

ORDINANCE NO. _____-2022

BOROUGH OF WEST CHESTER

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, SPECIFICALLY CHAPTER 77 OF THE CODE OF THE BOROUGH OF WEST CHESTER, TITLED, "PARKING PROGRAM, RESIDENTIAL" TO REVISE THE DEFINITION OF "HOLIDAY" IN SECTION 77-2 AND TO REMOVE ALL REFERENCES TO PARKING STICKERS THROUGHOUT THE CHAPTER.

BE IT ENACTED AND ORDAINED, and it hereby enacted by authority of the Council of the Borough of West Chester that Chapter 77 of the Code of the Borough of West Chester, titled, "Parking Program, Residential", shall be amended as follows:

SECTION 1. The definition of "Holiday" in Section 77-2, titled, "Definitions" shall be revised as follows:

"**HOLIDAY**-New Year's Day, Martin Luther King's Birthday, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day."

SECTION 2. Section 77-3.A titled, "Residential Parking Program Procedures" shall be amended to read as follows:

"A. The Residential Parking Program (RPP) shall consist of those residential permit parking areas in the Borough of West Chester, which shall be designated as permit parking areas in this chapter. No person shall be permitted to park a motor vehicle in or along the side of any Borough of West Chester street set forth in the residential permit parking areas designated in this chapter and known as a "residential parking permit area (RPPA)" unless they obtain a parking permit, guest card, special business card or special card as provided hereinafter permitting such vehicle to park within the specific permitted area."

SECTION 3. Chapter 77 of the Code of the Borough of West Chester, titled, "Parking Program, Residential", Section 77-3.D titled, "Residential Parking Program Procedures" shall be amended to read as follows:

“D(1) The parking permit provided by this section shall designate the specific permitted parking area to which it applies. The permit fee shall be determined by Resolution of Council.

(2) Guest cards shall be in such size and design as the Borough, from time to time, deems appropriate and shall be issued by the Borough Manager or such other official as the Borough Council may designate from time to time. Guest cards shall be issued after payment of the appropriate fee as determined by Resolution of Council.

(3) Special business parking cards, as provided in § 77-3.E(3) hereof, shall be issued by the Borough Manager or such other official of the Borough as the Borough Council may from time to time designate after payment of the appropriate fee as determined by Resolution of Council.”

SECTION 4. Section 77-3.E titled, “Residential Parking Program Procedures” shall be amended to read as follows:

“E. The eligibility for parking permits provided by this section shall be as follows:

(1) Permits.

(a) Any person living in a residence abutting the streets in the various permitted areas as set forth in § 77-3B hereof shall be entitled to receive a residential parking permit for the specific permitted area in which such person resides, if the person applying for such permit presents two items constituting proof of residency in the specific permitted area and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued. The Washington Square Apartment complex shall be excluded from eligibility for permits as contained herein.

(b) Any person living in a residence abutting Dean Street from High Street to Clinton Alley and 238 Hemlock Alley shall be entitled to receive a

residential parking permit for Permit Area B if the person applying for such permit presents two items constituting proof of residency in the specific permitted area and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(c) Owners and employees of businesses located in a building abutting streets in Permit Area A, B or D shall be entitled to a nonresidential parking permit, which shall be the same as a residential permit, if the applicant presents both proof of ownership of or employment by a business in Permit Area A, B or D and ownership (joint owners shall be treated as one) of a motor vehicle. Available at the Borough Manager's office shall be a list of items and/or any combination thereof which shall be approved by Borough Council and which items shall constitute satisfactory proof of ownership of or employment by a business in the Permit Areas A, B and D. The Washington Square Apartment complex shall be excluded from eligibility for permits as contained herein.

(d) Any person living in a residence abutting Matlack Street between Magnolia Street and Lacey Street shall be entitled to receive a residential parking permit for Permit Area A if the person applying for such permit presents two items constituting proof of residency in the specific permitted area and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania: or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's

parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(e) Any person living in a residence abutting the south side of Price Street from Brandywine Street to Bradford Avenue shall be entitled to receive a residential parking permit for Permit Area B if the person applying for such permit presents two items constituting proof of residency in the specific permitted area and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(f) Any person living in the residence located at 201 South High Street shall be entitled to receive a residential parking permit for Permit Area A if the person applying for such permit presents two items constituting proof of residency at 201 South High Street and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the

parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted dwelling is available in the Borough Manager's office. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(g) Any person living in the residence located at 29 Locust Alley shall be entitled to receive a residential parking permit for Permit Area A if the person applying for such permit presents two items constituting proof of residency at 29 Locust Alley and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted dwelling is available in the Borough Manager's office. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(h) Any person living in a residence abutting East Union Street between Walnut Street and Sharon Alley shall be entitled to receive a residential parking permit for Permit Area A if the person applying for such permit presents two items constituting proof of residency in the specific permitted area and proof of ownership (joint owners shall be treated as one) of a motor vehicle registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved

by Borough Council which will constitute satisfactory proof of residence in the permitted dwelling is available in the Borough Manager's office. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(2) Guest cards.

(a) Each single-family home and apartment unit in a permit area is eligible to be issued up to two guest cards. Each rooming house in a permit area is eligible to be issued one guest card per room. An applicant for a guest card must present proof of residency as required by § 77-3E(1). The Borough shall have no responsibility for the issuance of a guest card to any particular resident of a dwelling unit. A guest card shall be limited to the specific address for which it was issued (such address shall be noted on the face of the guest card) and shall be limited in use and validity to the block in which the property is located and a two-block area contiguous to the specific address for which the guest card is issued. A guest card may be utilized for a guest's vehicle for up to, but not in excess of, a week's (five permit days) consecutive period. In the event that a guest card is needed for a vehicle for a defined period of time in excess of the maximum week's (five permit days) consecutive period, a special permit may be issued, at the discretion of the Borough Manager or such other official as Borough Council may designate from time to time, upon such terms as the Borough Manager or such other official as Borough Council may designate from time to time deems appropriate.

(b) Each professional use shall be entitled to be issued up to five guest cards. An applicant for guest cards for a professional use must present proof of the location of the professional use in the RPPA in accordance with the list in the Borough Manager's office as mentioned heretofore. The guest card's effectiveness and validity shall be limited to the specific address for which it was issued, and such address shall be noted on the face of the guest card.

