

CODIFIED ORDINANCES OF YORK

PART FIVE - TRAFFIC CODE

Art. 501. Administration and Enforcement.

Art. 503. Cruising.

Art. 505. Parades and Street Fairs.

Art. 507. Booting.

Art. 509. Parking Meters.

Art. 513. Vehicle Operation and Parking.

Art. 516. Residential Parking Permit Areas.

Art. 517. City Parking Lots.

Art. 521. Snow Emergencies.

Art. 525. Trailers.

Art. 533. Bicycles.

Art. 537. Skateboards.

Art. 541. Dumpster Placement.

Art. 545. Public/Private Property Towing.

2002 Replacement

CODIFIED ORDINANCES OF YORK

PART FIVE - TRAFFIC CODE

ARTICLE 501

Administration and Enforcement

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|--------|---|--------|------------------------------|
| 501.01 | Local powers of Police
Commissioner or Chief of Police. | 501.03 | Placement of traffic control |
| 501.02 | Vehicle Code powers of Police
Commissioner or Chief of Police. | | |
| | | 501.04 | Emergency regulations. |

CROSS REFERENCES

- Manner of exercise of powers - see Vehicle Code 76 Pa.C.S.A. §6102, 6109(b), (e)
 Local police powers - see Vehicle Code 75 Pa.C.S.A. §6109 (a)
 Local police enforcement - see Vehicle Code 76 Pa. C.S.A. §6505(b), (c)

501.01 LOCAL POWERS OF POLICE COMMISSIONER OR CHIEF OF POLICE.

The Police Commissioner or Chief of Police shall:

- (a) Determine at what street intersections or other points traffic shall be controlled, regulated and directed, and the manner thereof and at what street intersections left turns shall be prohibited.
- (b) Determine at what places traffic lanes and crosswalks are to be marked for the control, regulation, guidance and direction of traffic and the manner thereof.
- (c) Determine upon what streets parking shall be regulated or prohibited and the kind, time and manner thereof.
- (d) Determine what streets shall be one-way streets and the direction upon which vehicular traffic shall move thereon.
- (e) Determine how, when and in what manner highways are to be used by processions or assemblages.
(1944 Code Ch. 18 §1; Ord. 31-1978 §1. Passed 11-21-78.)

501.02 VEHICLE CODE POWERS OF POLICE COMMISSIONER OR CHIEF OF POLICE.

The Police Commissioner or Chief of Police, after complying with the requirements of Section 6109(e) of the Vehicle Code regarding engineering and traffic investigation, shall be and hereby is authorized to act on those specific matters enumerated in Section 6109(a) of the Vehicle Code of the Commonwealth of Pennsylvania.
(Ord. 16-1980 §1. Passed 7-29-80.)

501.03 PLACEMENT OF TRAFFIC CONTROL DEVICES.

The Police Commissioner or Chief of Police shall cause to be placed and maintained all signs, signals, markers, lines or other devices necessary to direct, guide, control or regulate traffic or parking, in order to carry out the provisions of the Commonwealth Vehicle Code, and to carry out and make effective the provisions of this article and the regulations of Council passed pursuant thereto. He shall place or cause to be placed all temporary signs, signals, markers, lines or other devices directing, guiding, controlling or regulating traffic or parking during emergencies or at such places where highways are being excavated or where other temporary obstructions are interfering with traffic.
(1944 Code Ch. 18 §3; Ord. 31-1978 §1. Passed 11-21-78.)

501.04 EMERGENCY REGULATIONS.

The Chief of Police may make regulations to cover emergencies or special conditions and erect the necessary signs, signals, markers or other devices necessary to make such regulations effective. (1944 Code Ch. 18 §4; Ord. 31-1978 §1. Passed 11-21-78.)

ARTICLE 503
Cruising

503.01	Definitions.	503.04	Severability.
503.02	Cruising prohibited.	503.99	Penalty.
503.03	Exclusions.		

CROSS REFERENCES

Unauthorized use of vehicle - see 18 Pa. C.S.A. §3928
Vehicle operation - see TRAF. Art. 513

503.01 DEFINITIONS.

For the purpose of this article, the following definitions shall apply:

- (a) "Cruising" means driving a motor vehicle on a street past a traffic control point, as designated by the Police Department, more than twice in any two hour period, between the hours of 7:00 p.m. and 3:30 a.m. The passing of a designated control point a third time under the aforesaid conditions shall constitute unnecessary repetitive driving and therefore a violation of this article.
- (b) "Designated area" is herein defined as Market Street from the 900 block west and eastward therefrom through and including the 1200 block east, and the 1200 block east Philadelphia Street and westward through and including the 900 block west. These designated streets shall be clearly marked with permanent fixed signs advising the public that the area is subject to regulation under the City Cruising Ordinance.
- (c) "Traffic control point" means a clearly identified reference point on a designated street, as determined and marked time-to-time by the Police Department. (Ord. 67-1989 § 1. Passed 5-16-89.)

503.02 CRUISING PROHIBITED.

No person shall engage in unnecessary repetitive driving, also known for purposes of this article as cruising. For purposes of this article, the person having control and/or ownership of a motor vehicle shall be considered the person cruising, without regard as to whether that person was actually driving the motor vehicle each time it passed the traffic control point. Having control or ownership of a motor vehicle means either the owner of the vehicle as stated on the vehicle registration if present in the vehicle at the time of the violation, or if the owner is not present in the vehicle, the person operating the vehicle at the time of the violation of this article. (Ord. 67-1989 §1. Passed 5-16-89.)

503.03 EXCLUSIONS.

This article shall not apply to any municipal, emergency, police, fire, ambulance or other governmental vehicle when same is being operated in an official capacity. In addition, this article shall not apply to any duly licensed public transportation vehicle nor to any vehicle utilized for business and/or commercial purposes.

(Ord. 67-1989 §1. Passed 5-16-89.)

503.04 SEVERABILITY.

The provisions of this article are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

(Ord. 67-1989 §1. Passed 5-16-89.)

503.99 PENALTY.

Any person violating the provisions of this article shall be guilty of a summary offense and upon conviction thereof, be fined not less than three hundred dollars (\$300.00) and not more than one thousand dollars (\$1,000) together with cost of prosecution, or imprisonment of not more than ninety days (90 days), or both.

(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 505
Parades and Street Fairs

505.01	Parades and street fairs authorized.	505.07	Notice of permit issuance.
505.02	Permit required.	505.08	Revocation of permit.
505.03	Permit applications.	505.09	Permit prerequisite to hold parade or street fair.
505.04	Events advertising for private profit prohibited.	505.10	Prohibited acts.
505.05	Permit issuance and denial standards.	505.11	Dogs prohibited.
505.06	Compliance with ordinances, rules and conditions.	505.99	Penalty.

CROSS REFERENCES

Power to prohibit street obstructions - see 3rd Class §2403(16)
(53 P.S. §37403(16))

Power to regulate parades - see Vehicle Code 75 Pa. C.S.A. §6109(3)

Driving through processions - see TRAF. 513.05

Sound trucks, amplifiers prohibited - see GEN. OFF. 713.04

505.01 PARADES AND STREET FAIRS AUTHORIZED.

Under and subject to the provisions of this article, it is lawful to hold parades and street fairs on the streets, sidewalks and highways of the City.
(Ord. 14-1978 §1. Passed 5-8-78.)

505.02 PERMIT REQUIRED.

Parades and street fairs shall be held only by organizations or by groups of individuals banded together for such purpose, and only after permit for the holding thereof has been granted by the Mayor. (Ord. 14-1978 §1. Passed 5-8-78.)

505.03 PERMIT APPLICATIONS.

(a) Applications for parade permits and street fair permits shall be made to the Mayor at least five days before the date selected for the holding of such parade or street fair, and shall be made on official forms furnished by the City for that purpose. The Mayor may exercise discretion and consider any application which is not made at least five days in advance.

(b) The application for such permit shall state the names and addresses of the group or organization desiring to hold such parade or street fair, the name of the person who shall be in charge thereof, the purpose of the parade or street fair, the date and time for the holding thereof, the streets, sidewalks and highways over which the parade shall pass or on which the street fair shall be held, and such other information as the Mayor deems reasonably necessary. Such parade or street fair shall not be held at any other time or

on any other streets, sidewalks or highways not specified in the application for the permit. The application for the permit shall be filed by the person in charge of such group or organization. (Ord. 14-1978 §1. Passed 5-8-78.)

(c) Applications for parade permits and street fair permits shall be accompanied by a fee of not less than ten dollars (\$10.00) nor more than thirty dollars (\$30.00). The exact fee shall be set by the Mayor in such amount as he may from time to time determine to be sufficient to cover the cost of processing such application. (Ord. 26-1984 §1. Passed 10-16-84.)

505.04 EVENTS ADVERTISING FOR PRIVATE PROFIT PROHIBITED.

No permit shall be issued authorizing the conduct of a parade or street fair which the Mayor finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise or commercial event, and is designed to be held purely for private profit. (Ord. 14-1978 §1. Passed 5-8-78.)

505.05 PERMIT ISSUANCE AND DENIAL STANDARDS.

(a) Standards for Issuance. The Mayor shall issue a parade or street fair permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Mayor finds that:

- (1) The time, size and location of the parade or street fair will disrupt to an unreasonable extent the movement of traffic or the public peace;
- (2) The parade or street fair is of a size or nature that requires the diversion of so great a number of police officers of the City that reasonable police protection would be denied to the City;
- (3) Such parade or street fair will interfere with another parade or street fair for which a permit has been issued.

(b) Standards for Denial. The Mayor shall deny an application for a parade or street fair permit and notify the applicant of such denial where:

- (1) The Mayor makes any finding contrary to the findings required to be made for the issuance of a permit;
- (2) The information contained in the application is found to be false or nonexistent in any material detail;
- (3) The applicant refuses to agree to abide by or comply with all conditions of the permit. (Ord. 14-1978 §1. Passed 5-8-78.)

505.06 COMPLIANCE WITH ORDINANCES, RULES AND CONDITIONS.

Any parade or street fair shall be subject to City ordinances and resolutions, to any rules and regulations which may be prescribed by the Mayor applicable to such parades and street fairs, and to any conditions imposed by the Mayor in the permit. (Ord. 14-1978 §1. Passed 5-8-78.)

505.07 NOTICE OF PERMIT ISSUANCE.

Immediately upon the granting of a permit for a parade or street fair, the Mayor shall send a copy thereof to the following individuals:

- (a) Chief of Police.
- (b) Fire Chief.
- (c) Director of Public Safety.
- (d) Director of Public Works.

- (e) Director of Business Administration.
(Ord. 14-1978 §1. Passed 5-8-78.)

