 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) **DYNAMIC HOURS.** Adjustable time limitations on parking, set by the Director of Finance for the City of Pittsburgh, to efficiently balance parking supply and demand. Residential Permit Parking Areas with dynamic hours shall not have enforcement between 2:00 a.m. and 8:00 a.m. No Residential Permit Parking areas with a dynamic hours designation shall be enforced on Sundays between 2:00 a.m. and 11:59 p.m.
- ~~(d)~~(e) **HOUSEHOLD.** All persons occupying a dwelling unit.
- ~~(e)~~(f) **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)~~(g) **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)~~(h) **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)~~(i) **OWN.** The person has at least one-fourth (1/4) interest in a parcel of real estate within a residential parking area.
- ~~(i)~~(j) **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)~~(k) **PARKING PERMIT OFFICER.** The Director of the Department of Public Works.
- ~~(k)~~(l) **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)~~(m) **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)~~(n) **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)

§ 549.03 - DESIGNATION OF RESIDENTIAL PARKING PERMIT AREAS.

If the criteria in § 549.04 are met, a residential parking permit area shall be designated by resolution. The resolution shall also state the applicable time limitations and period of the day for its application, and the fee to be charged upon permit issuance.

(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 fifty (50) permits. The fifty-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; Ord. No. 6-2008, § 1, eff. 5-27-08)

§ 549.05 - DESIGNATION PROCESS.

- (a) Upon receipt of a verified petition by the City Planning Commission from a neighborhood group or groups of residents containing signatures of at least seventy (70) percent of all households in the residential area, or upon the direction of the City Planning Commission, the City Planning Department shall undertake or cause to be undertaken a parking study which shall be deemed necessary to determine whether a residential area is eligible for residential permit parking. (Ord. 9-1982, eff. 3-11-82)
- (b) Within thirty (30) days of the completion of the study, the City Planning Commission shall hold a public hearing or hearings on the subject of the eligibility of residential area under consideration for residential permit parking. The hearing or hearings shall be conducted for the purpose of ascertaining the boundaries of the proposed residential parking area as well as appropriate time limitation on parking in the period of the day for its application. The parking management plan to be submitted at these hearings to solve identified parking problems shall define residential parking permit program boundaries and other elements to such a program. This plan shall be approved by the Director of the Department of Public Works.

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

§ 549.06 - RECOMMENDATION OF CITY PLANNING COMMISSION.

- (a) Within sixty (60) days of the completion of the hearing or hearings conducted with regard to a particular residential area, the City Planning Commission shall recommend by written report to Council, based upon the record of the hearing and the studies performed, whether to designate the residential area under consideration as a residential permit parking area. The report shall also include the recommendation of the Department of Public Works.
- (b) The Planning Commission report shall set forth the evidence as a result of the surveys, study reports, significant subjects, concerns raised in the public hearing or hearings conducted, the findings relative to designation requirements listed in § 549.04 deemed applicable to residential parking area, and conclusions as to whether the findings justify preferential residential parking for that particular area, proposed boundaries of the residential parking area, and proposed time limitations in the period of the day for its application.

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

- (c) On determining whether to renew a designation as a residential parking permit area for a particular residential area, the Parking Permit Officer shall certify the continued existence of the primary impactor on which the original designation was based, and certify that seventy (7) percent of households, by petition, survey or combination thereof, still desire participation in the program.
- (d) The Parking Permit Office shall certify to Council every four (4) years that a Residential Parking Permit Area should continue to receive designation.

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

§ 549.07 - ISSUANCE OF PARKING PERMITS.

