

93-20 IV Expired Meter

93-20(V)

PARKING WITHIN LINES

BOROUGH OF BELLEVUE

ORDINANCE NO. 93 - 20

AN ORDINANCE OF THE BOROUGH OF BELLEVUE, A HOME RULE CHARTER MUNICIPALITY, AMENDING ORDINANCE NO. 1410, ENACTED SEPTEMBER 26, 1972, KNOWN AS "AN ORDINANCE CREATING METERED PARKING AREAS WITHIN THE BOROUGH OF BELLEVUE; REGULATING THE PARKING OF VEHICLES WITHIN SAID METERED PARKING AREAS; AUTHORIZING THE USE OF PARKING METERS THEREIN; FIXING THE RATES TO BE CHARGED FOR PARKING VEHICLES IN SAID AREAS; AND PROVIDING PENALTIES FOR VIOLATION THEREOF," AS AMENDED, BY ADDING THE HOLIDAYS OF FLAG DAY, PRESIDENTS' DAY, MARTIN LUTHER KING DAY AND COLUMBUS DAY TO SECTION I THEREOF, AND BY AMENDING SECTION IV AND SECTION V AS TO PENALTIES AND NOTICE TO OWNERS OF VIOLATIONS, AND SECTION II AS TO CHANGES IN CERTAIN PARKING AREAS.

THE TOWN COUNCIL OF THE BOROUGH OF BELLEVUE HEREBY
ORDAINS:

Ordinance No. 1410 is hereby amended to read as follows:

"SECTION I: Except as hereinafter provided, it shall be unlawful for the owner or operator of any vehicle to park such vehicle between the hours of 9 o'clock A.M. and 9 o'clock P.M. on any day excepting Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Columbus Day, Martin Luther King Day, Good Friday, Flag Day, and Presidents' Day, in excess of the times herein established for each designated

zone, street, public parking lot or public parking area, which said zone, portions of streets, public parking areas are hereby designated as Metered Parking Areas.

SECTION II: There shall be, and there are hereby under the terms and provisions hereof, created and ordered maintained in existence, with all proper markings and signs required by law for the proper enforcement thereof, the following Metered Parking Areas within the Borough of Bellevue:

A. Metered Parking Areas limited to one (1) hour continuous parking:

1. Both sides of Lincoln Avenue between the westerly line of Harrison Avenue and the westerly line of Florence Avenue. Provided, however, that the parking of any vehicle on the northerly side of Lincoln Avenue between the easterly line of Sheridan Avenue and the westerly line of North Balph Avenue shall be, and is hereby, prohibited at all times.

2. Westerly side of South Balph Avenue for a distance of one hundred fifty (150) feet southwardly from the southerly line of Lincoln Avenue.

3. Easterly side of Hawley Avenue between Lincoln Avenue and Maple Alley.

4. Easterly side of South Fremont Avenue between Lincoln Avenue and Hallet Place.

5. Easterly side of North Sprague Avenue between Lincoln Avenue and the southwestern corner of the municipal parking lot and southerly boundary line, extended, of property now or formerly of Helen Berg Swanson.

6. Westerly side of Meade Avenue between Lincoln Avenue and Linden Way.

B. Metered Parking Areas limited to two (2) hour continuous parking:

1. Both sides of Lincoln Avenue from the westerly side of Florence Avenue to the westerly boundary line of the Borough of Bellevue.

2. Northerly side of Bayne Avenue between the easterly line of Hawley Avenue and the westerly line of North Balph Avenue, except for those areas presently marked and customarily reserved for officials of the Borough of Bellevue.

3. Westerly side of South Balph Avenue between the northerly line of Monroe Avenue and the northerly line of property, extended, now or formerly of Bell Telephone Company of Pennsylvania.

SECTION III: In the metered parking areas hereinbefore created and designated, the proper Borough employees shall cause parking spaces individually of such size as to permit parking therein of a standard size automobile or truck not in excess of three quarter (3/4) ton capacity to be marked by lines on the curb or pavement, or by other appropriate markings or signs, and on the sidewalks, island or other acceptable area adjacent to each such parking space shall erect and maintain in operative condition individual parking meters which, upon deposit of a coin or token, will be activated in such manner as to clearly show the amount of parking time secured through deposit of such coin or token and the expiration point of such parking time.