505.08 REVOCATION OF PERMIT.

Any permit for a parade or street fair issued pursuant to this article may be summarily revoked by the Mayor or the Director of Public Safety at anytime when by reason of disaster, public calamity, riot or other emergency, the Mayor or Director deems that the safety of the public or property requires such revocation. Notice of such action revoking such permit shall be delivered in writing to the permittee by personal service or by certified mail.
(Ord. 14-1978 §1. Passed 5-8-78.)

505.09 PERMIT PREREQUISITE TO HOLD PARADE OR STREET FAIR.

No person shall hold any parade or street fair on the streets, sidewalks and highways of the City or knowingly participate in any such parade or street fair unless a permit to conduct such parade or street fair has been obtained as required by the provisions of this article.
(Ord. 14-1978 §1. Passed 5-8-78.)

505.10 PROHIBITED ACTS.

No person shall knowingly join or participate in any parade or street fair conducted under a permit from the Mayor in violation of any of the terms of such permit, nor knowingly join or participate in any permitted parade or street fair without the consent or over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct. (Ord. 14-1978 §1. Passed 5-8-78.)

505.11 DOGS PROHIBITED.

(a) No owner of any dog, and no person who has been given the care and custody of any dog by its owner, whether such dog is bearing a license tag or not, shall permit such dog to be upon the streets, sidewalks and highways over which a parade shall pass or on which a street fair shall be held, during the time of such parade or street fair, irrespective of whether such dog is on a leash or not.

- (b) The provisions of this section shall not apply to:

- (1) Any owner of a dog that, with the consent of the parade or street fair permit holder, is a part of the organized plan or program for the parade or street fair; or
- (2) Any blind person owning a guide dog.
(Ord. 4-1982 §1. Passed 4-20-82.)

505.99 PENALTY.

Whoever violates any provision of this article shall, upon conviction thereof be fined not more than one thousand dollars (\$1,000) and costs of prosecution, and in default of the payment thereof, shall be imprisoned for not more than ninety days (90 days).
(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 507
Booting

507.01	Definitions.	507.06	Booting fee.
507.02	Boot installation.	507.07	Implementation and enforcement.
507.03	Notice of booting.	507.08	Right to hearing not waived.
507.04	Boot removal; hearing.	507.99	Penalty.
507.05	Towing and storage of vehicles.		

CROSS REFERENCES

Power to establish removal and impounding procedures - see Vehicle Code (75 Pa. C.S.A. §6109(a)(22))

Removal of vehicle - see Vehicle Code (75 Pa. C.S.A. §3352)

507.01 DEFINITIONS.

For the purpose of this article, the following definitions shall apply:

- (a) "Unsettled parking violation" means any outstanding violations of the parking, standing or stopping regulations of the City Traffic Code or Pennsylvania Motor Vehicle Code for which citations have been filed with a District Magistrate and a summons has been issued to which either no response has been made or for which a warrant has been issued and including adjudicated citations where the fine and costs imposed are unpaid.
- (b) "Boot, booting or booted" means the act of immobilizing a motor vehicle in such a manner as to prevent its operation with a device or by means which shall cause no damage to such vehicle unless it is moved while such device is in place or such means are employed. (Ord. 72-1989 §1. Passed 7-18-89.)

507.02 BOOT INSTALLATION.

A motor vehicle found parked within the City upon any public ground at any time may, by or under the direction of an officer or member of the City Police Department, be booted if there are three or more unsettled parking violations pending against the owner of the motor vehicle. (Ord. 72-1989 §1. Passed 7-18-89.)

507.03 NOTICE OF BOOTING.

Upon booting of such motor vehicle, the officer or employee shall cause to be placed on the vehicle, in a conspicuous manner, notice sufficient to warn any individual that the vehicle has been immobilized, and that any attempt to move the vehicle might result in damage to the vehicle. The notice shall also outline the procedure for obtaining removal of the boot. As soon as practicable, the officer or employee shall provide the owner of the booted vehicle, at his request, with a list of the prior unsettled parking violations for which, or on account of which, such vehicle was booted. (Ord. 72-1989 §1. Passed 7-18-89.)

507.04 BOOT REMOVAL; HEARING.

The owner of a booted vehicle, or other authorized person, shall be permitted to secure release of vehicle upon:

- (a) Depositing of the collateral required for his appearance before a District Magistrate to answer for each unsettled parking violation;
- (b) Paying the amount of the fine, penalty and court costs, if any, for each unsettled parking violation; and
- (c) The payment of the fees as required by Section 507.06.

The owner of a booted vehicle, or other authorized person, shall have the right to a post-immobilization hearing limited to the determination of the validity of the booting. Such hearing shall be requested within fifteen days after the vehicle is booted and shall be conducted by a hearing officer appointed by the Mayor. The hearing shall be held during normal business hours within one business day of the demand therefor. The post-immobilization hearing shall not be determinative of or adjudicate the merits of any citation issued relative to any immobilized vehicle but shall be limited solely to whether the vehicle was properly subject to booting under the provisions of this article. (Ord. 72-1989 § 1. Passed 7-18-89.)

507.05 TOWING AND STORAGE OF VEHICLES.

The boot shall remain in place for forty-eight hours unless the owner has complied with Section 507.04. If such compliance has not occurred within forty-eight hours, the vehicle shall be towed or impounded. If the booting occurs when a vehicle is parked in any zone regulated by towing provisions, then such vehicle is subject to immediate towing and impounding. Towing and storage fees, as set by administrative order, as specified in Article 513, shall be paid, along with fees specified in Section 507.04 before the owner of such vehicle, or authorized person, shall be permitted to repossess or secure the release of the vehicle. Vehicles unclaimed within sixty days of towing and storage shall be deemed abandoned and subject to disposal as such in the manner authorized by law. (Ord. 72-1989 § 1. Passed 7-18-89.)

507.06 BOOTING FEE.

The owner of a booted vehicle shall be subject to a fee of fifty dollars (\$50.00) for such immobilization. (Ord. 72-1989 §1. Passed 7-18-89.)

507.07 IMPLEMENTATION AND ENFORCEMENT.

This article shall be enforced by the Police Department which shall have authority for implementing the parking enforcement provisions thereof and to promulgate such rules and regulations as are necessary therefor, which regulations shall become effective upon approval by Council. (Ord. 72-1989 §1. Passed 7-18-89.)

507.08 RIGHT TO HEARING NOT WAIVED.

Nothing in this article shall be construed to deprive any person of the constitutional right to a hearing or trial as to the violations for which citations have been issued. (Ord. 72-1989 §1. Passed 7-18-89.)

507.99 PENALTY.

Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle that has been booted pursuant to this article, or who shall move or attempt to move the vehicle booted before release of the vehicle has been officially secured, shall be guilty of a summary offense and, upon conviction thereof, shall be fined not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000), together with cost of prosecution, or imprisoned for not more than ninety days (90 days), or both.
(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 509
Parking Meters

509.01	Definitions.	509.11	Deposit to extend parking beyond legal time.
509.02	Establishment of zones.	509.12	Deposit of slugs.
509.03	Sundays and holidays excluded.	509.13	Defacing meters.
509.04	Hours of operation.	509.14	Free or special parking uses authorized.
509.05	Additional zones.	509.15	Enforcement.
509.06	Installing meters and marking spaces.	509.16	Collection and disposition of coins.
509.07	Meter placement and signal indications.	509.99	Penalty.
509.08	Manner of parking vehicles.		
509.09	Deposit of coin.		
509.10	Parking overtime.		

CROSS REFERENCES

City parking lots - see TRAF. Art. 517
Meter regulations - see TRAF. 517.02

509.01 DEFINITIONS.

The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

- (a) "Parking meter zones" means highways or portions thereof, on which parking meters are to be installed, operated and used.
- (b) "Parking meter" means a device intended to assist public authorities in enforcing ordinances limiting the time during which vehicles may be parked on any highways within a parking meter zone. (1944 Code Ch. 18 §54.)

509.02 ESTABLISHMENT OF ZONES.

Parking meter zones are hereby established on the following highways or portions thereof as follows:

Market Street, both sides, from the Square west to Carlisle Avenue;
Market Street, both sides, from the Square east to Sherman Street;
Philadelphia Street, both sides, from George Street west to Pershing Avenue;
Philadelphia Street, both sides, from George Street east to Pine Street;
Princess Street, both sides, from George Street west to Beaver Street;
Princess Street, both sides, from George Street east to Pine Street;
King Street, both sides, from George Street west to Pershing Avenue;
King Street, both sides, from George Street east to Pine Street;
College Avenue, both sides, from George Street west to Lindbergh Avenue;
College Avenue; both sides, from George Street east to Duke Street;
George Street, both sides, from Square north to North Street;
George Street, both sides, from Square south to Boundary Avenue;
Duke Street, both sides, from College Avenue north to North Street;
Queen Street, both sides, from College Avenue north to North Street;
Pine Street, both sides, from Market Street south to King Street;

Beaver Street, both sides, from College Avenue north to Gas Avenue;
Pershing Avenue, both sides, from Princess Street north to Gas Avenue;
Newberry Street, both sides, from King Street north to Philadelphia Street;
Penn Street, both sides, from Market Street north to Philadelphia Street.
(Ord. 10-1986 §1. Passed 7-15-86.)

509.03 SUNDAYS AND HOLIDAYS EXCLUDED.

Parking in any parking meter zone is hereby specifically excluded from the provisions of this article on Sundays and on the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and such other holidays as may hereafter be designated by the Mayor.
(1944 Code Ch. 18 §56.)

509.04 HOURS OF OPERATION.

Except as provided in Section 509.03, the schedule of hours of operation of the meters in all parking zones shall be between the hours of 9:00 a.m. and 5:00 p.m., unless the General Authority shall adopt a resolution establishing a revised schedule of hours of operation which thereafter becomes effective. (Ord. 18-1995. Passed 11-21-95.)

509.05 ADDITIONAL ZONES.

Additional parking meter zones may be established by resolution of Council, and the parking times in the zones now established, or in additional zones which may hereafter be established, may be prescribed or changed by resolution of Council, or by executive order of the Mayor, in connection with regulating the times of parking upon streets.
(1944 Code Ch. 18 §58; Ord. 70-1954 §1.)

509.06 INSTALLING METERS AND MARKING SPACES.

In all parking meter zones a parking meter shall be installed for each parking space. All parking spaces shall be plainly designated by lines or markings on the highway and may be placed either parallel with or diagonal to the curb.
(1944 Code Ch. 18 §59.)

509.07 METER PLACEMENT AND SIGNAL INDICATIONS.

Parking meters shall be placed upon the sidewalk or curb immediately adjacent or next to each designated parking space, and in such manner as to show or display by a signal that the parking space controlled by such meter is or is not legally occupied. Each parking meter shall indicate by a proper legend the established legal parking time and, when in operation, shall also indicate on or by its dial or pointer the duration of the period of legal parking and, on the expiration of such period, shall indicate any illegal or overparking.
(1944 Code Ch. 18 §60.)