- (a) Parking permits shall be issued by the group or agency designated by the Department of Public Works or Parking Permit Officer. No more than one (1) parking permit shall be issued to each motor vehicle for which application is made. Residents of one (1) parking permit district who own a business in another parking permit district shall be authorized to purchase two (2) parking permits, one (1) permit for each affected permit parking district for their motor vehicle. The Parking Permit Officer is authorized to issue rules and regulations not inconsistent with this Chapter governing the manner in which the person shall qualify for parking permits.
- (b) Parking permits may be issued to motor vehicles only upon application of the following persons:
 - (1) A legal resident of a residential parking permit area who has a motor vehicle registered in his or her name or has a motor vehicle for his exclusive use and/or under his or her control.
 - (2) A person who owns or leases commercial property and actively engages in a business activity within a residential parking permit area. However, not more than one (1) parking permit may be issued for each business establishment where a motor vehicle is registered to or under control of a person.
- (c) Proof of residency or ownership and motor vehicle ownership and control of use in the residential parking area shall be demonstrated in a manner determined by the Parking Permit Officer.

(Ord. 30-1981, eff. 9-22-81; Ord. No. 7-2014, § 1, eff. 2-25-14)

§ 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 three (3) consecutive weekdays in a month unless additional use is approved by the enforcement office.

(Ord. 13-1993, eff. 5-25-93; Ord. No. 6-2008, § 2, eff. 5-27-08)

§ 549.09 - POSTING SIGNS INDICATING RESTRICTIONS.

Upon adoption, the Director of the Department of Public Works shall cause appropriate signs to be erected in the area indicating prominently thereon the time limitations, the period of day for its application and conditions upon which permit parking shall be exempt therefrom.

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

§ 549.10 - DISPLAY OF PARKING PERMITS.

Permits on motor vehicles shall be displayed in a manner to be determined by the Director of Public Safety.

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

§ 549.11 - PERMIT PARKING EXEMPTION.

A resident motor vehicle on which is displayed a valid parking permit as provided for here in this Chapter shall be permitted to stand or to be parked in the residential parking permit area for which the permit has been issued without being limited by time restrictions established pursuant to this Chapter. The resident motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to other authority. All other motor vehicles except emergency vehicles parked within a residential area shall be subject to the time restrictions adopted as provided in this Chapter. A residential parking permit shall not guarantee or reserve the holder thereof a designated parking space within the designated residential parking area.

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

§ 549.12 - PARKING PERMIT TERM AND RENEWAL.

Each parking permit issued by the Parking Permit Officer shall be valid for either a one (1) year or six-month period preceding the expiration date, as specified in the parking management plan, during which time the permit holder shall maintain eligibility for the issuance of a permit. Permits may be renewed annually or semi-annually upon reapplication in the manner required by the Parking Permit Officer.

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

§ 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 (½) the annual fee for a six-month period for each vehicle applied for by an eligible applicant and 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; Ord. No. 6-2008, § 3, eff. 5-27-08)

§ 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 forty-five dollars (\$45.00).
- (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 twenty dollars (\$120.00) on days when events occur at these public facilities.

(Ord. 30-1981, eff. 9-22-81; Ord. 25-2002, § 1, eff. 7-30-02; Ord. No. 6-2008, § 4, eff. 5-27-08; Ord. No. 16-2010, § 4, eff. 6-8-10)

§ 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)

§ 549.16 - PERMIT REVOCATION.

The Parking Permit Officer is authorized to revoke the residential parking permit of any person found to be in violation of this Chapter and upon written notification thereof, the person shall surrender such permit to the tax collector.

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

§ 549.17 - MINOR EXPANSIONS.

- (a) A street which is contiguous to an existing district may be deemed eligible for residential parking designation, as a minor expansion of an existing district, without City Planning Commission approval or a Council hearing, as long as the following criteria are met:
 - (1) The street(s) contains no more than one hundred (100) legal parking spaces and ten (10) block faces.
 - (2) The affected residents shall gather petitions from seventy (70) percent of the households on the petitioning street(s). Petitions shall be submitted to the Department of City Planning within thirty (30) days from notification to proceed with the gathering.
 - (3) A parking impaction study is undertaken and the proposed area meets all the designation criteria as stated in § 549.04.

The Permit Officer shall submit to Council a request for approval of the addition of the petitioning street(s) to the program and the City Planning Commission shall be notified of this action.

- (b) An existing district may receive only two (2) consecutive minor expansions, after which the designation process as stated in § 549.05 shall be utilized at least once before any additional minor expansions may

occur.

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