

ORDINANCE NO. 2011 -

BOROUGH OF PHOENIXVILLE  
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH  
OF PHOENIXVILLE, AS AMENDED, CHAPTER 15, "MOTOR  
VEHICLES AND TRAFFIC," PART 4, "GENERAL PARKING  
REGULATIONS," BY AMENDING DEFINITION,  
DESIGNATING RESIDENTIAL PERMIT PARKING AREAS,  
APPLICATION AND ISSUANCE PROCEDURES FOR  
RESIDENTIAL PARKING PERMITS, AND SETTING FORTH  
CERTAIN ELIGIBILITY AND TIME LIMITATIONS.

The Council of the Borough of Phoenixville, Chester County, Pennsylvania, hereby ORDAINS that:

**Section 1.** Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," §15-410 "Residential Permit Parking," subsection 2 is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

Contractor

A person or entity who does not reside within the designated residential parking permit area, but is performing work on behalf of a property owner on a structure, dwelling or the exterior property of such structure or dwelling, which is adjacent to a street or other location within a residential parking permit area that does not have available off-street parking.

Eligible Employee

A person who does not reside within a designated residential permit parking area, but is an employer or employed by a proprietor, as defined herein, located on the 200 block of Church Street. For the purpose of this Section, an eligible employee shall be required to provide proof of employment at the time of making application for a parking permit and shall only be eligible for one (1) parking permit during their period of employment. No more than two (2) parking permits at anytime per business

Visitor

A person who does not reside within a designated residential permit parking area, but is visiting or residing with a resident on a temporary basis.

**Section 2.** Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” §15-410 “Residential Permit Parking,” subsection 3, is hereby amended by deleting it in its entirety and replacing it with the following:

Designation. Borough Council shall, in consultation with the Borough Manager and staff, designate the residential permit parking areas set forth in subsection (4) of this Section.

**Section 3.** Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” §15-410 “Residential Permit Parking,” subsection 4, is hereby amended by deleting it in its entirety and replacing it with the following:

4. Designation of Residential Permit Parking Areas.

A. Zone “A”. The following streets are designated as Residential Permit Parking Area:

<b>Street</b>	<b>Side</b>	<b>Between</b>	<b>Days</b>	<b>Time Limit</b>
Church Street	Both	Main Street and Bridge Street	Monday Through Saturday	2 hours
Hall Street	Both	Main Street and Bridge Street	Monday Through Saturday	2 hours

B. Parking in a designated Residential Permit Parking Area shall require a permit issued in accordance with this section between the hours of 8:00 a.m. prevailing time and 8:00 p.m. prevailing time.

C. Contractors holding a valid contractor parking permit shall only be permitted to park in the Residential Permit Parking Area between the hours of 9:00 a.m. prevailing time and 5:00 p.m. prevailing time.

D. Signs shall be erected along the streets in each Residential Permit Parking Area, indicating the days, hours, locations and conditions under which parking shall be by permit only.

**Section 4.** Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” §15-410 “Residential Permit Parking,” subsection 5 is hereby amended as indicated by the blackline and strikeout interlineations below, with

strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

5. Application for Permit. The person desiring a permit shall submit an application to the Borough Manager or his/her designee. This person must be an owner of or authorized by the owner of a motor vehicle as the driver and must reside in or be a proprietor of property immediately adjacent to a street or other location within a residential parking permit area, or be an eligible employee. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, in an amount as established ~~by resolution~~ in the Master Fee Schedule of the Borough of Phoenixville, to be applied to the cost of administering the residential permit parking program. Each application must contain the following information: the name of the owner or the driver, as the case may be, of the motor vehicle; the address of the resident, ~~or the proprietor~~ or eligible employee, as the case may be; the make, model and registration number of the motor vehicle; and the driver number as taken from the applicant's current driver's license. Eligible employees shall also provide proof of employment within the designated residential permit parking area at the time of application. At the discretion of the Borough Manager or his/her designee, the applicant shall be required, at the time of making application, to present his/her driver's license and the vehicle registration card.