509.08 MANNER OF PARKING VEHICLES.

(a) Every vehicle parked in any parking meter zone shall be entirely within the lines of the designated parking space, with the front end of such parked vehicle at or immediately adjacent to the parking meter controlling such parking space.

(b) Where two parking meters are mounted on a single post, in all cases where the length of the vehicle is required to stand parallel to the curb, the front end of the vehicle shall always be pointed in the direction required of vehicular traffic on the side of the street where the vehicle is parked with the rear end of such parked vehicle, at or immediately adjacent to the meter mounted forward in the aforesaid direction of vehicular traffic and with the front end of such other parked vehicle at or immediately adjacent to the meter mounted rearward in the aforesaid direction of vehicular traffic.

(c) Where two parking meters are mounted on a single post, in all cases where the length of the vehicle is required to stand perpendicular to or at an angle with the curb, the right front end of the parked vehicle shall be immediately adjacent to the meter mounted on the left side of the post facing the front of the vehicle and with the left front end of a parked vehicle immediately adjacent to the meter mounted on the right side of the post, facing the front of the vehicle.

(d) Each vehicle shall park within the lines or markings so established.
(1944 Code Ch. 18 §61; Ord. 59-1960 §1.)

509.09 DEPOSIT OF COIN.

(a) Upon parking any vehicle in a parking meter zone at any time when the provisions of this article are in effect, the operator thereof shall, upon entering the designated parking space, immediately deposit or cause to be deposited a coin of United States currency in the parking meter controlling such parking space as designated thereon and, in a manually operated parking machine pull the lever.

(b) Upon the deposit of such coin, and the setting of the timing mechanism in operation when so required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which such parking space is located, provided that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of the space does not exceed the indicated unused parking time.
(1944 Code Ch. 18 §62; Ord. 43-1965 §1; Ord. 13-1967 §1; Ord. 19-1995. Passed 11-21-95.)

(c) The fee to be charged for parking shall be the schedule of rates and charges for the use of the meters adopted by the Authority which may be amended thereafter on or before the first day of each fiscal year of the Authority when the Authority will adopt a schedule of rates and charges for the use of the meters which initial and any subsequent amended schedules of rates and charges shall, in the judgment of the Board of the Authority, taking into account the hours of operation of the meters, be sufficient in each such period or fiscal year to provide the Authority with sufficient funds, together with other revenues of the Authority derived from the System to satisfy the Rate Covenant which shall thereafter become effective.
(Ord. 19-1995. Passed 11-21-95.)

509.10 PARKING OVERTIME.

No owner or operator of any vehicle shall cause, allow or permit such vehicle to be parked overtime or beyond the period of the legal parking time established for any parking meter zone herein created. (1944 Code Ch. 18 §63.)

509.11 DEPOSIT TO EXTEND PARKING BEYOND LEGAL TIME.

No person shall deposit or cause to be deposited in any parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time established for any parking meter zone herein created.
(1944 Code Ch. 18 §64.)

509.12 DEPOSIT OF SLUGS.

No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substance for a coin of United States currency.
(1944 Code Ch. 18 §65.)

509.13 DEFACING METERS.

No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article. (1944 Code Ch. 18 §66.)

509.14 FREE OR SPECIAL PARKING USES AUTHORIZED.

Nothing in this article shall be construed as prohibiting the City from providing for free parking space for loading and unloading, for bus stops, for taxicab stands or for other matters of a similar nature. (1944 Code Ch. 18 §67.)

509.15 ENFORCEMENT.

(a) The duty of enforcing the provisions of this article shall be on the Police Commissioner or Police Chief acting through the Police Department. In an emergency, any of the provisions of this article may be temporarily suspended by the Police Chief or Commissioner, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions during such emergency may demand or require.

(b) Regular police officers of the Police Department shall be empowered to enforce the provisions of this article and to issue citations and parking tickets for violations thereof. Uniformed employees of the Department who are not regular police officers and uniformed employees of the Parking Bureau shall be empowered upon authorization by the Chief of Police or Police Commissioner to issue citations and parking tickets for parking violations only. (Ord. 1-2009. Passed 1-6-09.)

509.16 COLLECTION AND DISPOSITION OF COINS.

The coins required in Section 509.09 to be deposited in parking meters is hereby levied and assessed as a fee to provide for the proper regulation and control of traffic upon the streets and highways of the City, including the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, supply of parts, control and use of the aforesaid parking meters and the enforcement of this article. The coins deposited in such meters shall be collected for the City General Authority and shall be deposited in an account of the City General Authority. (Ord. 22-1995. Passed 12-5-95.)

509.99 PENALTY.

Whoever violates Section 509.08 of this article shall, upon conviction thereof, be fined not less than twenty-five dollars and if not paid within eight (8) days shall be fined not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default thereof shall be imprisoned for not more than ten days. Whoever violates Section 509.13 of this article shall, upon conviction thereof, be fined not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, or a term of imprisonment of not more than ninety (90) days or both. Whoever violates any other provision of this article shall, upon conviction thereof, be fined not less than twenty dollars (\$20.00) and if not paid within eight (8) days shall be fined not less than forty dollars (\$40.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned not more than ten days (10 days). (Ord. 1-2009. Passed 1-6-09.)

ARTICLE 513
Vehicle Operation and Parking

<p>513.01 Compliance with lawful orders.</p> <p>513.02 Police and fire police to direct traffic.</p> <p>513.03 Towing vehicles obstructing work areas; liability for expense.</p> <p>513.04 Stop signals and turns.</p> <p>513.05 Driving through procession; backing and u-turns.</p> <p>513.06 One-way streets; operation and parking.</p> <p>513.07 Weight restrictions.</p> <p>513.08 Oversize or overweight vehicles; permit fee.</p> <p>513.09 Spring Garden Memorial Park.</p> <p>513.10 Pedestrians at controlled intersections and at Continental Square.</p> <p>513.11 School children crossing streets.</p> <p>513.12 Use of coaster, roller skates and similar devices restricted.</p> <p>513.13 Boarding or alighting from vehicles.</p>	<p>513.14 Parking prohibited in specified places.</p> <p>513.15 Parking at City Hall.</p> <p>513.16 Loading and unloading parked vehicles.</p> <p>513.17 Double parking.</p> <p>513.18 Handicapped parking.</p> <p>513.19 Compliance with parking signs.</p> <p>513.20 Buses and taxicabs; parking in stands.</p> <p>513.21 Repairing of vehicles.</p> <p>513.22 Disposition of fines and forfeitures.</p> <p>513.23 Enforcement.</p> <p>513.24 Speed zones.</p> <p>513.25 Parking of inoperable or illegally registered vehicles.</p> <p>513.99 Penalty.</p>
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CROSS REFERENCES

Rules of the road - see Vehicle Code 75 Pa. C.S.A. §3301 et seq.
 Prohibited stopping, standing and parking places - see Vehicle
 Code 75 Pa. C.S.A. §3353
 Local police powers - see Vehicle Code 75 Pa. C.S.A. §6109(a)

513.01 COMPLIANCE WITH LAWFUL ORDERS.

No person shall refuse or fail to comply with any lawful order, signal or direction of a police officer or of any member of the Fire Department duly appointed or designated by the Director of Public Safety to direct traffic in case of fire or other emergency.
 (1944 Code Ch. 18 §5.)

513.02 POLICE AND FIRE POLICE TO DIRECT TRAFFIC.

The Police Department shall enforce the provisions of this Traffic Code; provided that, in the event of fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police or Fire Department may direct traffic, as conditions may require, notwithstanding the provisions of this article. For such purpose the Director of Public Safety may designate such number of the members of the Fire Department as he deems necessary, with authority to arrest on view any person who violates any provision of this article or temporary regulations of the Chief of Police or interferes or may interfere with the fighting of a fire. The persons so designated from the Fire Department shall serve without pay.
(1944 Code Ch. 18 §6.)

513.03 TOWING VEHICLES OBSTRUCTING WORK AREAS; LIABILITY FOR EXPENSE.

Owners or operators who fail to obey signs as posted or in emergency situations fail to obey orders and interfere with City employees, agents or contractors in the discharge of their duties or performance of their contracts, shall have their vehicle towed out of the area at the owners or operators expense. Owners or operators who in emergency situations are unable to be contacted but whose vehicle interferes with City employees, agents or contractors in the discharge of their duties or performance of their contracts shall have their vehicle towed out of the area at City expense. (Ord. 6-1976 §1. Passed 3-16-76.)

513.04 STOP SIGNALS AND TURNS.

No person shall operate any vehicle past or through any stop signal or make any turns otherwise than as directed by signals or traffic lanes or as directed by traffic officers.
(1944 Code Ch. 18 §11.)

513.05 DRIVING THROUGH PROCESSION; BACKING AND U-TURNS.

No person shall operate a motor vehicle in violation of the following provisions:

- (a) Drive between vehicles comprising a funeral or other authorized procession while they are in motion except upon proper direction by a police officer or other duly authorized person.
- (b) Back around corners or into intersections.
- (c) Make a "U" turn except where official signs permit such movement.
(Ord. 4-1968 §2.)

513.06 ONE-WAY STREETS; OPERATION AND PARKING.

(a) Definitions. For purposes of this section certain terms are defined as follows:

- (1) "Truck" means any motor vehicle designed for carrying freight or merchandise and includes tractors, truck tractors, trailers and semitrailers as defined in the Commonwealth Vehicle Code, provided that a house trailer attached to a passenger motor vehicle shall not be deemed a semitrailer.
- (2) "Vehicle" means any device in, upon or by which any person or property is or may be transported upon a public highway, including herein ridden or driven animals.

(b) Direction of Travel. When streets are designated one-way streets and signs are placed giving notice thereof, no person shall drive any vehicle except in the direction designated by signs or markers.

(c) Turns. When signs are placed giving notice thereof, no person operating a vehicle shall make any turn at any intersection of any highway with any one-way street, either when entering or leaving such streets which shall cause such vehicle to move in a direction opposite to the direction designated for such streets or highway.

(d) Parking. On one-way streets vehicles may be parked with either the right or left side thereof parallel to the curb when headed in the legal direction unless parking on such side is otherwise prohibited by existing ordinances or regulations. However, motorbuses shall stop for the purpose of receiving and discharging passengers only at bus stops designated by existing ordinances or regulations. (Ord. 62-1949 §1-4.)

(e) Trucks or Commercial Motor Vehicles. Where signs are placed giving notice thereof, no truck or commercial motor vehicle which has a gross weight of more than 20,000 pounds shall be operated or driven over the bridges located on the one-way streets which span the Codorus Creek passing through the City. (Ord. 62-1949 §5; Ord. 2-1950 §1.)

(f) Exemptions. The provisions of this section regulating the movement, parking and standing of vehicles shall not apply to Fire Department or fire patrol vehicles when traveling in response to a fire alarm, nor to police patrol vehicles, nor to such ambulances and vehicles of the City or public service corporations as are designated as emergency vehicles. This exemption shall not however, protect the driver of any such vehicle from the consequences of a reckless disregard for the safety of others. (Ord. 3-1952 §1.)

