



Legislation Details (With Text)

File #:	2016-0075	Version:	2
Type:	Ordinance	Status:	Passed Finally
File created:	1/29/2016	In control:	Committee on Finance and Law
On agenda:	2/2/2016	Final action:	2/16/2016
Enactment date:	2/16/2016	Enactment #:	5
Effective date:	2/18/2016		
Title:	An Ordinance supplementing the Pittsburgh Code of Ordinances Title 5, Traffic; Article VII, Parking, by creating Chapter 546 - Parking Enhancement District.		
Sponsors:			
Indexes:	PGH. CODE ORDINANCES TITLE 05 - TRAFFIC		
Code sections:			
Attachments:			

Date	Ver.	Action By	Action	Result
2/18/2016	2	Mayor	Signed by the Mayor	
2/16/2016	2	City Council	Passed Finally, As Amended	Pass
2/16/2016	2	City Council	AMENDED	Pass
2/10/2016	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
2/2/2016	1	City Council	Read and referred	

An Ordinance supplementing the Pittsburgh Code of Ordinances Title 5, Traffic; Article VII, Parking, by creating Chapter 546 - Parking Enhancement District.

WHEREAS, Pittsburgh is a city of strong neighborhoods, many of which having their own business districts populated by locally owned businesses; and

WHEREAS, supporting these business districts through investment in infrastructure and enhanced public safety resources is a strategy that will ensure their long-term vitality; and

WHEREAS, many of these business districts have metered parking and support night-time economies, providing for a vital local economy but also creating a burden on city resources; and

WHEREAS, with local approval of such a proposal, night time meter collection could be used to supplement funding for needed business district services and improvements; now

Therefore be it resolved that the City of Pittsburgh does hereby enact as follows:

Section 1: The Pittsburgh Code of Ordinances Title 5, Traffic; Article VII, Parking; Chapter 546, Parking Enhancement Districts is hereby created and supplemented as follows:

Section 546.01 - Intent.

The intent of this Chapter is to generate revenue from nighttime entertainment areas of the City to be reinvested in those areas in the form of public safety resources, public works resources, and needed capital improvements. The source of revenue will be nighttime parking collection, however, communities will have to opt into the program and only parking zones that meet certain thresholds of nighttime activity will be eligible for this program.

Section 546.02 - Definitions.

- a) “Business Area Enhancements” shall mean investments in City owned and/or operated public safety resources or public safety resources contracted by the City of Pittsburgh, City owned and/or operated public works resources or public works resources contracted by the City of Pittsburgh, or capital improvements on City owned or City maintained infrastructure. Said capital improvements will comply with the provisions of the Capital Improvement Plan of Section 218.04(b) of this Code, or its successor plans.
- b) “Dynamic Parking Program” shall mean the processes and programs related to parking with Dynamic Hours as defined in Title Five: Traffic, Article VII: Parking, Chapters 543 and 545.05(d) of this code, and Dynamic Pricing as defined in Title Five: Traffic, Article VII: Parking, Chapters 543 and 545.05 (c) of this Code.
- c) “Nighttime Economy Coordinator” shall mean the City employee responsible for managing and implementing the City of Pittsburgh’s Sociable City Plan or its successor plans whether formal or informal, and, regardless of whether the position retains its FY2014 title.
- d) “Outside Organization” shall mean any community based organization, business organization, block watch, community council, community development organization, chamber of commerce, merchants association or any other similar organization other than a government office, agency, or elected official that provides services within the geographical boundary of a parking zone.
- e) “Parking Enhancement District” shall mean a Parking Zone that has been approved under the processes provided in this legislation to have collection hours extended past 6 PM in the form of Dynamic Hours; to have Dynamic Pricing instituted during all parking hours, and; to have the revenue generated from parking collection after the hours of 6 PM dedicated to funding Nighttime Business Area Enhancements within the Parking Zone.
- f) “Parking Zone” shall mean the same as Parking Zones detailed in Title Five: Traffic, Article VII: Parking, Chapters 543 and 545 of this Code.
- g) “Residential Permit Parking” shall mean the same as residential permit parking as detailed in Title Five: Traffic, Article VII: Parking, Chapters 543 and 549 of this code.

Section 546.03-Eligibility for Parking Enhancement District.