(3) Special business cards. Each owner and employee of a business doing business in a permit area who are not exempt under § 77-3.F shall be entitled to receive one special business parking card for use in the specific permit area.”

SECTION 5. Section 77-3.G titled, “Residential Parking Program Procedures” shall be amended to read as follows:

“G. When an enforcement officer has reason to believe that a guest card or a special business card is not being used in accordance with the purpose, intention and provisions of this chapter, the Parking Department shall be notified. The Parking Department shall then send a letter to the possessor of the subject card, informing that person that the card is being used improperly. If the violation(s) continue(s), the Parking Department may revoke the guest card(s), special business card(s) and/or the residential parking permit related to such card, so long as the possessor of same is afforded an opportunity at an informal conference with the Parking Department to explain his or her position. If a guest card, special business card and/or the residential parking permit related to such card is revoked, the possessor of same shall deliver it to the Parking Department. Parking in the RPPA with a revoked guest card or special business card shall be the same as parking with no guest card, special business card or residential parking permit. Violators who have had a guest card, special card and/or a residential parking permit revoked shall be ineligible for guest card, special business card and/or residential parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 6. Section 77-3.J titled, “Residential Parking Program Procedures” shall be amended to read as follows:

“J. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.”

SECTION 7. Section 77-5.B titled, “Parking Procedures for Permit Area F” shall be amended to read as follows:

“B. The permit parking program for Permit Area F shall be as follows:

(1) Any eligible person living in a dwelling unit abutting the 100 Block of West Chestnut Street, the 200 Block of West Chestnut Street and the 200 Block of North Darlington Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street meter spaces in the 100 Block of West Chestnut Street, the 200 Block of West Chestnut Street and the metered spaces in Lot No. 7 adjacent to the 200 Block of North Darlington Street, at any time, without being required to deposit money in the parking meters existing at the above-noted locations.

(2) Any eligible person living in a dwelling unit abutting East Miner Street between Walnut Street and High Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street meter spaces on East

Miner Street between Walnut Street and High Street, at any time, without being required to deposit money in the parking meters existing at the above-noted locations.

(3) Any eligible person living in a dwelling unit abutting West Miner Street between High Street and Church Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street meter spaces on West Miner Street between High Street and Church Street, at any time, without being required to deposit money in the parking meters existing at the above-noted locations.

(4) Any eligible person living in a dwelling unit abutting North Darlington Street between Gay Street and Chestnut Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street meter spaces on North Darlington Street between Gay Street and Chestnut Street, at any time, without being required to deposit money in the parking meters existing at the above-noted locations.”

SECTION 8. Section 77-5.C titled, “Parking Procedures for Permit Area F” shall be amended to read as follows:

“C. The eligibility for parking permits in one of the areas in Permit Parking Area F shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting any of the streets designated as Permit Area F above shall be entitled to receive a parking permit for use in the particular area designated in Subsection B(1), (2), (3) or (4) above in which the person resides if the person demonstrates to the Borough that the person has no on-site parking available; and the person presents two satisfactory proofs of residency in one of the areas set forth in Subsection B(1), (2), (3) or (4) above; and the person provides proof of ownership of a motor vehicle (joint owners shall be treated as one) registered in the Commonwealth of Pennsylvania; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within one of the areas set forth as Permit Area F above shall be eligible to receive a parking permit for use in the particular area designated in Subsection B(1), (2), (3) or (4) in which the person resides.”

SECTION 9. Section 77-5.D titled, “Parking Procedures for Permit Area F” shall be amended to read as follows:

“D. The fee for the parking permit shall be determined by Resolution of Council.”

SECTION 10. Section 77-5.E titled, “Parking Procedures for Permit Area F” shall be amended to read as follows:

“E. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.”

SECTION 11. Section 77-5.F titled, “Parking Procedures for Permit Area F” shall be amended to read as follows:

“F. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking permit was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for a parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 12. Section 77-6 titled, “Parking Procedures for 200 and 300 Block of West Gay Street and 300 Block of Hannum Avenue (Permit Parking Area E)” shall be amended to read as follows:

“§77-6. Parking Procedures for 200 and 300 Block of West Gay Street and 300 Block of Hannum Avenue (Permit Parking Area E). The parking permit area for any person living in a dwelling unit abutting the 300 Block of West Gay Street and the 200 Block of West Gay Street and the 300 Block of Hannum Avenue shall be designated as Permit Parking Area E, and the parking program shall be as follows:

A. Any eligible person living in a dwelling unit abutting the 300 Block of West Gay Street, the 200 Block of West Gay Street and the 300 Block of Hannum Avenue shall be entitled to receive a parking permit for Permit Parking Area E, which shall be nontransferable, as more particularly described in Subsection C below and shall be permitted to park in the Borough Parking Lot No. 6, situated and bounded by Hannum Avenue, North New Street and West Gay Street, at any time.

B. The eligibility for a parking permit in Permit Parking Area E shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting the streets and avenue set forth in Subsection A above shall be entitled to receive a parking permit if the person demonstrates to the Borough that the person has no on-site parking available; and the person presents two satisfactory proofs of residency in the areas set forth in Subsection A above; and the person provides proof of ownership (joint owners shall be treated as one) of a motor vehicle properly registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the areas set forth in Subsection A above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within the area set forth in Subsection A above shall be eligible to receive a parking permit.

(4) There shall be a maximum of 20 parking permits issued at any time for Lot No. 6, situated and bounded by Hannum Avenue, New Street and Gay Street. The parking permit shall be issued to eligible persons and vehicles as defined in Subsections A and B above in order of the dates of the receipt of completed applications by the Borough.

(5) In Permit Parking Area E, there shall be a maximum of two parking permits per dwelling unit.

C. The parking permit shall be limited in applicability to Permit Parking Area E.

D. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

E. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking permit was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for a parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 13. Section 77-7 titled, “Parking Procedures for Permit Area G” shall be amended to read as follows:

“§77-7. Parking Procedures for Permit Area G.

A. The following areas shall be designated as Permit Area G:

(1) North side of the 300 block of East Biddle Street between the westerly intersection of Parke Alley and N. Penn Street.