513.07 WEIGHT RESTRICTIONS.

(a) When signs are erected giving notice thereof no person shall operate any vehicle exceeding 7500 pounds gross weight, at any time upon highways that are posted according to law in the City, except that such vehicles may be operated thereon for the purposes of delivering or picking up materials, or merchandise or making emergency utility repairs to or at addresses on restricted highways.

(b) No person shall drive or cause to be driven, upon any bridge, causeway or viaduct, any vehicle which together with its load, exceeds the maximum weight permitted and stated in the official signs erected and maintained.

(c) This section shall not apply to commercial passenger vehicles.
(Ord. 7-1976 §1. Passed 4-20-76.)

513.08 OVERSIZE OR OVERWEIGHT VEHICLES; PERMIT FEE.

(a) On or after June 1, 1981, any person desiring to operate a vehicle which is oversized or overweight, as defined by regulations of the Commonwealth of Pennsylvania Department of Transportation and in subsection (b) hereof, on the streets and highways within the City, shall file with the Department of Public Works an application for a hauling permit and shall pay the fee for such permit as required by this section, at least twenty-four hours in advance of such intended hauling. This section does not apply to state-designated routes that lie within the City. Movement of oversized or overweight vehicles on state routes within the City shall be regulated by a permit issued by the Commonwealth of Pennsylvania.

- (b) The definition of "oversized vehicle" for the purposes of this section is as follows:
- (1) Any vehicle in excess of 80,000 pounds gross weight.
 - (2) Any vehicle in excess of thirteen feet six inches in height.
 - (3) Any vehicle in excess of eight feet six inches in width.
 - (4) Any vehicle in excess of seventy-five feet in length.
 - (5) Any vehicle whose dimensions include a combination of subsections (b)(1), (2), (3) or (4) hereof. (Ord. 36-2005. Passed 9-20-05.)

(c) Permit Required for Movement in the City.

- (1) To move a vehicle whose dimensions exceed the limitations set in subsection (b) hereof, application must be made to the City for an oversize vehicle permit.
- (2) Applicant shall provide to the City proof of liability insurance with a coverage limitation of not less than one million dollars (\$1,000,000).
- (3) Applicant shall pay to the City a fifty dollar (\$50.00) permit fee, plus fifty cents (\$0.50) for each one thousand pounds (or fraction thereof) over and above 80,000 (eighty thousand pounds) pounds gross vehicle weight.
- (4) Upon receipt of permit fee and proof of insurance, the City will provide applicant with an oversize vehicle permit to operate upon the streets of the City. The oversize vehicle permit will list the name of the applicant, identify the truck and/or trailer by registration plate number, and list the overall dimensions and weight of the vehicle. The permit will also list the route, including origin and destination, through the City. The permit will also list any special provisions regarding hours of operation or required escorts. The permit will be valid for five calendar days (5 calendar days) after date of issuance.
- (5) Blanket permits may be issued to an applicant regardless of domicile. Blanket permits are not valid for any oversized movement in excess of 80,000 pounds gross vehicle weight. The holder of a blanket permit shall not, however, be required to pay the fifty dollar (\$50.00) fee for an oversize vehicle permit, but only the fifty cents (\$0.50) per thousand pound fee (1,000 pound fee) for weight in excess of 80,000 pounds (eighty thousand pounds). Blanket permits shall be issued for each power unit (truck or tractor). Each power unit requires a separate blanket permit. The fee for an annual blanket oversize vehicle permit shall be one hundred and twenty-five dollars (\$125.00). Blanket permits shall be good for the calendar year in which issued and will expire on December 31 of said year.

- (6) The permittee is responsible for notifying the utility companies, the City Bureau of Electrical Maintenance, and the City Police Department, Traffic Sergeant, at least twenty-four hours (24 hours) in advance of any vehicle movement. Permittee is responsible for any fees for services from the Bureau of Electrical Maintenance as a result of moving or raising traffic signals or signs. Permittee is responsible for York City Police services required as a result of the movement. Permittee is also responsible for any fees from utility companies for raising wires that are higher than the statutory mandated height above the roadway of eighteen feet (18 feet).
 - (7) The Department of Public Works may require, at its discretion, that a physical route survey be performed prior to the issuance of a permit to ensure that a proposed routing can be negotiated safely.
(Ord. 1-2009. Passed 1-6-09.)
- (d) Damage to Highway. The permittee shall repair at his own expense and to the satisfaction of the City any damage to highways or structures which occurs in connection with operations under the permit.
- (e) Hours of Operation.
- (1) Oversized vehicle movements may be conducted within the City between 9:00 a.m. and 4:00 p.m. Monday through Friday, and between the hours of 7:00 a.m. and noon on Saturday, with the following exceptions:
No movement on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 - (2) Pursuant to Section 179.10, paragraph 7(iii) of Title 67, Pennsylvania Consolidated Statutes, oversized movements will be allowed within the City between the hours of 3:00 a.m. and 7:00 a.m., provided that the movement is accompanied by front and rear escort vehicles, and that additional lighting be in place on all sides and visible from a distance of 1,000 feet.
- (f) Definition of Escort Vehicles.
- (1) An escort vehicle shall be a car or light truck, not exceeding 10,000 pounds gross vehicle weight.
 - (2) An escort vehicle shall be equipped with a minimum of two flashing or revolving amber lights on the roof, and will bear signs stating "OVERSIZE LOAD" visible from the front and rear. Signs shall be five feet wide and one foot high, with black letters on a yellow background.
 - (3) An escort vehicle shall have two-way radio communications with the oversized vehicle.
 - (4) Escort vehicles and personnel shall have authority to direct traffic and be responsible to ensure that traffic disruption is minimal. Escort personnel shall wear an orange reflective vest and hardhat when engaged in directing traffic.
 - (5) Escort vehicles are required to carry proof of liability insurance with a minimum coverage limit of one million dollars (\$1,000,000), naming the City as an additional insured, said proof of insurance to be kept on file with the City.

- (6) Escort vehicles shall be required in addition to subsection (e)(2) hereof as follows:
- One escort vehicle:
 - For an oversize vehicle over eleven feet in total width.
 - For an oversize vehicle in excess of seventy-five feet in length.
 - Two escort vehicles:
 - For an oversize vehicle that is over eleven feet in total width and in excess of seventy-five feet in length.
 - An escort vehicle with a height pole:
 - For an oversize vehicle in excess of fourteen feet in total height.
 - A pole car can function as the front car in the event two escort vehicles are required.
- (7) When one escort vehicle is required it shall precede the oversize vehicle on all roadways with one lane of traffic in each direction, and follow the oversize vehicle on all roadways with more than one lane of traffic in each direction.
- (8) When two escort vehicles are required, one escort vehicle shall precede the oversized vehicle and one escort vehicle shall follow the oversized vehicle.
- (9) When an escort vehicle with a height pole is required, it will precede the oversize vehicle at all times.
- (10) An escort vehicle may be required for any restricted bridge crossing within the City. (Ord. 36-2005. Passed 9-20-05.)

(g) Penalties for Violation.

- (1) Any oversized vehicle found to be operating within the City without an oversize vehicle permit from the City shall be subject to a fine not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000) for violation of this section, and additionally shall be held subject to the regulations and penalties set forth in Chapter 49 of Title 75, Pennsylvania Consolidated Statutes.
- (2) Any oversized vehicle in possession of an oversized vehicle permit and found to be operating in violation of this section or the provisions of the oversize vehicle permit shall have said permit confiscated by any duly authorized law enforcement officer, and shall be subject to a fine not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000) for violation of this section, and additionally shall be held subject to the regulations and penalties set forth in Chapter 49 of Title 75, Pennsylvania Consolidated Statutes.
(Ord. 1-2009. Passed 1-6-09.)

(h) Severability. If any subsection of this section is found to be unenforceable or defective, or found to be unlawful, all other subsections shall remain in effect and will be enforced. (Ord. 36-2005. Passed 9-20-05.)

513.09 SPRING GARDEN MEMORIAL PARK.

(a) No person shall operate any vehicle on any of the roads, driveways or parking grounds of Spring Garden Memorial Park, a public park owned by the City, situated partly in the City and partly in Spring Garden Township, County of York, Pennsylvania, at a rate of speed in excess of fifteen miles per hour. Any person driving a vehicle within the park shall drive the same in a careful and prudent manner, and in such a manner so as not to endanger the

life, limb or property of any person or cause any injury or damage to the shrubbery, trees, lawns, bird or animal life or any property within the park.

(b) No commercial vehicles, drags, motor trucks, motor omnibusses or truck tractors shall be permitted within the park, without the written permission of the Director of Public Works. (Ord. 40-1956 §1.)

513.10 PEDESTRIANS AT CONTROLLED INTERSECTIONS AND AT CONTINENTAL SQUARE.

(a) At intersections where traffic is controlled by traffic control signals or by police officers, pedestrians shall yield the right of way to vehicles lawfully proceeding directly ahead on a "go" signal and operators of vehicles shall yield the right of way to pedestrians crossing or those who have started to cross the roadway on the "go" signal. A pedestrian crossing or starting to cross in any such crosswalk on a green or "go" signal shall have the right of way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or a safety zone, and no operator of any vehicle shall fail to yield the right of way to any such pedestrian. Furthermore, the operators of vehicles shall not stop, obstruct, park or leave any occupied or unoccupied vehicle upon or across any marked crosswalk or across any intersecting roadway unless directed by a police officer or under exigent circumstances, as defined herein.

- (1) Exigent circumstances include, but are not limited to, the following:
 - A. Accidents in which the vehicle(s) cannot be moved from the crosswalk or intersecting roadway.
 - B. Disabled vehicle(s) that cannot be moved from the crosswalk or intersecting roadway.
 - C. Vehicle(s) that must pull into the crosswalk or intersecting roadway in order to allow an emergency vehicle to pass.
- (2) Vehicle(s) that had to be temporarily stopped, parked or left upon or across a crosswalk or across an intersecting roadway due to exigent circumstances shall be immediately moved once the exigency has passed.

(b) At all intersections controlled by traffic control signals or by police officers, no pedestrian shall cross or attempt to cross any street when the green or "go" signal is open for vehicular traffic, nor shall any pedestrian cross or attempt to cross any street at such intersections except within the marked crosswalk for pedestrians.

(c) No pedestrian shall cross or attempt to cross any street in Continental Square except within the lines of the marked crosswalks for pedestrians.

(d) Penalties for Violation. Whoever violates any provision of Section 513.10 shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and in default of payment thereof shall be imprisoned for not more than ninety (90) days. (Ord. 20-2009. Passed 6-2-09.)