SECTION IV: The charges to be made and the amount to be deposited to activate the public meters for public metered parking within the Borough of Bellevue shall be as follows:

A. Those meters situated along public streets having a maximum limit of one (1) hour:

Five (5) cents for one-sixth (1/6) of an hour or a fraction thereof.

Ten (10) cents for one-third (1/3) of an hour or a fraction thereof.

Twenty-five (25) cents for one (1) hour or a fraction thereof.

B. Those meters situated along public streets and in parking Lot No. 1 (that parking lot situated between Hawley Avenue and North Sprague Avenue) having a limit of two (2) hours:

Five (5) cents for one-sixth ($1/6$) of an hour or a fraction thereof.

Ten (10) cents for one-third ($1/3$) of an hour or a fraction thereof.

Twenty-five (25) cents for one (1) hour or a fraction thereof.

C. Those twenty (20) meters situated in parking Lot No. 1 (above described) and all of the meters in parking Lot No. 2 (that parking lot situated between Meade Avenue and South Sprague Avenue at or near Linden Way) having a maximum limit of ten (10) hours:

Ten (10) cents for one-half ($1/2$) of an hour or a fraction thereof.

Twenty-five (25) cents for each period of ninety (90) minutes or a fraction of such period.

D. Those meters situated in parking Lot No. 3 (that parking lot situated at the northeasterly corner of Lincoln Avenue and North Jackson Street) having a maximum limit of two (2) hours:

Twenty-five (25) cents for one-half (1/2) hour or a fraction thereof.

E. Immediately upon entering a metered parking space, the vehicle owner or operator shall deposit or cause to be deposited in the controlling parking meter sufficient money to provide authorized metered parking at the rates theretofore set forth, but not to exceed use in excess of the maximum period of time allowed for use of such parking space under the terms and provisions of Ordinance No. 1410, as amended. The user of any public parking meter within the Borough of Bellevue shall upon every such use do each and every act required or necessary to lawfully place any such parking meter in operation. Failure to properly do each and every such act shall constitute a violation of Ordinance No. 1410, as amended.

SECTION V: It shall be unlawful to park any vehicle across any line or marking designating a parking space, or to park said vehicle in any way that the same shall not be wholly within a parking space as designated by said lines or markings in any metered parking area.

SECTION VI: It shall be unlawful to deposit, or cause to be deposited in any Borough Parking Meter any slug, device or metallic substitute for either lawful coin issued by the United States of America or lawful token issued by the Borough of Bellevue, or to tamper with said meter in any manner intended to avoid the necessity of depositing the required coin or token in any such meter.

SECTION VII: The fees required to be deposited as provided herein are hereby levied to cover the cost of inspection, installation, operation, control and use of the parking meters described herein, and the cost involved in policing and regulating the parking of vehicles in the metered parking areas herein created, and other traffic and safety equipment and expenses including but not limited to tickets, notices and employee costs associated with the administration of the parking program.

SECTION VIII: Until parking meters are actually installed in the metered parking areas hereinbefore described, the parking of vehicles in said areas, or in that portion of the areas in which meters are not installed, shall be limited to such parking time as has been heretofore fixed by other Ordinance of the Borough of Bellevue. Nothing contained in this Ordinance or in any

Ordinance hereafter establishing metered parking shall be construed to permit parking of vehicles in those spaces within any metered parking area in which by other Ordinance or Ordinances of the Borough of Bellevue, or by other law such as but not limited to the Vehicle Code of the Commonwealth of Pennsylvania, parking is now or may be in the future prohibited.

SECTION IX: It shall be unlawful to deface, tamper with, damage, open or willfully break, destroy or impair the usefulness of any parking meter installed under the terms of this Ordinance, or of any marked metered parking area line, sign, designation, marking or other thing.

SECTION X:

A. Any person violating Section IV of this Ordinance shall, upon conviction thereof, for each violation, be sentenced to pay a fine of not less than Fifty Dollars (\$50) and not more than Three Hundred Dollars (\$300) together with the costs of prosecution, or in default thereof, undergo imprisonment in the Borough of Bellevue Jail facility for a period not in excess of ten (10) days or in the Allegheny County Jail for a period not in excess of ten (10) days.