(2) South side of the 300 block of East Biddle Street between the westerly intersection of Parke Alley and N. Penn Street.

(3) Parke Alley.

(4) 400 Penn Street.

(5) 402 North Penn Street.

B. The permit parking program and procedures for Permit Parking Area G shall be in effect from 7:00 a.m. to 3:00 p.m. on Monday through Friday from September 1 through June 15 of each year.

C. Any eligible person living in a dwelling unit abutting the streets or at the address identified above shall be entitled to receive a parking permit for Permit Parking Area G, which shall be nontransferable, as more particularly described in Subsection D below, at any time.

D. The eligibility for a parking permit in Permit Parking Area G shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting the street or at the address set forth in Subsection A above shall be entitled to receive a parking permit if the person demonstrates to the Borough that the person has no on-site parking available; and the person presents two satisfactory proofs of residency in the areas set forth in Subsection A above; and the person provides proof of ownership (joint owners shall be treated as one) of a motor vehicle properly registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the areas set forth in Subsection A above. The office of the Borough Manager shall provide an application for a parking permit and shall also provide a list of items and/or any combination thereof which shall be approved by Borough Council, which items shall constitute satisfactory proof of residency in the areas set forth in Subsection A above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within the area set forth in Subsection A above shall be eligible to receive a parking permit.

E. The parking permit shall be limited in applicability to Permit Parking Area G. The fee for the parking permit shall be determined by Resolution of Council.

F. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

G. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for a parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 14. Section 77-8 titled, “Parking Procedures for Hannum Avenue between Wayne Street and New Street (Permit Parking Area H)” shall be amended to read as follows:

“§77-8. Parking Procedures for Hannum Avenue between Wayne Street and New Street (Permit Parking Area H).

The parking permit area for Hannum Avenue between Wayne Street and New Street shall be designated as "Permit Parking Area H," and the parking program for Permit Parking Area H shall be as follows:

A. The permit parking program and procedures for Permit Parking Area H shall be in effect from 8:00 a.m. to 12:00 midnight, Monday through Friday.

B. Any eligible person living in a dwelling unit on Hannum Avenue between Wayne Street and New Street shall be entitled to receive a residential parking permit for Permit Parking Area H, which shall be nontransferable, as more particularly described in § 77-8.D below.

C. Any eligible owner and employee of a business located in a building on Hannum Avenue between Wayne Street and New Street shall be entitled to receive a nonresidential parking permit for Permit Parking Area H, which shall be nontransferable, as more particularly described in § 77-8.D below.

D. The eligibility for parking permits, guest cards and special business cards in Permit Parking Area H shall be as follows:

(1) Permits.

(a) Upon application to the Borough, any person living in a dwelling unit abutting the street set forth in § 77-8.B above shall be entitled to receive a residential parking permit if the person presents two satisfactory proofs of residency in the areas set forth in § 77-8.B above; and the person provides proof of ownership (joint owners shall be treated as one) of a motor vehicle property registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the areas set forth in § 77-8.B above. The office of the Borough Manager shall provide an application for a parking permit and shall also provide a list of items and/or any combination thereof which shall be approved by Borough Council, which items shall constitute satisfactory proof of residency in the areas set forth in § 77-8.B above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(b) Upon application to the Borough, owners and employees of businesses located in a building abutting the street set forth in § 77-8.C above shall be entitled to receive a nonresidential parking permit, which shall be the same as a residential parking permit, if the applicant presents satisfactory proof of ownership of a business or employment in a business located in the area set forth in § 77-8.C above and proof of ownership (joint owners shall be treated as one) of a properly registered motor vehicle. The office of the Borough Manager shall provide an application for a nonresidential parking permit and shall also provide a list of items and/or any combination thereof which shall be approved by

Borough Council, which items shall constitute satisfactory proof of ownership of a business or employment in a business located in the area set forth in § 77-8.C above.

(c) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(2) Guest cards. Each single-family home and each apartment unit located in Permit Parking Area H is eligible to be issued up to two guest cards. Each rooming house in Permit Parking Area H is eligible to be issued one guest card per room. An applicant for guest cards must present proof of residency as required by § 77-8.D(1)(a). The Borough shall have no responsibility for the issuance of guest cards to any particular resident of a dwelling unit. A guest card shall be limited to the specific address for which it was issued (such address shall be noted on the face of the guest card) and shall be limited in use and validity to the block in which property is located and a two-block area contiguous to the specific address for which the guest card is issued. A guest card may be utilized for a guest's vehicle for up to, but not in excess of, a week's (five permit days) consecutive period. In the event that a guest card is needed for a vehicle for a defined period of time in excess of the maximum week's (five permit days) consecutive period, a special permit may be issued, at the discretion of the Borough Manager or such other official as Borough Council may designate from time to time, upon such terms as the Borough Manager or such other official as Borough Council may designate from time to time deems appropriate.

(3) Special business cards. Each owner and each employee of a business doing business in Permit Parking Area H who is not exempt under § 77-8.H shall be entitled to receive one special business parking card for use in Permit Parking Area H. An applicant for a special business card must present proof of ownership or employment as required by § 77-8.D(1)(b). The special business card's effectiveness and validity shall be limited to the specific address for which it was issued, and such address shall be noted on the face of the special business card.

E. The parking permit and guest cards required by this section shall appear, cost and be displayed as follows:

(1) The parking permit shall be limited in applicability to Permit Parking Area H. The fee for the permit shall be determined by Resolution of Council.

(2) Guest cards shall be in such size and design as the Borough, from time to time, deems appropriate and shall be issued by the Borough Manager or

such other official as the Borough Council may designate from time to time. The cost of guest cards shall be determined by Resolution of Council.

(3) Special business parking cards shall be issued by the Borough Manager or such other official of the Borough as the Borough Council may, from time to time, designate. The cost of special business parking cards shall be determined by Resolution of Council.

F. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

G. When the Parking Department has reason to believe that a parking permit was issued in error or that a person to whom a parking permit was issued is no longer eligible or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit.

H. The only persons exempt from the provisions of this section shall be:

(1) Owners and operators of emergency vehicles.

(2) Medical doctors on house calls in this Residential Permit Parking Area H.