513.11 SCHOOL CHILDREN CROSSING STREETS.

Whenever a regular, extra or auxiliary policeman or policewoman or special police officer in uniform, or exhibiting his or her badge or other sign of authority is guiding or assisting school children across streets or street intersections, in the City, the driver of a vehicle travelling on such street or approaching such intersection, shall stop such vehicle upon signal from such policeman or policewoman and keep such vehicle stationary, until signaled to proceed. No policeman or policewoman shall signal the driver of any vehicle who has stopped in compliance with the provisions of this section, to proceed until after each child who has been crossing such street or intersection has reached a place of safety. (Ord. 75-1955 §1.)

513.12 USE OF COASTER, ROLLER SKATES AND SIMILAR DEVICES
RESTRICTED.

No person on roller skates or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway, except while crossing a street on a crosswalk.
(1944 Code Ch. 18 §32.)

513.13 BOARDING OR ALIGHTING FROM VEHICLES.

No person shall board or alight from any vehicle while such vehicle is in motion.
(1944 Code Ch. 18 §35.)

513.14 PARKING PROHIBITED IN SPECIFIED PLACES.

No owner or operator of any vehicle shall park, or permit to be parked, or permit it to stand, whether attended or unattended, upon a highway or in any of the following places:
(Ord. 68-1989 §1. Passed 5-16-89.)

- (a) Within an intersection.
- (b) On a crosswalk.
- (c) Between a safety zone and the adjacent curb, or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless local officials indicate a different length by signs or markings.
- (d) Within twenty-five feet from the intersection of curb lines, or, if none, then within fifteen feet of the intersection of property lines at the intersection of streets or highways.
- (e) Within thirty feet upon the approach to any official flashing signal, stop sign, or traffic signal located at the side of the roadway.
- (f) Within twenty feet of the driveway entrance to any fire station.
- (g) Within fifteen feet of any fire hydrant. (Ord. 4-1968 §1.)
 - (1) Penalties for violation. Whoever violates Section 513.14(g) shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and in default of payment thereof shall be imprisoned for not more than ninety days.
(Ord. 12-2010. Passed 4-20-10.)
- (h) On a sidewalk.
- (i) In front of any private driveway, or alongside any street or highway excavation or obstruction nor opposite the same, unless a clear and unobstructed width of not less than twenty feet upon the main traveled portion of such street or highway shall be left free for passage of other vehicles thereon.
- (j) On the roadway side of any vehicle stopped or parked at the curb or edge of the highway (double parked).
- (k) At any place or within any area where official signs have been erected prohibiting standing or parking. (Ord. 4-1968 §1.)
 - (1) Penalties for violation. Whoever violates Section 513.14(k) shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) and in default of payment thereof shall be imprisoned for not more than ninety days. (Ord. 12-2010. Passed 4-20-10.)
- (l) Within fifty feet of the nearest rail of a railway crossing.
- (m) Where such stopped or parked vehicle would prevent the free movement of other forms of transportation.

- (n) Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator shall not stop, stand or park a vehicle on the highway or street other than parallel with the edge of the highway or curb, headed in the direction of traffic, and with the curb side of the vehicle within six inches of the edge of the highway or curb. Vehicles, which because of the type or construction cannot load or unload parallel to the curb, shall be exempt, while loading and unloading only, from the requirements of standing parallel to the curb.
- (o) In a loading zone where such loading zone is marked by official signs for a period of time longer than is necessary for the actual loading or unloading of passengers or for the unloading and delivery or pickup and loading of materials and in no case for a longer period of time that may be specified by official signs or markings.
- (p) In bus stops or taxicab stands where such stops or stands have been designated by official signs or markings except that the operator of a passenger vehicle may stop temporarily for the purpose of and while actually engaged in loading or unloading passengers provided however, that such operator may not stop for this purpose while a bus or taxicab is in the act of pulling into such stand.
- (q) On a bridge or within fifteen feet of either end of a bridge.
(Ord. 4-1968 §1.)
- (r) During the York Interstate Fair on:
Linden Avenue from Richland Avenue to Belvidere Avenue;
Madison Avenue from Carlisle Avenue to West Street;
Maryland Avenue from Carlisle Avenue to West Street;
Pennsylvania Avenue from Carlisle Avenue to West Street;
Florida Avenue from Carlisle Avenue to Belvidere Avenue;
Hawthorne Street from Linden Avenue to the City line north;
Texas Avenue from Carlisle Avenue to Hawthorne Street;
Carlisle Avenue from Linden Avenue to the City line north;
800 block of Fern Place;
700 block of West Philadelphia Street;
Richland Avenue from Linden Avenue to Madison Avenue;
Smyser Alley from Linden Avenue to Madison Avenue;
Belvidere Avenue from Linden Avenue to Texas Avenue;
Delaware Avenue; and
Clayton Avenue;
when such streets are marked by official signs restricting parking and unless vehicles so parked display a residential parking sticker issued by the City. Vehicles parked in violation of the restricted parking area shall be subject to towing and liable to the City for the cost of any towing and storage charges incurred by the City. (Ord. 8-1985 §1. Passed 8-6-85.)
- (s) During events at the York Outdoor Recreation Complex on:
Arch Street from George Street to Loucks Mill Road;
North Queen Street from North Street to dead end;
Washington Street from George Street to end;
Perry Place from Howard Street to Walt Way;
Howard Street from Perry Place to Lock Lane; and
Hay Street from Queen Street to Walt Way;
300 block of North George Street, east side;
When such streets are marked by official signs restricting parking and unless vehicles so parked display a residential parking sticker issued by the City.

Vehicles parked in violation of the restricted parking area shall be subject to ticketing and towing and liable to the City for the cost of any towing and storage charges incurred by the City.
(Ord. 6-2011. Passed 4-5-11.)

513.15 PARKING AT CITY HALL.

(a) When signs are placed giving notice thereof, no person shall park a vehicle between the hours of 7:00 a.m. and 12:00 midnight, for a period longer than thirty minutes on the driveway adjacent to the east and south sides of the City Hall Building, 50 West King Street, York, Pennsylvania. (Ord. 35-1974 §1. Passed 1-7-75.)

(b) Every vehicle parked on the driveway referred to in this section shall be entirely within the lines of the designated parking space.

(c) When signs are placed giving notice thereof, no person shall park a vehicle on the driveway referred to in this section, at places designated as parking spaces for vehicles of the Police Department and for officials of the City designated on such signs.

(d) No person operating a vehicle shall enter or leave the driveway referred to in this section, except at places designated by signs placed, giving notice thereof.
(Ord. 95-1956 § 2-4.)

513.16 LOADING AND UNLOADING PARKED VEHICLES.

No person, while engaged in loading or unloading a parked vehicle, shall place any of the personal property being so moved between such vehicle and the building or other destination of such personal property or vice-versa, upon any sidewalk, or cartway of any street, highway or alley. (Ord. 46-1958 §1.)

513.17 DOUBLE PARKING.

No driver shall stop abreast of another vehicle at the street curb. When it becomes necessary to stop at the same place, a driver shall stop in the rear of another vehicle, as close as practicable to the right curb. (1944 Code Ch. 18 §40.)

- (1) Penalties for violation. Whoever violates Section 513.17 shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), and in default of payment thereof shall be imprisoned for not more than ninety days. (Ord. 12-2010. Passed 4-20-10.)

513.18 HANDICAPPED PARKING.

(a) Definitions.

Applicant - A resident (or the parent or guardian of the resident) who files an application for the installation of a handicapped parking space.

Block - The section of a City street identified by the hundreds, for example 0-99, 100-199, 200-299.

City - The City of York, Pennsylvania.

Department - The Pennsylvania Department of Transportation.

Handicapped parking space - A parking space reserved for use by handicapped persons or disabled veterans utilizing vehicles lawfully bearing handicapped registration plates or placards.

Placard - An instrument of notice that is hung from the inside rearview mirror of a vehicle indicating that said vehicle is currently authorized to park in a handicapped parking area.

Resident - One who occupies real estate within a block of a City street and such real estate is used as his/her principal residence.

Traffic Safety Committee - The Traffic Safety Committee organized and existing under the provisions of Article 516. (Ord. 38-2005. Passed 9-20-05.)

(b) Application Process.

- (1) Fee. The application for the erection of a permanent or temporary handicapped parking space shall be made available to any City resident or parent or guardian of a City resident and shall be accompanied with a fee of fifty dollars (\$50.00). An annual renewal fee of ten dollars (\$10.00) shall apply to all permits renewed under subsection (f). (Ord. 50-2006. Passed 7-5-06.)
- (2) Application. The application will be designed and developed by the Traffic Safety Committee, but shall include, at a minimum, the identity of the applicant, the address of the applicant, the make, model and license plate number of the applicant's vehicle (if any), the type of disability, whether the disability is permanent or temporary, whether off-street parking is available immediately adjacent to or on the applicant's property, the location of the current handicapped parking spaces on the same block where the applicant resides, and a signature section. The application shall also contain a clause informing the applicant that the applicant is required to notify the Traffic Safety Committee immediately if and when the applicant moves from the address set forth on the application or no longer has a disability or no longer possesses a valid handicapped registration plate or placard. Upon receipt of any application from such handicapped or disabled individual or such person's parent or guardian, the Traffic Safety Committee may collect other relevant information as the Traffic Safety Committee deems necessary, including medical records evidencing the applicant's ongoing disability.

(c) Eligibility.

- (1) In general, after acquiring a handicapped or disabled veteran's registration plate or placard from the Department, any City resident may file an application for the creation of a handicapped parking space upon the block, which the resident resides. The possession of a handicapped or disabled veteran's registration plate or placard does not guarantee that the resident's application for a handicapped parking space will be granted.

- (2) Statement of disability. All applications for a handicapped parking space must be supported by proof of the applicant's asserted disability from a medical doctor, doctor of osteopathy, or doctor of podiatry medicine (collectively, "physician"). The physician's statement must be signed by the applicant's physician, must not be issued more than six months prior to the date of the application and must specifically set forth the nature of the disability, how the disability limits the applicant's mobility, and the estimated duration of the applicant's disability. Notwithstanding the applicant's provision of a physician's statement of disability, the Traffic Safety Committee may require the applicant to provide additional medical records evidencing the applicant's ongoing disability.
- (3) Criteria. In order to provide an adequate number of handicapped parking spaces in a particular block and to preserve adequate parking spaces for all City residents, before the City creates a handicapped parking space, the Traffic Safety Committee must determine that the limitations upon the number and placement of handicapped parking spaces on a particular block set forth in subsection (d) hereof will not be exceeded if the requested handicapped parking space is created, that the applicant has proven that there is no handicapped accessible off-street parking available to the applicant, and that the applicant meets one or more of the following:
- A. The applicant is medically required to use portable oxygen;
 - B. The applicant has limited or no use of one or both legs;
 - C. The applicant suffers from severe limitation in the ability to walk due to any arthritic, neurological or orthopedic condition or any physical ailment that prevents the applicant from walking 200 feet without stopping to rest;
 - D. The applicant suffers from a serious cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to the standards set by the American Heart Association; or
 - E. The applicant suffers from any other physical or mental impairment not heretofore mentioned which constitutes a substantial degree of disability and imposes great difficulty on the applicant to walk more than 200 feet without stopping.
- (4) Final determination. After collecting all pertinent information, the Traffic Safety Committee will review and investigate all information related to the application. The Traffic Safety Committee may obtain an independent medical review of the applicant's medical records and asserted disability. The Traffic Safety Committee may approve and authorize the creation of the handicapped parking space and installation of signage in accordance with applicable state laws and regulations, as well as defining the duration of its validity, if the Traffic Safety Committee determines the applicant has met the requirements of this article. In the event the Traffic Safety Committee determines the applicant has not met the requirements of this article, the Traffic Safety Committee shall deny the application and inform the applicant in writing as to the denial and the reason(s) for the denial.
- (5) Nonexclusive right. If a handicapped parking space is created under this article, the handicapped parking space so created may be used by any person parking a vehicle lawfully bearing registration plates or placards issued to handicapped persons or disabled veterans. This article shall not be construed as granting the applicant the exclusive right to park his/her vehicle in the handicapped parking space created hereunder.