**Section 5.** Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," §15-410 "Residential Permit Parking," subsection 6 is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

6. Issuance of Permit. Upon receipt of the application and the permit fee, and determination by him that the information upon the application shows that the applicant is entitled to a residential parking permit, the Borough Manager or his/her designee shall issue to the applicant a residential parking permit, which shall be valid for the remainder of the calendar year. No more than two (2) residential parking permits shall be issued for any eligible residential dwelling unit and no more than one (1) residential parking permit shall be issued to a proprietor or eligible employee of any business, professional office or non-residential property address with the maximum number of permits limited to two (2) per business. The permit shall display the license plate numbers of the motor vehicle, the residential parking area number and the expiration date. The permit shall be renewable annually before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any person to display other than the current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.

**Section 6.** Chapter 15, “Motor Vehicles and Traffic,” Part 4, “General Parking Regulations,” §15-410 “Residential Permit Parking,” subsection 7 is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

Temporary and Exemption Parking Permits. Temporary parking permits may be issued by the ~~Chief of Police~~ Borough Manager or his/her designee, upon payment of a fee in an amount as established ~~by resolution~~ in the Master Fee Schedule of the Borough Council, to contractors and bona fide visitors of residents of a designated residential permit parking area as follows; ~~and exemption parking permits may be issued, without payment of a fee, to handicapped persons.~~

A. Temporary Permit Applications:

1. Application for a contractor parking permit shall be made to the Borough Manager or his/her designee by the person residing on or who is a proprietor of property immediately adjacent to a street or other location within a residential parking permit area. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, in an amount as established in the Master Fee Schedule of the Borough of Phoenixville, to be applied to the cost of administering the residential permit parking program. Each application shall contain the following information: the name of the owner or the driver, as the case may be, of the motor vehicle; the address of the resident or proprietor, as the case may be; the make, model and registration number of the motor vehicle; and the driver number as taken from the contractor’s current driver's license. At the discretion of the Borough Manager or his/her designee, the contractor shall be required, at the time of making application, to present a vehicle registration card.
  
2. Application for a visitor parking permit shall be made to the Borough Manager or his/her designee by a person residing on a property immediately adjacent to a street or other location within a residential parking permit area. A separate application shall be required for each motor vehicle, and each application shall be accompanied by a permit fee, in an amount as established in the Master Fee Schedule of the Borough of Phoenixville, to be applied to the cost of administering the residential permit parking program. Each application shall contain the following information: the name of the owner or the driver, as the case may be, of the motor vehicle; the address of the resident; the make, model and registration number of the motor vehicle; and the driver

number as taken from the visitor's current driver's license. At the discretion of the Borough Manager or his/her designee, the visitor shall be required, at the time of making application, to present a vehicle registration card.

B. Temporary Permit Issuance:

1. Upon receipt of a contractor application and the permit fee, and determination by the Borough that the information upon the application shows that the applicant is entitled to a contractor parking permit, the Borough Manager or his/her designee shall issue to the applicant a contractor parking permit, which shall be valid for up to thirty (30) days. No more than two (2) contractor parking permits shall be issued for any eligible property, which is adjacent to a street or other location within a residential parking permit area. The permit shall display the license plate numbers of the motor vehicle, the residential parking area number and the expiration date. The permit shall be renewable on or before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any contractor to display other than a current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.
2. Upon receipt of a visitor application and the permit fee, and determination by the Borough that the information upon the application shows that the applicant is entitled to a visitor parking permit, the Borough Manager or his/her designee shall issue to the applicant a visitor parking permit, which shall be valid for up to fourteen (14) days. No more than two (2) visitor parking permits shall be issued for any eligible residence, which is adjacent to a street or other location within a residential parking permit area. The permit shall display the license plate numbers of the motor vehicle, the residential parking area number and the expiration date. The permit shall be renewable once or before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any visitor to display other than a current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.

C. Exemption Parking Permits may be issued to residents or eligible employees with a physical disability without payment of a fee.

**Section 7.** If any sentence, clause, section 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 impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 8.** All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

**Section 9.** This Ordinance shall become effective upon enactment as provided by law.

**PASSED** by Borough Council this 1st day of November, 2011.

By: \_\_\_\_\_  
Richard M. Kirkner, President, Borough Council

**APPROVED** by the Mayor, this 1st day of November, 2011.

By: \_\_\_\_\_  
Leo J. Scoda, Mayor

**ENACTED** this 1st day of November, 2011.

By: \_\_\_\_\_  
E. Jean Krack, Borough Manager/Secretary

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 1st day of November, 2011.

By: \_\_\_\_\_  
E. Jean Krack, Borough Manager/Secretary