(3) Service vehicles, clearly labeled as such, during the time that persons from said service vehicle are performing a service at a residence, business or professional use in this Residential Permit Parking Area H.

I. When an enforcement officer has reason to believe that a guest card or a special business card is not being used in accordance with the purpose, intention and provisions of this Chapter, the Parking Department shall be notified. The Parking Department shall then send a letter to the possessor of the subject card, informing that person that the card is being used improperly. If the violation(s) continue(s), the Parking

Department may revoke the guest card(s), the special business card and/or the residential parking permit related to such card, so long as the possessor of same is afforded an opportunity at an informal conference with the Parking Department to explain his or her position. If a guest card, special business card and/or the residential parking permit relating to such card is revoked, the possessor of same shall deliver it to the Parking Department. Parking in this Residential Permit Parking Area H with a revoked guest card or special business card shall be the same as parking with no guest card, special business card or parking permit. Violators who have had a guest card, special card and/or a residential parking permit revoked shall be ineligible for guest card, special business card and/or residential parking permit issuance for one year. In addition, upon the occurrence of a violation of this Chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.

J. The permit area in this Residential Permit Parking Area H shall be posted with a minimum of two signs per block, and the signs shall contain the following information:

PARKING BY PERMIT ONLY
8:00 A.M. - 12:00 MIDNIGHT MON. - FRI.
PERMIT PARKING AREA H

K. Special cards. Upon written application to the Borough Manager, special permission may be obtained for special cards to be used for limited hours during special events.

(1) Such application must note the purpose of the event, the date and times, the number of vehicles expected and the name of the responsible person to contact with respect to said event.

(2) The Borough Manager shall grant such number of special cards for special events as he shall deem appropriate, taking into consideration the health, safety and welfare of the residents of the surrounding community, residents of Permit Parking Area H, residents of the Borough of West Chester and the purposes of the Residential Parking Program.

(3) When permission is granted, the Borough Manager shall notify the enforcement officers.

(4) Special cards for special events which are distributed by the Borough Manager are valid for no longer than 24 hours and shall be so designated.”

SECTION 15. Section 77-9 titled, “Regulations for leased vehicles and company vehicles” shall be amended to read as follows:

“§77-9. Regulations for leased vehicles and company vehicles.

A. Any person otherwise eligible for a residential parking permit in any permit area may obtain a residential parking permit for a leased vehicle by presenting a true and correct copy of a bona fide lease agreement between the applicant and a leasing entity engaged in the leasing of vehicles in the usual and ordinary course of its business, and by paying the fees required and in effect for parking permits in the applicable permit area as more particularly set forth in this chapter.

B. Any person otherwise eligible for a residential parking permit in any permit area may obtain a residential parking permit for a motor vehicle owned by the business or company of which he or she is an employee by presenting a letter on the letterhead of the business and company, which shall state that the applicant is currently employed by the company, that the applicant is required by the business or company to use the motor vehicle on a regular basis and that the Borough is authorized to issue a residential parking permit for the motor vehicle, and by paying the fees required and in effect for parking permits in the applicable permit area as more particularly set forth in this chapter.”

SECTION 16. Section 77-10 titled, “Military personnel on active duty” shall be amended to read as follows:

“§77-10. Military personnel on active duty.

Military personnel on active duty shall be eligible to obtain a residential parking permit for their vehicles by presenting appropriate military identification, two items constituting proof of residency in the specific permit area for which they are making application and by paying the fees required and in effect for parking permits in the applicable permit area as more particularly set forth in this chapter. The application is subject to the review and approval of the Borough Manager.”

SECTION 17. Section 77-12 titled, “Parking procedures for Washington Street between High Street and Matlack Street and on Walnut Street, the east and west sides, between Washington Street and Prospect Alley (Permit Parking Area I)” shall be amended to read as follows:

“§77-12. Parking procedures for Washington Street between High Street and Matlack Street and on Walnut Street, the east and west sides, between Washington Street and Prospect Alley (Permit Parking Area I).

A. The following areas shall be designated as "Permit Parking Area 1":

(1) Washington Street between High Street and Matlack Street.

(2) The east and west sides of Walnut Street between Washington Street and Prospect Alley.

(3) The east side of North Church Street between Washington Street and Patton Alley.

B. The permit parking program and procedures for Permit Parking Area I shall be in effect from 8:00 a.m. to 12:00 midnight, Monday through Friday.

C. Any eligible person living in a dwelling unit on the streets which are identified in § 77-12.A above shall be entitled to receive a residential parking permit for Permit Parking Area I and shall be permitted to park in the on-street meter spaces on Church Street between Chestnut Street and Washington Street, at any time, without being required to deposit money in the parking meters existing at the above-noted locations.

D. Any eligible owner and employee of a business located in a building on any of the streets identified in § 77-12.A above shall be entitled to receive a nonresidential parking permit for Permit Parking Area I, which shall be nontransferable, as more particularly described in § 77-12.E below.

E. The eligibility for parking permits, guest cards and special business cards in Permit Parking Area I shall be as follows:

(1) Permits.

(a) Upon application to the Borough, any person living in a dwelling unit abutting the streets set forth in § 77-12.A above shall be entitled to receive a residential parking permit if the person presents two satisfactory proofs of residency in the areas set forth in § 77-12.A above; and the person provides proof of ownership (joint owners shall be treated as one) of a motor vehicle properly registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the areas set forth in § 77-12.A above. The office of the Borough Manager shall provide an application for a parking permit and shall also provide a list of items and/or any combination thereof which shall be approved by Borough Council, which items shall constitute satisfactory proof of residency in the areas set forth in § 77-12.A above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle

registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(b) Except as otherwise provided and limited by § 77-12.E(1)(c) below, upon application to the Borough, the owners and employees of businesses located in a building abutting the streets set forth in § 77-12.A above shall be entitled to receive a nonresidential parking permit, which shall be the same as a residential parking permit, if the applicant presents satisfactory proof of ownership of a business or employment in a business located in the areas set forth in § 77-12.A above and proof of ownership (joint owners shall be treated as one) of a properly registered motor vehicle. The office of the Borough Manager shall provide an application for a nonresidential parking permit and shall also provide a list of items and/or any combination thereof, which shall be approved by Borough Council, which items shall constitute satisfactory proof of ownership of a business or employment in a business located in the areas set forth in § 77-12.A above.