- (6) Other parking regulations. Nothing in this article shall exempt individuals utilizing handicapped parking spaces from other parking restrictions or regulations applicable to the space/block.
- (d) Limitation on Number of Handicapped Parking Spaces. The Traffic Safety Committee may not authorize handicapped parking space(s) in excess of the limitations set forth below.
- (1) Central Business District. No additional handicapped parking spaces may be granted by the Traffic Safety Committee within the Central Business District, as defined by the Zoning Ordinance of the City. The Director of Public Works may direct the installation of a handicapped parking space within the Central District as he/she deems appropriate.
 - (2) One-way roadways. When the roadway is a one-way roadway, no more than two handicapped parking spaces may be granted on each side of the block on which parking is permitted.
 - (3) Two-way roadways. When the roadway is a two-way street, no more than three handicapped parking spaces may be granted on each side of the block on which parking is permitted.
 - (4) Other parking restrictions. The Traffic Safety Committee may consider other parking restrictions applicable to a particular block and other information regarding the block including but not limited to the size of the block, and may further restrict the number of handicapped parking spaces to maintain an adequate number of unregulated parking spaces, as they deem appropriate.
 - (5) Council action. City Council may authorize more than the maximum number of handicapped parking spaces on a particular block by ordinance setting forth the block which is excluded from this limitation and the maximum number of handicapped parking spaces permitted on that particular block. Any such ordinance shall expire and be of no further force and effect after the expiration of two years from the effective date of the amending ordinance, unless reenacted by Council. The Traffic Safety Committee shall notify each applicant on the subject block no more than ninety days and no less than sixty days prior to the expiration of such ordinance.
 - (6) Existing handicapped parking spaces in excess of the limitations set forth in this section and existing on the effective date of this section shall be permitted to remain in place, subject to the removal after complaint and the annual reporting requirement set forth in this section.
- (e) Placement of Signs.
- (1) Generally. For a single application for a handicapped parking space, sign placements will be positioned as close as possible to the place of residence of the applicant as the street design permits. In the event more than the permissible number of handicapped parking spaces are requested on a one- or two-way roadway, the handicapped parking spaces may be relocated in the center of the block or otherwise adequately positioned to collectively reflect, as a whole, the needs of all applicants, as determined by the Traffic Safety Committee.
 - (2) Authority to post. The Department of Public Works Director will direct all postings, sign removal and replacements of handicapped parking spaces in accordance with Department rules and regulations. The Department of Public Works will report the posting or removal of handicapped parking signs and all actions taken upon applications for handicapped parking spaces to the Traffic Safety Committee.

- (3) Disputes regarding sign placement. The Traffic Safety Committee shall be responsible for investigating City and citizen complaints regarding the placement of handicapped parking signs. The Traffic Safety Committee shall require all complaints be in writing and shall conduct an investigation of the complaint within ninety calendar days. Upon conducting an investigation, the Traffic Safety Committee shall report the complaint, its investigation and the Traffic Safety Committee's recommendation to the Mayor. The Mayor shall resolve all complaints in a manner he/she deems just and appropriate, including but not limited to the removal of the handicapped parking space. The complainant, block residents, applicant and City, including the Traffic Safety Committee, shall be entitled to present evidence to the Mayor.
- (f) Annual Reporting.
- (1) Annual reporting. After approval of the application, the applicant shall submit an annual renewal application. The renewal application shall be designed by the Traffic Safety Committee and require the applicant to verify the continuance of his/her disability. The Traffic Safety Committee shall require an applicant to submit an updated physician's statement of the applicant's disability, based on the criteria set forth under the Eligibility and Determination subsection of this section. The Traffic Safety Committee may require the applicant to submit medical records, other than a physician's statement, which evidences the applicant's ongoing disability. In January of each year, the Traffic Safety Committee shall mail (via regular first class mail) each applicant (and applicants under prior rules and regulations) the renewal application referenced herein. If the applicant fails to submit the renewal application, including physician's statement of disability and additional medical records (if such records are requested) by March 15th of that year or the Traffic Safety Committee determines the applicant is no longer eligible for a handicapped parking space, the Traffic Safety Committee shall inform the Director of Public Works that the handicapped parking space should be removed. The Traffic Safety Committee may obtain an independent medical review of applicant's medical records. The Traffic Safety Committee shall give written notice of his/her determination that the applicant is no longer eligible for a handicapped parking space to the applicant within thirty days of the City's receipt of the renewal application. The applicant may appeal the determination of the Traffic Safety Committee in accordance with The Eligibility and Determination subsection of this section.
- (2) Registration plates and placards. The applicant shall be solely responsible for the cost of any and all state-related applications, filings and documentation required for a placard or registration plate. The placard or registration plate must be displayed while the vehicle is parked in a public designated handicapped parking space.
- (g) False Statements. It shall be unlawful for any person to knowingly and willfully, with the intent to deceive, make a false statement to any public official for the purpose of obtaining a handicapped parking space. Any person who violates this provision shall, upon conviction thereof, be fined not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000). (Ord. 38-2005. Passed 9-20-05.)

(h) Penalties for Violation. Whoever violates Section 513.18 by parking in a designated handicapped parking space and does not lawfully bear handicapped registration plates or placards shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) and in default of payment thereof shall be imprisoned not more than ninety days. (Ord. 12-2010. Passed 4-20-10.)

513.19 COMPLIANCE WITH PARKING SIGNS.

No person shall park any vehicle on any highway upon or along which signs have been erected or placed prohibiting parking, or at any place or in any position other than indicated thereon by signs or parking lines or for a greater length of time than indicated by signs placed on or along such highway by the Department of Public Safety. (1944 Code Ch. 18 §22.)

513.20 BUSES AND TAXICABS; PARKING IN STANDS.

No operator of any bus or taxicab shall stand or park upon any street in any business district at any place other than a bus stop or taxicab stand, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers. (1944 Code Ch. 18 §24.)

513.21 REPAIRING OF VEHICLES.

(a) No person shall make or cause to be made any repairs of any kind, including but not limited to mechanical repairs, painting, restoration, and body work, upon any vehicle as defined in Section 513.06(a)(2), on any street, highway, alley, public right of way, or public parking lot in the City, or any part thereof.

(b) The provisions of this section shall not apply:

- (1) To any person repairing or causing to be repaired any vehicle that is temporarily disabled while on the street, highway, alley, public right of way, or public parking lot, in any such manner and to such extent that it is unsafe or hazardous to avoid stopping temporarily for the purpose of making or causing to be made such minor repairs as are necessary to move the vehicle;
- (2) To the owner or operator of any vehicle with respect to which the owner or operator is engaged in any of the following: checking tire pressures, changing tires, checking fluid levels of any component part of the vehicle; and washing and waxing the interior and exterior of the vehicle, provided that the aforementioned activities are completed within a reasonable time. (Ord. 4-1983 §1. Passed 3-1-83.)

513.22 DISPOSITION OF FINES AND FORFEITURES.

All fines or forfeitures collected upon conviction of, or upon the forfeiture of bail of, any person charged with a violation of any of the provisions of this article shall be paid into the City treasury, except such as are by Act of Assembly required to be paid into the Treasury of the State of Pennsylvania, and shall be deposited in the General Fund and be expended for the repair and maintenance of the highways of the City. (1944 Code Ch. 18 §37.)

513.23 ENFORCEMENT.

Regular police officers of the Police Department shall be empowered to enforce the provisions of this article and to issue citations and parking tickets for violations thereof. Uniformed employees of the Police Department who are not regular police officers and uniformed employees of the Parking Bureau shall be empowered upon authorization by the Police Commissioner or Chief of Police to issue citations and parking tickets for parking violations only. (Ord. 6-1993 §1. Passed 2-16-93.)

513.24 SPEED ZONES.

The Department of Public Works is hereby authorized to supervise the installation of official speed limit signs, in accordance with the provisions of this section.

- (a) A forty mile per hour speed limit is hereby established on Pennsylvania Route 30 between Pennsylvania Avenue and Roosevelt Avenue.
- (b) A twenty-five mile per hour speed limit is hereby established on King Street between Richland Avenue and Harrison Street.
- (c) A twenty-five mile per hour speed limit is hereby established on Princess Street between Richland Avenue and Hill Street.
(Ord. 10-1980. Passed 6-3-80.)
- (d) A twenty-five mile per hour speed limit is hereby established on Philadelphia Street between Atlas Avenue and Carlisle Avenue.
(Ord. 13-1980 §1. Passed 7-1-80.)

513.25 PARKING OF INOPERABLE OR ILLEGALLY REGISTERED VEHICLES.

- (a) No person shall park or leave on the streets, highway or public property of the City any mechanically inoperable vehicles or vehicles without current registration plates.
- (b) No person shall park or leave on the streets, highways or public property of the City any vehicle without a current inspection sticker unless the vehicle is legally parked in front of, or in close proximity to, an official Pennsylvania State Inspection Station which identifies such vehicle by work order specifying a State inspection shall be performed within forty-eight hours. Additional work orders beyond the initial forty-eight hour period are prohibited. (Ord. 21-1992 § 1. Passed 9-15-92.)

513.99 PENALTY.

Except for the penalties outlined in Section 513.08, 513.10, 513.14(g), 513.14(k), 513.17 and 513.18, whoever violates any provision of this article or any temporary rule or regulation made by the Police Chief pursuant thereto, shall upon conviction thereof, be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and in default of payment thereof, shall be imprisoned for not more than ninety days (90 days). However, the maximum amount of fine and imprisonment imposed, shall not be greater than the fine or imprisonment provided for similar offenses by the Vehicle Code of the Commonwealth of Pennsylvania. In addition, violations of subsections 513.14(a), (b), (f), (g) and (j), 513.17, 513.19 and 513.25 may subject the vehicle to towing.
(Ord. 12-2010. Passed 4-20-10.)