In lieu of prosecution, any person who has violated Section IV of this Ordinance may elect to plead guilty and pay the following fines at the Borough of Bellevue Police Department, 537 Bayne Avenue, Bellevue, Pennsylvania:

1. The sum of Three Dollars (\$3) if paid within five (5) days of the date and time indicated on the parking ticket; or

2. The sum of Fifteen Dollars (\$15) if paid after five (5) days of the date and time indicated on the parking ticket, but less than fifteen (15) days;

3. The sum of Twenty-five Dollars (\$25) if paid after fifteen (15) days of the date and time indicated on the parking ticket but less than thirty (30) days.

B. Any person violating Section V of this Ordinance shall, upon conviction, for each violation thereof be sentenced to pay a fine of not less than Fifty Dollars (\$50) and not more than Three Hundred Dollars (\$300) together with the costs of prosecution, or in default thereof undergo imprisonment in the Borough of Bellevue Jail facility for a period not in excess of ten

(10) days or in the Allegheny County Jail for a period not in excess of ten (10) days.

In lieu of prosecution, any person who has violated Section V of this Ordinance may elect to plead guilty and pay the following fines at the Borough of Bellevue Police Department, 537 Bayne Avenue, Bellevue, Pennsylvania:

1. The sum of Fifteen Dollars (\$15) if paid within five (5) days of the date and time indicated on the parking ticket; or

2. The sum of Twenty-five Dollars (\$25) if paid after five (5) days of the date and time indicated on the parking ticket, but less than thirty (30) days;

C. Any person violating any of the provisions of this Ordinance, except Section IV and Section V, above referred to, or any person who aids, abets or assists in any violation of the provisions of this Ordinance, except Section IV and Section V above referred to, shall for each such violation, upon conviction, be sentenced to pay a fine of not less than Fifty Dollars (\$50) nor more than Three Hundred Dollars (\$300)

together with the costs of prosecution, or in default thereof, to undergo imprisonment in the Borough of Bellevue Jail facility for a period not in excess of ten (10) days or in the Allegheny County Jail for a period not in excess of ten (10) days.

D. The Borough of Bellevue Police Department is hereby directed to notify owners of vehicles for which parking tickets have been issued that the ticket or tickets are unpaid, said notice to be mailed after five (5) days of the date indicated on the ticket by regular U.S. Mail to the last-known address of the owner or owners.

SECTION XI:

A. There are hereby created, in addition to those parking spaces or area as already in existence within the Borough of Bellevue, five (5) parking spaces which are reserved for parking only for the disabled or handicapped.

Said spaces shall be properly marked and identified and shall be located as follows:

1. Parking Lot No. 1 (described at Section IV (b) above) - two (2) spaces.

2. Parking Lot No. 2 (described at Section IV (c) above) - two (2) spaces.

3. Parking Lot No. 3 (described at Section IV (d) above) - one (1) space.

B. In order for these spaces to be used by the disabled or handicapped, the disability or handicap of the owner, operator or passenger of the motor vehicle occupying such space must be such that it is impossible, difficult or extremely inconvenient for such person to use other parking spaces. A motor vehicle equipped with an official registration plate evidencing the disability or handicap of the owner shall be conclusive proof of compliance with this section.

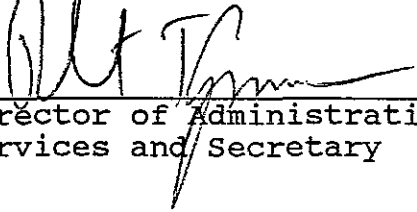
SECTION XII: If any section or provision or part thereof in this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the Ordinance as a whole or of any Section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION XIII: That any Ordinance, or part thereof, conflicting with provisions of this Ordinance, shall be, and the

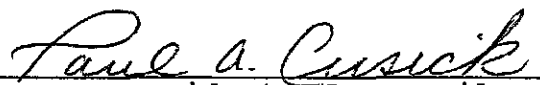
same is hereby repealed insofar as the same affects this Ordinance.

ORDAINED AND ENACTED this 4th day of August, 1993.

ATTEST:

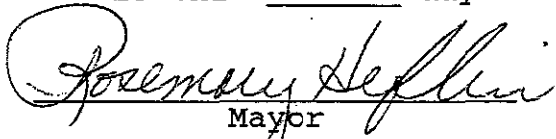


Director of Administrative
Services and Secretary



President of Council

EXAMINED AND APPROVED this 4th day of August, 1993.



Mayor