(c) Notwithstanding the provisions of § 77-12.E(1)(b) above, the owners and employees of businesses located at 222 North Walnut Street will be limited to a collective maximum total of 25 parking permits which will be issued to qualified applicants on a first-come, first-served basis.

(d) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(2) Guest cards. Each single-family home and each apartment unit located in Permit Parking Area I is eligible to be issued up to two-guest cards. Each rooming house in Permit Parking Area I is eligible to be issued one guest card per room. An applicant for guest cards must present proof of residency as required by § 77-12.E(1)(a). The Borough shall have no responsibility for the issuance of guest cards to any particular resident of a dwelling unit. A guest card shall be limited to the specific address for which it was issued (such address shall be noted on the face of the guest card) and shall be limited in use and

validity to the block in which the property is located and a two-block area contiguous to the specific address for which the guest card is issued. A guest card may be utilized for a guest's vehicle for up to, but not in excess of, a two-week (10 permit days) consecutive period. In the event that a guest card is needed for a vehicle for a defined period of time in excess of the maximum two-week (10 permit days) consecutive period, a special permit may be issued, at the discretion of the Borough Manager or such other official as the Borough Council may designate from time to time, upon such terms as the Borough Manager or such other official as Borough Council may designate from time to time deems appropriate.

(3) Special business cards. Except as otherwise provided and limited by § 77-12.E(4) below, each owner and each employee of a business doing business in Permit Parking Area I who is not exempt under § 77-12.I shall be entitled to receive one special business parking card for use in Permit Parking Area I. An applicant for a special business card must present proof of ownership or employment as required by § 77-12.E(1)(b). The special business card's effectiveness and validity shall be limited to the specific address for which it was issued, and such address shall be noted on the face of the special business card.

(4) Special business cards, 222 North Walnut Street. Notwithstanding the provisions of § 77-12.E(3) above, the owners and employees of businesses located at 222 North Walnut Street will be limited to a collective maximum total of three special business parking cards which will be issued to qualified applicants on a first-come first-served basis.

F. The parking permit and guest cards required by this section shall appear, cost and be displayed as follows:

(1) The parking permit shall be limited in applicability to Permit Parking Area I. The fee for the permit shall be determined by Resolution of Council.

(2) Guest cards shall be in such size and design as the Borough, from time to time, deems appropriate and shall be issued by the Borough Manager or such other official as the Borough Council may designate from time to time. The cost for the guest cards shall be determined by Resolution of Council.

(3) Special business parking cards shall be issued by the Borough Manager or such other official of the Borough as the Borough Council may, from time to time, designate. The cost of each special business card shall be determined by Resolution of Council.

G. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of

validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

H. When the Parking Department has reason to believe that a parking permit was issued in error or that a person to whom a parking permit was issued is no longer eligible or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit.

I. The only persons exempt from the provisions of this section shall be:

(1) Owners and operators of emergency vehicles.

(2) Medical doctors on house calls in this Residential Permit Parking Area I.

(3) Service vehicles, clearly labeled as such, during the time that persons from said service vehicle are performing a service at a residence, business or professional use in this Residential Permit Parking Area I.

J. When an enforcement officer has reason to believe that a guest card or a special business card is not being used in accordance with the purpose, intention and provisions of this chapter, the Parking Department shall be notified. The Parking Department shall then send a letter to the possessor of the subject card, informing that person that the card is being used improperly. If the violation(s) continue(s), the Parking Department may revoke the guest card(s) or the special business card, so long as the possessor of same is afforded an opportunity at an informal conference with the Parking Department to explain his or her position. If a guest card or special business card is revoked, the possessor of same shall deliver it to the Parking Department. Parking in this Residential Permit Parking Area I with a revoked guest card or special business card shall be the same as parking with no guest card, special business card or parking permit. Violators shall be ineligible for guest card issuance or special business card issuance for a period of one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.

K. The permit area in this Residential Permit Parking Area I shall be posted with a minimum of two signs per block, and the signs shall contain the following information:

PARKING BY PERMIT ONLY
8:00 A.M. - 12:00 MIDNIGHT MON. - FRI.
PERMIT PARKING AREA I

L. Special cards. Upon written application to the Borough Manager, special permission may be obtained for special cards to be used for limited hours during special events.

(1) Such application must note the purpose of the event, the date and times, the number of vehicles expected and the name of the responsible person to contact with respect to said event.

(2) The Borough Manager shall grant such number of special cards for special events as he shall deem appropriate, taking into consideration the health, safety and welfare of the residents of the surrounding community, residents of Permit Parking Area I, residents of the Borough of West Chester and the purposes of the Residential Parking Program.

(3) When permission is granted, the Borough Manager shall notify the enforcement officers.

(4) Special cards for special events which are distributed by the Borough Manager are valid for no longer than 24 hours and shall be so designated.”

SECTION 18. Section 77-13 titled, “Parking Procedures for Permit Area J” shall be amended to read as follows:

“§77-13. Parking Procedures for Permit Area J.

A. The following area shall be designated as Permit Area J:

(1) Wollerton Street between New Street and Darlington Street.

B. The permit parking program for Permit Area J shall be as follows:

(1) Any eligible person living in a dwelling unit abutting Wollerton Street between New Street and Darlington Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street meter spaces on Wollerton Street between New Street and Darlington Street at any time without being required to deposit money in the parking meters existing at the above-noted locations.

C. The eligibility for a parking permit in Permit Parking Area J shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting any of the streets designated as Permit Area J above shall be entitled to receive a parking permit for use in the particular area designated in Subsection B(1) above in which the person resides if the person demonstrates to the Borough that he or she has no on-site parking available; and the person presents two satisfactory proofs of residency in the area set forth in Subsection A(1) above; and the person provides proof of ownership of a motor vehicle (joint owners shall be treated as one) registered in the Commonwealth of Pennsylvania; or, in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents, in form and content acceptable to the Borough, which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within the area set forth as Permit Area J above shall be eligible to receive a parking permit for use in the particular area designated in Subsection A(1) in which the person resides.

D. The parking permit shall be limited in applicability to Permit Parking Area J. The fee for the permit shall be determined by Resolution of Council.

E. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

F. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking permit was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for a parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 19. Section 77-14 titled, “Parking Procedures for Permit Area K” shall be amended to read as follows:

“§77-14. Parking Procedures for Permit Area K.

A. The following streets shall be designated as "Permit Parking Area K":

- (1) Chestnut Street between New Street and Wayne Street.
- (2) West Washington Street between New Street and Wayne Street.

B. The permit parking program for Permit Parking Area K shall be as follows:

(1) The permit parking program and procedures for Permit Parking Area K shall be in effect from 8:00 a.m. until 12:00 midnight, Monday through Friday.

(2) Any eligible person living in a dwelling unit on the street designated in § 77-14.A above, except those residing at 327-345 West Chestnut Street, shall be entitled to receive a residential parking permit for Permit Parking Area K, which shall be nontransferable as more particularly described in this section.

(3) Any eligible owner or employee of a business located on the street designated in § 77-14.A above shall be entitled to receive a nonresidential parking

permit for Permit Parking Area K ,which shall be nontransferable as more particularly described in this section.

C. The eligibility for parking permits, guest cards and special business cards in Permit Parking Area K shall be as follows:

(1) Permits.

(a) Upon application to the Borough, any person living in a dwelling unit abutting the street set forth in § 77-14.B above shall be entitled to receive a residential parking permit if the person presents two satisfactory proofs of residency in the areas set forth in § 77-14.B above; and the person provides proof of ownership (joint owners shall be treated as one) of a motor vehicle properly registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the area set forth in § 77-14.B above. The office of the Borough Manager shall provide an application for a parking permit and shall also provide a list of items and/or any combination thereof which shall be approved by Borough Council, which items shall constitute satisfactory proof of residency in the area set forth in § 77-14.B above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(b) Upon application to the Borough, the owners and employees of businesses located in a building abutting the street set forth in § 77-14.C above shall be entitled to receive a nonresidential parking permit, which shall be the same as a residential parking permit, if the applicant presents satisfactory proof of ownership of a business or employment in a

business located in the area set forth in § 77-14.C above and proof of ownership (joint owners shall be treated as one) of a properly registered motor vehicle. The office of the Borough Manager shall provide an application for a nonresidential parking permit and shall also provide a list of items and/or any combination thereof, which shall be approved by Borough Council, which items shall constitute satisfactory proof of ownership of a business or employment in a business located in the area set forth in § 77-14.C above.

(c) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(2) Guest cards. Each single-family home and each apartment unit located in Permit Parking Area K is eligible to be issued up to two guest cards. Each rooming house in Permit Parking Area K is eligible to be issued one guest card per room. An applicant for guest cards must present proof of residency as required by § 77-14.C(1)(a). The Borough shall have no responsibility for the issuance of guest cards to any particular resident of a dwelling unit. A guest card shall be limited to the specific address for which it was issued (such address shall be noted on the face of the guest card) and shall be limited in use and validity to the block in which the property is located and a two-block area contiguous to the specific address for which the guest card is issued. A guest card may be utilized for a guest's vehicle for up to, but not in excess of, a week's (five permit days) consecutive period. In the event that a guest card is needed for a vehicle for a defined period of time in excess of the maximum week's (five permit days) consecutive period, a special permit may be issued, at the discretion of the Borough Manager or such other official as Borough Council may designate from time to time, upon such terms as the Borough Manager or such other official as Borough Council may designate from time to time deems appropriate.

(3) Special business cards. Each owner and each employee of a business doing business in Permit Parking Area K who is not exempt under § 77-14.H shall be entitled to receive one special business parking card for use in Permit Parking Area K. An applicant for a special business card must present proof of ownership or employment as required by § 77-14.D(1)(b). The special business card's effectiveness and validity shall be limited to the specific address

for which it was issued, and such address shall be noted on the face of the special business card.

D. The parking permit and guest cards provided by this section shall appear, cost and be displayed as follows:

(1) The parking permit shall be limited in applicability to Permit Parking Area K. The fee for the permit shall be determined by Resolution of Council.

(2) Guest cards shall be in such size and design as the Borough, from time to time, deems appropriate and shall be issued by the Borough Manager or such other official as the Borough Council may designate from time to time. The cost for the guest cards shall be determined by Resolution of Council.

(3) Special business parking cards shall be issued by the Borough Manager or such other official of the Borough as Borough Council may, from time to time, designate. The cost for the special business parking cards shall be determined by Resolution of Council.

E. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

F. When the Parking Department has reason to believe that a parking permit was issued in error or that a person to whom a parking permit was issued is no longer eligible or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit.

G. The only persons exempt from the provisions of this section shall be:

(1) Owners and operators of emergency vehicles.

(2) Medical doctors on house calls in this Residential Permit Parking Area

J.

(3) Service vehicles, clearly labeled as such, during the time that persons from said service vehicle are performing a service at a residence, business or professional use in this Residential Permit Parking Area K.

H. When an enforcement officer has reason to believe that a guest card or a special business card is not being used in accordance with the purpose, intention and provisions of this chapter, the Parking Department shall be notified. The Parking Department shall then send a letter to the possessor of the subject card, informing that person that the card is being used improperly. If the violation(s) continue(s), the Parking Department may revoke the guest card(s) or the special business card, so long as the possessor of same is afforded an opportunity at an informal conference with the Parking Department to explain his or her position. If a guest card or special business card is revoked, the possessor of same shall deliver it to the Parking Department. Parking in this Residential Permit Parking Area K with a revoked guest card or special business card shall be the same as parking with no guest card, special business card or parking permit. Violators shall be ineligible for guest card issuance or special business card issuance for a period of one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.

I. The permit area in this Residential Permit Parking Area K shall be posted with a minimum of two signs per block, and the signs shall contain the following information:

PARKING BY PERMIT ONLY
8:00 A.M. - 12:00 MIDNIGHT MON. - FRI.
PERMIT PARKING AREA K

J. Special cards. Upon written application to the Borough Manager, special permission may be obtained for special cards to be used for limited hours during special events.

(1) Such application must note the purpose of the event, the date and times, the number of vehicles expected and the name of the responsible person to contact with respect to said event.