ARTICLE 516
Residential Parking Permit Areas

EDITOR'S NOTE: Resolution 85-1995, passed April 18, 1995, established residential parking permit fees.

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| 516.01 Purpose. | 516.10 Renewal fee. |
| 516.02 Definitions. | 516.11 Transfer fee. |
| 516.03 Eligibility and designation procedures. | 516.12 Use of residential, visitor, business, and guest parking permits; violations. |
| 516.04 Residential parking permits; specific locations. | 516.13 Revocation of permits. |
| 516.05 Posting of permit area signs. | 516.14 Exemptions. |
| 516.06 Enforcement of residential parking permit areas. | 516.15 Withdrawal of residential permit area designation. |
| 516.07 Required identification. | 516.16 Use of revenue generated. |
| 516.08 Permit issuance, application and fee. | |
| 516.09 Responsibility of permit holder. | |

CROSS REFERENCES

- Parking prohibited in specified places - see TRAF. 513.14
- Double parking - see TRAF. 513.17
- Parking inoperable or illegally registered vehicles - see TRAF. 513.25

516.01 PURPOSE.

Council finds and declares that the provisions of this article are enacted for the following reasons:

- (a) To address hazardous traffic conditions resulting from the use of streets within residential districts for vehicles parked by persons not residing within the Residential Districts;
- (b) To protect these Residential Districts from polluted air, excessive noise and refuse caused by the entry of such vehicles;
- (c) To preserve the character of these districts as Residential Districts;
- (d) To encourage the use of public transportation;
- (e) To promote efficiency in the maintenance of streets in these residential district in a clean and safe condition;
- (f) To promote clean and safe vehicular and pedestrian traffic in Residential Districts;
- (g) To preserve the value of the property in these Residential Districts; and
- (h) To promote traffic safety and the safety of children and other pedestrians in Residential Districts.

(Ord. 4-1995 §1. Passed 4-18-95.)

516.02 DEFINITIONS

- (a) "Parking space" means an off-street space on a lot with an all-weather surface available for the parking of one motor vehicle and having an area of not less than 162 square feet, exclusive of passageways and driveways, and having direct access to a street.
- (b) "Off-street" means beyond the right-of-way of a street or highway.
- (c) "On-street" means curb parking on a street or highway.
- (d) "Residential District" means a contiguous or nearly contiguous area containing public rights-of-way or parts thereof primarily abutted by residential property or residential and non-commercial property such as schools, parks, churches, hospitals, colleges, and nursing homes.
- (e) "Residential parking permit area" means a residential district where on-street parking on public rights-of-way is restricted as set forth in this article during hours and days fixed by Council to not more than two consecutive hours unless the vehicle properly displays a parking permit authorized by this article.
- (f) "Permanent resident" means a person who owns or leases real property within a residential area, and who maintains either a voting residence or bona fide occupancy, or both, at that address.
- (g) "Temporary resident" means a person who owns or leases real property within a residential area and who maintains a bona fide residence in another community and who may attend an institution within the residing community and who resides less than twelve months within a calendar year.
- (h) "Landlord" means a person who owns real property for lease within a residential area who maintains a bona fide residence elsewhere.
- (i) "Commuter vehicle" means a motor vehicle parked in a residential area by an operator of a vehicle who is not a resident of that residential area.
- (j) "Traffic Safety Committee" means a five member committee consisting of the Police Commissioner or designee, the Director of the Office of Economic Development or designee, the City Engineer or representative, the Highway Superintendent and the Electrical Bureau Superintendent. The purpose of this Committee is to review all traffic safety issues and petitions or applications for designation of residential permit parking areas.
- (k) "Petition" means a written request including but not limited to signatures, names, addresses, and identification of the residential area proposed for designation as a residential parking permit area submitted to the City Clerk.
- (l) "Majority" means at least fifty-one percent (51%) of the owner-occupied residential households within a proposed or existing residential parking permit area.
- (m) "Owner-occupied residential household" means those homes owned by and lived in by a permanent resident. (Ord. 39-2005. Passed 9-20-05.)

516.03 ELIGIBILITY AND DESIGNATION PROCEDURES.

(a) Residential permit parking area designation and withdrawal criteria and procedures are as follows:

- (1) In order for Council to determine whether a residential district, or portion thereof, shall be designated, or shall continue to be designated, as a residential permit parking area, the Traffic Safety Officer or his designee shall:
 - A. Conduct, upon a petition signed by a majority of owner-occupied residential households in the district or portion thereof, not less than a one block street segment, or at the direction of the Police Commissioner a public hearing prior to such designation or prior to the withdrawal of such designation. Such public hearing shall be held only after due notice has been published two times, not less than seven nor more than thirty days prior to the hearing, in a newspaper of general circulation in the City. The notice shall clearly state the purpose, time and location of the public hearing, the exact location and boundaries of the proposed, or existing, residential parking permit area and the proposed parking permit fees to be charged. In addition to the published notice, a similar notification shall be prominently posted in the proposed or existing residential parking permit area. During such public hearing any interested person shall be entitled to appear, to be heard and to submit a written statement for the record. The Police Commissioner or his designee, at his discretion, may impose a reasonable limitation upon the length of time that any interested person may be heard.
- (2) Within thirty days following the close of the public hearing the Traffic Safety Committee shall recommend by written report to Council, based on the record of the public hearing and the results of a needs assessment addressing the points listed in subsections (a)(2)A. and F. hereof, whether to designate the residential district or portion thereof under consideration as a residential parking permit area, with or without modification to original proposal, or whether to withdraw the designation of an existing residential parking permit area. The report shall also demonstrate that the Committee has taken into account the following:
 - A. The effect on the safety of the residents of the proposed or existing residential parking permit area from intensive vehicle parking by nonresidents;
 - B. The difficulty or inability of residents of the proposed or existing residential parking permit area to obtain adequate on-street parking in proximity to their residence;
 - C. The likelihood of alleviating, by use of the residential parking permit system established by this article, any problem of nonavailability of residential parking spaces;

- D. The desire of the residents in the proposed or existing residential parking permit area for the institution of a residential parking permit system and the willingness of those residents to bear the fees set forth in this article and identified by resolution;
 - E. The need for some parking spaces to be available in the proposed or existing residential parking permit area for use by the general public;
 - F. The identification of joint solutions and the desire of property owners and residents to implement joint solutions which diminish the use of on-street parking by both residents and businesses with adequate on-site parking facilities or ability to provide on-site parking facilities, other viable parking improvements, as well as, shared parking solutions; and
 - G. Any potential economic impact which would be felt by businesses located within the proposed residential parking permit area.
- (3) Following the receipt of the Committee's report, Council shall hold a public hearing and by resolution vote, as applicable:
- A. Whether to designate the Residential District or portion thereof under consideration as a residential parking permit area, and if the District be so designated, Council shall fix the hours when the limitation on curbside parking by nonparking permit holders shall be in effect.
 - B. Whether to withdraw the designation of an existing residential parking permit area.
- (4) If the decision of Council is to refuse to designate or to refuse to withdraw an existing designation of a Residential District or portion thereof as a residential parking permit area, no new petition involving the same area may be filed for at least one year following the effective date of Council's decision.
- (b) Once a Residential District or portion thereof is designated a residential parking permit area such designation shall not be amended or withdrawn and no petition to do so shall be entertained for at least six months following the effective date of designation of the area as a residential parking permit area.
- (c) The time periods set forth herein within which specified action is to be taken are permissive and may be extended by Council for good cause.
- (d) The time periods which the parking permit program is effective in any given Residential District throughout the year is at the discretion of the Police Commissioner (that is, during summer months or other times the parking permit program may be temporarily suspended).
- (e) Residential permit parking area designations and withdrawals are established through resolution by City Council upon completion of procedures identified in this section. (Ord. 39-2005. Passed 9-20-05.)

516.04 RESIDENTIAL PARKING PERMITS; SPECIFIC LOCATIONS.

(a) Eligibility for Permit. Where restricted parking has been resolved, and where the enforcement of such restricted parking would work a hardship upon the property owners or their family members and/or tenants in the restricted area, the City, upon proper application, will issue a permit authorizing the property owners or their family members and/or tenants to park on-street in proximity to their residence, place of business, or profession in excess of the prescribed restriction for that residential area without being subjected to the usual fine for such violation.

(b) Administrative Requirement. In order to administer the provisions of this section, the City will issue a proper permit to eligible recipients.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.05 POSTING OF PERMIT AREA SIGNS.

Upon Council's affirmative vote to designate a residential parking permit area pursuant to Section 516.03, parking signs shall be erected in the designated area by the City.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.06 ENFORCEMENT OF RESIDENTIAL PARKING PERMIT AREAS.

Regular police officers of the Police Department shall be empowered to enforce the provisions of this article and to issue citations and parking tickets for violations thereof. Uniformed employees of the Police Department who are not regular police officers and uniformed employees of the Parking Bureau shall be empowered upon authorization by the Police Commissioner or Chief of Police to issue citations and parking tickets for parking violations only.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.07 REQUIRED IDENTIFICATION.

(a) A permit shall be issued upon application and payment of the applicable fee, to the owner or the operator of a motor vehicle, who resides on or is a proprietor of the property immediately adjacent to the street, avenue or other location within the residential permit parking area, or in the event that an applicant can not appear in person, a permit may be issued in the name of the applicant upon information furnished by an adult individual who proves his or her person identification, the required identification for the applicant pursuant this section and a form letter issued by the City, signed by applicant, identifying his agent. A separate permit shall be required for each motor vehicle.

- (1) Permanent resident. The required identification for a permanent resident shall be current driver's license and vehicle registration showing the residential address or City of York tax bill or current sewer/refuse bill, or other such proof determined to be sufficient by the Police Commissioner.
- (2) Landlord. The required identification for a landlord shall be deed or current City tax or sewer/ refuse bill showing the residential address together with a current City rental license.
- (3) Proprietor. The required identification for a proprietor shall be deed or current lease showing the residential address, and current mercantile license together with current driver's license and registration.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.08 PERMIT ISSUANCE, APPLICATION, AND FEE.

