

**BOROUGH OF NORTHUMBERLAND**  
**ORDINANCE NO. 2011-5**

**AN ORDINANCE TO AMEND CHAPTER 58 SECTIONS 58-5 “DEPOSIT OF COINS AND PARKING PERMITS” AND 58-30.1 “PARKING RESTRICTED BETWEEN CERTAIN BUSINESS HOURS TO CUSTOMERS OF BUSINESS” OF THE BOROUGH OF NORTHUMBERLAND’S (THE “BOROUGH”) CODE**

**WHEREAS**, the Borough Council of Northumberland Borough, Northumberland County, Pennsylvania (“Borough Council”) has determined that it is in the best interest and welfare of its residents to modify the parking regulations in its business districts; and

**WHEREAS**, the Borough Council has determined that a hardship related to parking exists for businesses and those who reside in business districts within the Borough; and

**WHEREAS**, in order to alleviate the hardship experienced by business owners and residents of the business districts of the Borough, Borough Council has determined to make permits for parking in designated metered spots in these areas available to such businesses and residents; and

**WHEREAS**, to further alleviate the hardship experienced by business owners and residents of the business districts of the Borough, Borough Council has determined to designate parking spots near businesses for use during business hours solely by the customers while doing business with the designated business; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, as follows:

**Article 1.**

The Code of Ordinance of the Borough of Northumberland, Chapter 58, shall be amended by adding subsection b.) to Section 58-5 as follows:

**§58-5 Deposit of Coins and Parking Permits.**

- a.) When any vehicle shall be parked during the time of limited parking in any space adjacent to which a parking meter is located, the owner or operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited, “U.S. legal tender” in such parking meter and operate the meter in accordance with the instructions thereon, and failure to do so shall constitute a violation of this Article. Upon the deposit of “U.S. legal tender” and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the particular amount deposited, to wit: thirty (30) minutes of parking for

one nickel, one (1) hour of parking for one dime, and two (2) hours parking per quarter. If such vehicle shall remain parked in any such parking space for such a length of time that the meter shall indicate by a proper signal that the lawful time has expired, such vehicle shall be considered as parking overtime, and the parking of a vehicle overtime shall be considered a violation of this Article.

b.) In lieu of depositing U.S. legal tender into a parking meter as stated in paragraph “a” above, a vehicle may be parked in a metered parking space with a permit purchased from the Borough. Permits can be purchased and used in accordance with the following provisions:

1. The Borough offers two classes of parking permits: 1) Business and 2) Residential. A business located on a block that has designated parking meters is eligible to purchase a Business Parking Permit. Each such business is eligible to purchase a maximum of two (2) parking permits per month. Residents living on a block that has designated parking meters are eligible to purchase a maximum of one (1) parking permit per household per month. The initial price for a permit is \$20.00 per month. Borough Council may, from time to time, change the rate of the permit by resolution.
2. The permits shall be available for purchase at the Borough Office. The applicant for a permit shall submit all information requested by the Borough, including but not limited to name of applicant, address and a signed statement that the permit shall be used in accordance with this Ordinance. The applicant shall be reviewed by the Borough Office to verify the eligibility of the applicant. If the Borough Office determines the applicant is eligible, a permit shall be issued within five (5) days. If eligibility cannot be verified by the Borough Office, the permit shall be denied. An applicant may appeal such denial to the Borough Council solely on the basis that they meet the eligibility requirements.
3. A Business Permit shall have the month and year of the permit and the name of the business. The Residential Permit shall list the month and the year of the permit and the permit holder’s street address. Permits must be hung on the rearview mirror of the vehicle in plain view.
4. A Business Permit can be used by a permit holder’s employee or customer. The permits are not transferable to any other business or person.

5. A Residential Permit can be used by anyone living in or visiting the permit holder's household.
6. A Residential Permit can only be used on meters designated by the Borough with an "R". A residential permit shall not be valid for a meter not designated with an "R".
7. Permits do not absolve the user of any other parking regulations such as no parking on certain days, snow emergencies, etc. that may be contained in any other Borough ordinance, state or federal law or regulation.
8. Permits may be purchased in advance and shall be in force from the first of the month to the last day of the applicable month. If a permit is purchased for a current month, the permit is valid upon issuance by the Borough and expires on the last day of that month. The cost of a permit shall not be pro-rated due to it applying for a permit for only part of a month.
9. The permits do NOT guarantee parking in any particular parking space of the metered areas of the downtown. Parking is on a first come, first served basis and parking may not always be available for all permit holders.
10. Any business or resident in violation of the rules of the permit shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.

## **Article 2.**

The Code of Ordinance of the Borough of Northumberland, Chapter 58, shall be amended by adding as a new Section 58.301.1 as follows:

### **§58.301.1 Parking Restricted Between Certain Business Hours to Customers of a Business**

Parking is hereby restricted in areas designated by Borough Council during business hours to customers of the designated businesses in accordance with the following provisions:

1. Any business may request to have a sign posted in front of their business restricting parking to their customers during their business hours.

2. To qualify for restricted parking, a business must demonstrate that the business does not have off-street parking available for its business. If a business can demonstrate that it has no off-street parking, the Borough shall approve up to two (2) parking spaces to be restricted for the use of the business customers during normal business hours. A business must request a set, continuous period of time, not to exceed a maximum of ten (10) hours, to be considered their normal business hours.
3. If approved, the business must purchase a sign through the Borough Street Department Supervisor designating the name of the business and the established business hours. The business shall be required to pay for the sign.
4. The Borough shall install all approved signs according to federal, state and Borough regulations.
5. The Borough shall paint lines designating the restricted parking spaces. The business shall be responsible for the cost of painting the lines.
6. Individuals may only park in the restricted parking spaces during the designated business hours while patronizing the designated business. An individual must remove their vehicle from the restricted parking space within fifteen (15) minutes of leaving the designated business.
7. All other applicable provisions of Chapter 58 still apply for the restricted parking spaces. Any individual in violation of this section shall be considered in violation of Chapter 58 of the Code and subject to the penalties stated in Chapter 58 of the Code.

### **Article 3.**

Savings Clause. All other sections of Chapter 58 shall remain in full force and effect as previously enacted and amended.

### **Article 4.**

Effective Date. This Ordinance shall be effective in thirty (30) days from enactment.

**Duly Enacted and Ordained** this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the Borough Council of the Borough of Northumberland, Northumberland County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF NORTHUMBERLAND

By: \_\_\_\_\_  
Janice Bowman, Secretary

By: \_\_\_\_\_  
Gregory Carl, President Council

[BOROUGH SEAL]

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

By: \_\_\_\_\_  
Leonard Zboray, Mayor