(2) The Borough Manager shall grant such number of special cards for special events as he shall deem appropriate, taking into consideration the health, safety and welfare of the residents of the surrounding community, residents of Permit Parking Area K, residents of the Borough of West Chester and the purposes of the Residential Parking Program.

(3) When permission is granted, the Borough Manager shall notify the enforcement officers.

(4) Special cards for special events which are distributed by the Borough Manager are valid for no longer than 24 hours and shall be so designated.”

SECTION 20. Section 77-15 titled, “Parking Procedures for Permit Area L” shall be amended to read as follows:

“§77-15. Parking Procedures for Permit Area L.

A. The following areas shall be designated as "Permit Parking Area L":

(1) East Miner Street between Railroad Avenue and Matlack Street.

(2) Matlack Street between East Market Street and Barnard Street.

(3) Walnut Street between Miner Street and Cedar Alley.

B. The permit parking program and procedures for Permit Parking Area L shall be in effect from 8:00 a.m. to 12:00 midnight, Monday through Friday.

C. Any eligible person living in a dwelling unit abutting the streets identified in § 77-15.A above shall be entitled to receive a residential parking permit for Permit Parking Area L, which shall be nontransferable, as more particularly described in § 77-15.E below.

D. Any eligible owner and employee of a business located in a building abutting the streets identified in § 77-15.A shall be entitled to receive a nonresidential parking permit for Permit Parking Area L, which shall be nontransferable, as more particularly described in § 77-15.E below.

E. The eligibility for parking permits, guest cards and special business cards in Permit Parking Area L shall be as follows:

(1) Permits.

(a) Upon application to the Borough, any person living in a dwelling unit abutting the streets set forth in § 77-15.A above shall be entitled to receive a residential parking permit if the person presents two satisfactory proofs of residency in the areas set forth in § 77-15.A above; and the person provides proof of ownership (joint owners shall be treated as one)

of a motor vehicle properly registered in the Commonwealth of Pennsylvania at the address of the dwelling unit within the areas set forth in § 77-15.A above. The office of the Borough Manager shall provide an application for a parking permit and shall also provide a list of items, and/or any combination thereof, which shall be approved by Borough Council, which items shall constitute satisfactory proof of residency in the areas set forth in § 77-15.A above; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(b) Upon application to the Borough, the owners and employees of businesses located in a building abutting the streets set forth in § 77-15.A above shall be entitled to receive a nonresidential parking permit, which shall be the same as a residential parking permit, if the applicant presents satisfactory proof of ownership of a business or employment in a business located in the areas set forth in § 77-15.A above and proof of ownership (joint owners shall be treated as one) of a properly registered motor vehicle. The office of the Borough Manager shall provide an application for a nonresidential parking permit and shall also provide a list of items and/or any combination thereof, which shall be approved by Borough Council, which items shall constitute satisfactory proof of ownership of a business or employment in a business located in the areas set forth in § 77-15.A above.

(c) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(2) Guest cards. Each single-family home and each apartment unit located in Permit Parking Area L is eligible to be issued up to two guest cards. Each rooming house in Permit Parking Area L is eligible to be issued one guest card per room. An applicant for guest cards must present proof of residency as required by § 77-14.E(1)(a). The Borough shall have no responsibility for the issuance of guest cards to any particular resident of a dwelling unit. A guest card shall be limited to the specific address for which it was issued (such address shall be noted on the face of the guest card) and shall be limited in use and validity to the block in which the property is located and a two-block area contiguous to the specific address for which the guest card is issued. A guest card may be utilized for a guest's vehicle for up to, but not in excess of, a week's (five permit days) consecutive period. In the event that a guest card is needed for a vehicle for a defined period of time in excess of the maximum week's (five permit days) consecutive period, a special permit may be issued, at the discretion of the Borough Manager or such other official as Borough Council may designate from time to time, upon such terms as the Borough Manager or such other official as Borough Council may designate from time to time deems appropriate.

(3) Special business cards. Each owner and each employee of a business doing business in Permit Parking Area L who is not exempt under § 77-15.I shall be entitled to receive one special business parking card for use in Permit Parking Area L. An applicant for a special business card must present proof of ownership or employment as required by § 77-15.E(1)(b). The special business card's effectiveness and validity shall be limited to the specific address for which it was issued, and such address shall be noted on the face of the special business card.

F. The parking permit and guest cards required by this section shall appear, cost and be displayed as follows:

(1) The parking permit shall be limited in applicability to Permit Parking Area L. The fee for the permit shall be determined by Resolution of Council.

(2) Guest cards shall be in such size and design as the Borough, from time to time, deems appropriate and shall be issued by the Borough Manager or such other official as the Borough Council may designate from time to time. The cost for the guest cards shall be determined by Resolution of Council.

(3) Special business parking cards shall be issued by the Borough Manager or such other official of the Borough as the Borough Council may, from time to time, designate. The cost for the special business parking cards shall be determined by Resolution of Council.

G. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

H. When the Parking Department has reason to believe that a parking permit was issued in error or that a person to whom a parking permit was issued is no longer eligible or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit.

I. The only persons exempt from the provisions of this section shall be:

(1) Owners and operators of emergency vehicles.

(2) Medical doctors on house calls in this Residential Permit Parking Area L.

(3) Service vehicles, clearly labeled as such, during the time that persons from said service vehicle are performing a service at a residence, business or professional use in this Residential Permit Parking Area L.

J. When an enforcement officer has reason to believe that a guest card or a special business card is not being used in accordance with the purpose, intention and provisions of this chapter, the Parking Department shall be notified. The Parking Department shall then send a letter to the possessor of the subject card, informing that person that the card is being used improperly. If the violation(s) continue(s), the Parking Department may revoke the guest card(s) or the special business card, so long as the possessor of same is afforded an opportunity at an informal conference with the Parking Department to explain his or her position. If a guest card or special business card is revoked, the possessor of same shall deliver it to the Parking Department. Parking in this Residential Permit Parking Area L with a revoked guest card or special business card shall be the same as parking with no guest card, special business card or parking permit. Violators shall be ineligible for guest card issuance or special business card issuance for a period of one year. In addition, upon the occurrence of a violation of this

chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.