The following criteria are prerequisite for a Parking Zone to be eligible for designation as a Parking Enhancement District:

- a) In the immediate year prior to applying to become a Parking Enhancement District, the subject Parking Zone must have generated at least \$500 per on-street metered parking space for that year as determined by the Finance Director of the City of Pittsburgh or his designee.
- b) At least 80% of the street segments that intersect or directly connect with streets that have on-street metered parking and that are zoned residential or immediately border areas that are zoned residential must have Residential Permit Parking approved for collection until at least the hours that the proposed nighttime parking collection is implemented.
- c) The application for the creation of a Parking Enhancement District must be sponsored by an Outside Organization that provides services within the Parking Zone that is the subject of the application or by a member of City Council that represents a portion of the same Parking Zone.
- d) If the application originated from an Outside Organization, the application must also be co-signed by the member or members of City Council who represent any street segment where there are on-street metered parking spaces in the subject Parking Zone.

Section 546.04-Application for Parking Enhancement District.

- a) The Nighttime Economy Coordinator shall provide an application form, receive and accept applications, keep records related to applications, and manage the application process for this Parking Enhancement District program.
- b) The application form shall include a space for the Nighttime Economy Coordinator to certify and date both the acceptance of an application and the confirmation of completeness of an application.
- c) When the Nighttime Economy Coordinator confirms the completeness of an application, notice of the application and proposed Parking Enhancement District shall be submitted to the following six parties for the proper implementation of this program: the Zoning Administrator, the Director of Office of Management and Budget, the City Controller, the Director of Finance, the Executive Director of the Public Parking Authority of Pittsburgh, and the Director of the Department of Public Works.
- d) After the Nighttime Economy Coordinator provides the aforementioned notice of the Parking Enhancement District, he or she shall prepare a resolution and a companion ordinance to be submitted to City Council that shall include the following language:

- i. The resolution shall include the following:

The City of Pittsburgh, having been petitioned by the community and/or member(s) of City

Council, with the support of the member(s) of City Council who represent the neighborhood, hereby establishes a Parking Enhancement District in the _____ neighborhood pursuant to the requirements set forth in Title 5, Article VII, Chapter 546 of the Code of Ordinances of the City of Pittsburgh.

- ii. The companion ordinance shall include a Code amendment to Title Five: Traffic, Article VII: Parking, Chapter 543.01(b) indicating that the parking meter rate shall be “Dynamic Pricing” and the parking meter collection hours shall be “Dynamic Hours,” as defined in Chapter 545, Sections (c) and (d) respectively.

Section 546.05-Effect of Parking Enhancement District; Dedication of Funds.

A Parking Enhancement District:

- a) Shall become effective after the adoption of a resolution and ordinance by City Council that meets the criteria established in this Chapter and upon the setting of parking meter rates and hours for nighttime collection by the Director of Finance pursuant to the power vested in him/her in Title Five: Traffic, Article VII: Parking, Chapters 543 and 545.05(c) of this Code;
- b) Shall have hours of collection extended past 6 PM in the form of Dynamic Hours as defined in Title Five: Traffic, Article VII: Parking, Chapter 543 and 545(d) of this Code;
- c) Shall have Dynamic Pricing instituted during all parking hours, and;
- d) Revenue net of expenses incurred from parking collection after the hours of 6 PM shall be dedicated to funding Business Area Enhancements within the Parking Zone, provided that none of these funds shall be granted, contracted, or otherwise provided to an Outside Organization that provides service within the Parking Zone.
 - i) The City Controller is hereby authorized and directed to establish a trust fund for each authorized Parking Enhancement District from which all funds designated for Business Area Enhancements related to this program and defined in this Chapter are to be deposited and from which related expenditures are to be made.
 - ii) An annual report detailing revenues and expenditures from each Parking Enhancement District shall be prepared by the Office of Management and Budget and communicated to City Council, the City Controller, and the Mayor by May 1st of each year.

Section 546.06-Pilot program and city-wide implementation of Parking Enhancement Districts.

- a) The Parking Enhancement District program shall be implemented in the South Side Flats parking zone as a pilot program and not in any other parking zone in the City of Pittsburgh until at least one year after the South

Side Flats Parking Enhancement District has been implemented, unless five members of Council attest in writing to the Mayor before the date of city-wide eligibility that they wish for the city-wide eligibility to be delayed an additional six months to allow time for amendments to this legislation to be considered by the City Council. The letter to the Mayor must contain draft language of the amendments to be proposed to this legislation or else it shall be ineffective in its ability to delay the city-wide implementation.