K. The permit area in this Residential Permit Parking Area L shall be posted with a minimum of two signs per block, and the signs shall contain the following information:

PARKING BY PERMIT ONLY
8:00 A.M. - 12:00 MIDNIGHT MON. - FRI.
PERMIT PARKING AREA L

L. Special cards. Upon written application to the Borough Manager, special permission may be obtained for special cards to be used for limited hours during special events.

(1) Such application must note the purpose of the event, the date and times, the number of vehicles expected and the name of the responsible person to contact with respect to said event.

(2) The Borough Manager shall grant such number of special cards for special events as he shall deem appropriate, taking into consideration the health, safety and welfare of the residents of the surrounding community, residents of Permit Parking Area K, residents of the Borough of West Chester and the purposes of the Residential Parking Program.

(3) When permission is granted, the Borough Manager shall notify the enforcement officers.

(4) Special cards for special events which are distributed by the Borough Manager are valid for no longer than 24 hours and shall be so designated.”

SECTION 21. Section 77-16 titled, “Parking Procedures for Permit Area M” shall be amended to read as follows:

“§77-16. Parking Procedures for Permit Area M.

A. The following area shall be designated as Permit Area M:

(1) East side of High Street between Washington Street and Biddle Street.

B. The permit parking program for Permit Area M shall be as follows:

(1) Any eligible person living in a dwelling unit abutting the east side of High Street between Washington Street and Biddle Street shall be entitled to receive a non transferable parking permit and shall be permitted to park in the on-street spaces, at any time, without being restricted to the two-hour parking limit existing at the above-noted locations.

C. The eligibility for parking permits in Permit Parking Area M shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting any of the streets designated as Permit Area M above shall be entitled to receive a parking permit for use in the particular area designated in Subsection A(1) above in which the person resides if the person demonstrates to the Borough that the person has no on-site parking available; and the person presents two satisfactory proofs of residency in one of the areas set forth in Subsection A(1) above; and the person provides proof of ownership of a motor vehicle (Joint owners shall be treated as one) registered in the Commonwealth of Pennsylvania; or in the event of a parent/child relationship, the child applying for such permit presents a registration of a motor vehicle registered in the Commonwealth of Pennsylvania under the name of such child's parent or parents; the child presents the insurance policy of the parent or parents which designates the child as the primary driver of the motor vehicle to be registered; the child presents an affidavit or letter agreement from the child's parent or parents in form and content acceptable to the Borough which indicates that the parent or parents accept financial responsibility for all tickets issued by the Borough which relate to the registered motor vehicle. A list of items approved by the Borough Council which will constitute satisfactory proof of residence in the permitted area will be available in the Borough Manager's office. The permit issued shall be non transferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within one of the areas set forth as Permit Area M above shall be eligible to receive a parking permit for use in the particular area designated in Subsection A(1) in which the person resides.

D. The parking permit provided pursuant to this section shall be limited in applicability to Permit Parking Area M and shall cost an amount determined by Resolution of Council.

E. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

F. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking permit was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.”

SECTION 22. Section 77-17 titled, “Parking Procedures for Permit Area N” shall be amended to read as follows:

“§77-17. Parking Procedures for Permit Area N.

A. The following areas shall be designated as Permit Area N:

(1) Forty parking spaces in Greenfield Park shall be available for parking by residents who reside in the area designated in Subsection B below.

(2) Thirty spaces at Greenfield Park shall be available for use by the teams and spectators who utilize the athletic fields at the park.

B. The residential permit parking program for Permit Area N shall be as follows:

(1) Any eligible person living in a dwelling unit on the 600 block of South Franklin Street and on the east side of the 500 and 600 block of South Matlack Street shall be entitled to receive a nontransferable parking permit and shall be permitted to park in the 40 off-street spaces designated for use by residents at any time.

(2) The use of the 30 parking spaces for teams and spectators of the athletic facilities at the park shall be issued by the Parks and Recreation Department and shall be effective for the time limits set forth on the parking

permit which permit must be displayed on the vehicles while parked in the 30 designated spaces.

C. The eligibility for residential parking permits in Permit Parking Area N shall be as follows:

(1) Upon application to the Borough, any person living in a dwelling unit abutting any of the streets designated as Permit Area N above shall be entitled to receive a parking permit for use in the area designated in Subsection A(1) above if the person demonstrates to the Borough that the person has no on-site-parking available and the person presents two satisfactory proofs of residency in the area set forth in Subsection A(1) above. The permit issued shall be nontransferable and effective only for the specific permitted area for which it was issued.

(2) The Borough Manager shall have a reasonable period of time, not to exceed 10 working days from the date of application, to determine the eligibility of the applicant for a parking permit and to issue the parking permit to an eligible applicant.

(3) All vehicles properly registered to an eligible person at the address of a dwelling unit within the area set forth as Permit Area N above shall be eligible to receive a parking permit for use in the particular area designated in Subsection A(1).

D. The parking permit shall be limited in applicability to Permit Parking Area N. The fee for the permit shall be determined by Resolution of the Council.

E. If a person sells his or her motor vehicle, he or she shall notify the Borough and the parking permit previously issued shall be amended to reflect the replacement vehicle and the revised permit shall be valid for the remaining period of validity of the old parking permit. The Borough may charge a fee for the replacement permit in an amount determined by Resolution of Council.

F. When the Parking Department has reason to believe that a parking permit was issued in error, or that a person to whom a parking permit was issued is no longer eligible, or that a person to whom a parking permit was issued has violated the requirements of this section, the Parking Department shall send a letter to the possessor of the parking permit advising that person of the ineligibility or violation. If the violation continues, and/or the person is unable to demonstrate that he or she is eligible or continues to be eligible for a parking permit, the Parking Department shall revoke the parking permit. Violators who have had a parking permit revoked shall be ineligible for a

parking permit issuance for one year. In addition, upon the occurrence of a violation of this chapter, the Borough may also institute and enforce the violation and penalty provisions of § 77-11 of this chapter.

SECTION 23. SEVERABILITY. 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 the Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 24. REPEALER. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 25. EFFECTIVE DATE. This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS _____ DAY OF _____, 2022.

ATTEST:

**COUNCIL FOR THE BOROUGH OF
OF WEST CHESTER**

Sean Metrick, Secretary

By: _____
Michael Stefano, President

APPROVED THIS _____ DAY OF _____, 2022.

Lillian L. DeBaptiste, Mayor