- (a) The Police Commissioner shall establish a system of control and issuance of residential parking permits.
- (b) A residential parking permit shall be issued to the following:
- (1) Owner or operator of a motor vehicle who is a resident of a street which has been designated as a residential parking permit area;
 - (2) A proprietor, principal or manager of a business within the area designated as a residential parking permit area;
 - (3) A landlord of a property within the area designated as a residential permit area; or
 - (4) An owner or operator of an institution within the area designated as a residential permit area.
- (c) The application for the residential parking permit shall contain the following information:
- (1) The name and residential address of the owner of the vehicle;
 - (2) The name, residential address and driver's license number of the principal operator of the vehicle;
 - (3) The make, model and registration number of the vehicle;
 - (4) The signature of the applicant for the residential parking permit;
 - (5) Identification of applicant as described in Section 516.07 shall be furnished to the satisfaction of the Police Commissioner, if necessary.
- (d) An annual fee established by Council resolution shall be charged in accordance with this section of this article.
- (e) Upon the applicants' payment of the required residential parking permit fee, submission of a completed and validated residential parking permit application, and fulfillment of all applicable provisions of this article controlling issuance, renewal or transfer of residential parking permits, the Police Commissioner or a designee shall issue the applicant a residential parking permit(s) as follows:
- (1) A permanent resident may be issued one permit for each vehicle for which he can produce the information as specified in this article not to exceed a total of three permits per household.
 - (2) A landlord may be issued two temporary resident permits per taxable parcel as identified by the York County Tax Assessment Office for the use of his tenants only.
 - (3) A proprietor may be issued three residential permits for commercial use and use by employees.
- (f) Such residential parking permit shall be securely affixed to the right nonreflecting side of the interior rearview mirror of the vehicle and shall display the numerical designation of the residential parking permit area.

(g) An applicant shall be issued for each eligible vehicle a residential parking permit under the following conditions:

- (1) The vehicle displays a valid State license plate and current inspection certificate, unless the vehicle is not required to have them; and
- (2) No outstanding violations are registered against the vehicle and/or operator.

(Ord. 39-2005. Passed 9-20-05.)

516.09 RESPONSIBILITY OF PERMIT HOLDER .

(a) Notwithstanding any provision of this section to the contrary, the holder of a residential parking permit shall be permitted to stand or park a motor vehicle operated by him in any designated residential parking area during those times when parking of motor vehicles is permitted in that area. While a vehicle for which a residential parking permit has been issued is so parked, that permit shall be displayed in accordance with Section 516.08(f).

(b) A residential parking permit shall not authorize its holder to stand or park a motor vehicle in any place where, or at any time when, stopping, standing or parking of motor vehicles is prohibited or set aside for other specified types of vehicles, nor shall the permit exempt its holder from the observance of any traffic or parking regulation other than residential parking permit regulation or restriction.

(c) No person other than the permit holder whose name appears on the permit, or a tenant thereof, shall use a residential parking permit or display it on any vehicle operated; any such use or display by a person other than the permit holder shall constitute a violation of this section by the permit holder and by the person who so used or displayed the parking permit. In the case of a tenant or business, the name of the proprietor or landlord will appear.

(d) It shall constitute a violation of this section for any person falsely to represent himself as eligible for a residential parking permit or to furnish false information in a application to the Police Commissioner or designee in order to obtain a residential parking permit. (Ord. 4-1995 §1. Passed 4-18-95.)

516.10 RENEWAL FEE.

(a) Upon payment of a renewal fee as established by Council resolution, submission of a completed and validated residential parking permit application, fulfillment of all applicable provisions of this article controlling issuance, renewal or transfer of residential parking permits, on or before the expiration date of the existing residential parking permit, the holder of a residential parking permit shall receive a new permit.

(b) The expiration date to be displayed on the new residential parking permit shall be one year following the expiration date of the existing residential parking permit. (Ord. 4-1995 §1. Passed 4-18-95.)

516.11 TRANSFER FEE.

(a) Upon payment of a transfer fee as established by Council resolution, submission of a completed and validated residential parking permit application, fulfillment of all applicable provisions of this article controlling issuance, renewal or transfer of residential parking permits, and surrender of his existing residential parking permit, the residential parking permit holder shall receive a new permit to be transferred to another qualifying vehicle.

(b) The transfer of the residential parking permit to another qualifying vehicle shall not affect its expiration date.

(c) The transfer of the residential parking permit is restricted to the address identified on the original permit requested to be transferred.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.12 USE OF RESIDENTIAL, VISITOR, BUSINESS, AND GUEST PARKING PERMITS; VIOLATIONS.

(a) The Police Commissioner or his designee may issue temporary permits for use by guests or visitors.

- (1) All visitor and guest parking permits shall be displayed on or about the front windshield of the vehicle so as to be easily visible from outside the vehicle. Such parking permits shall contain the following:
 - A. The numerical designation of the residential parking permit area;
 - B. The name and address of the resident to whom the parking permit was issued; and
 - C. The expiration date of the parking permit.
- (2) A visitor and guest parking permit is valid for no longer than seven consecutive days (one week) not more than six times a calendar year unless specifically authorized by the Police Commissioner.

(b) A parking permit shall not guarantee or reserve a parking space within a designated residential parking permit area. A parking permit shall not authorize the standing or parking of any vehicle in such places and during such times as the stopping, standing or parking of vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the observance of any traffic regulation, other than the two-hour parking limit enforced in the residential parking permit area.

(c) Until its expiration, surrender or revocation, a parking permit shall remain valid for such time as the holder continues to reside within the designated residential parking permit area.

(d) A parking permit shall be valid only in the residential parking permit area for which it is issued.

(e) It shall be a violation of this article for the holder of a parking permit to fail to surrender it when directed to do so.

(f) It shall be a violation of this article for any person to represent in any fashion that a vehicle is entitled to a parking permit authorized by this article when it is not so entitled. The display of a parking permit on a vehicle not entitled to such a parking permit shall constitute such a representation.

(g) It shall be a violation of this article for any person to duplicate, or attempt to duplicate, by any means, a parking permit authorized by this article. It shall also be a violation of this article for any person to display on any vehicle such a duplicate parking permit. (Ord. 39-2005. Passed 9-20-05.)

516.13 REVOCATION OF PERMITS.

The Police Commissioner or designee shall have authority to revoke the residential parking permit of any permit holder found to be in violation of any provision of this section. Upon written notification to the permit holder of the revocation, the permit holder shall surrender the permit to the Police Commissioner or designee. Failure to do so, when so requested, shall constitute a violation of this section. Violators are subject to a daily fine as established by Council resolution. (Ord. 4-1995 §1. Passed 4-18-95.)

516.14 EXEMPTIONS.

(a) Whenever metered parking is in effect in any portion of a residential parking permit area, the parking spaces controlled by meters shall be exempted from the provisions of this article so long as the control by meters continues.

(b) Nonresidential properties which cover more than twenty-five percent (25%) of the lineal distance of a block front or fronts may qualify for exemptions or special conditions which allow additional numbers of permits to be issued.

(c) All exemptions or special conditions are reviewed and determined by the Police Commissioner. (Ord. 4-1995 §1. Passed 4-18-95.)

516.15 WITHDRAWAL OF RESIDENTIAL PERMIT AREA DESIGNATION.

(a) Following the Traffic Safety Committee's recommendation and Council's affirmative vote to withdraw the designation of an existing residential parking permit area, the Police Commissioner or designee shall mail to every residence within the existing residential parking permit area, a notice of the Council's withdrawal of the designation. Such notice shall specify the effective date of the withdrawal of the designation.

(b) The effective date of the withdrawal of the designation of an existing residential parking permit area shall be thirty days following the date of the Council's affirmative vote to withdraw the designation.

(c) Upon the effective date of the withdrawal of the designation, all signs pertaining to the residential parking permit shall be removed.
(Ord. 4-1995 §1. Passed 4-18-95.)

516.16 USE OF REVENUE GENERATED.

Any revenue generated from this program will be used to defray all costs associated with administering and enforcing this program.
(Ord. 4-1995 §1. Passed 4-18-95.)

ARTICLE 517
City Parking Lots

517.01	Definitions.	517.05	Rentals.
517.02	Parking lots.	517.06	Enforcement.
517.03	Hours and days applicable.	517.07	General Authority parking lots.
517.04	Leased spaces.	517.99	Penalty.

CROSS REFERENCES

Parking meter regulations - see TRAF. Art. 509

Slugs prohibited in parking meters - see TRAF.
509.12

Exiting from parking lots - see TRAF. 513.08

517.01 DEFINITIONS.

For the purposes of this article the terms used herein shall have the meanings ascribed to them in the Commonwealth Vehicle Code and City ordinances, except as herein otherwise defined.

- (a) "Parking lot" means a portion of land owned by or leased to the City and set apart by Council for the purpose of parking vehicles, upon payment of the fees hereinafter prescribed and compliance with the conditions contained in this article.
- (b) "Parking meter" means a device mechanically capable, when properly operated, of recording the length of time a vehicle remains legally parked in an adjacent parking meter space, and displaying a signal when such vehicle remains parked beyond the legal limit.
- (c) "Parking meter space" means a portion of land within a parking lot, sufficient to accommodate a vehicle when the same is parked and which such portion of land has been marked by paint or other means as a parking meter space.
(Ord. 55-1951 §1.)
- (d) "Parking garage" means any structure or portion of a structure owned by or leased to the City and set apart by Council for the purpose of parking vehicles upon payment of the fees hereinafter prescribed and compliance with the conditions contained in this article. (Ord. 17-1988 §1. Passed 10-4-88.)

517.02 PARKING LOTS.

(a) In all parking lots a parking meter shall be installed for each parking meter space. All parking meter spaces shall be plainly designated by lines or markings on the parking lot.

(b) Parking meters shall be placed upon the parking lot immediately adjacent or next to each designated parking meter space and in such manner as to show or display by a signal that the parking meter space controlled by such parking meter is or is not legally occupied. Each parking meter shall indicate by a proper legend the established legal parking time, the fees or charge therefor and when in operation, shall also indicate on or by its dial or pointer the duration of the period of legal parking, any illegal or overtime parking.

(c) Every vehicle parked in any parking lot shall be entirely within the lines of the designated parking meter space with the end of such parked vehicle at or immediately adjacent to the parking meter controlling such parking meter space.

(d) Upon parking any vehicle in a parking lot at any time during which the provisions of this article are in effect, the operator thereof shall upon entering the designated parking meter space, immediately deposit or cause to be deposited a coin or coins of United States currency in the designated slot of the parking meter controlling such parking meter space, and, in a manually operated parking meter, operate any handle or other mechanical device necessary to start operation of the parking meter. Upon the deposit of such coin or coins and the placing of the parking meter in operation such parking meter space may be lawfully occupied by any vehicle during the period of time as indicated on the parking space. Each parking meter shall indicate by a proper legend the established legal parking and the monetary fee payable for such parking. The minimum fee to be charged for parking shall be five cents (5¢) for the first half-hour, then five cents (5¢) for each half hour thereafter as designated on the parking meter controlling the parking meter space.

(e) The coin or coins required by this article to be deposited in the parking meters are hereby levied and assessed as fees to provide for the cost of supervising and regulating the space, supervision, protection, inspection, installation, operation, maintenance, enforcement and control and use of the aforesaid parking meters.

(f) No owner or operator of any vehicle shall cause, allow or permit such vehicle to be parked overtime or beyond the period of the legal parking time established for any parking lot.

(g) No person shall deposit or cause to be deposited in any parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time established for any parking lot.

(h) No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a coin of the United States.

(i) No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.

(j) No person shall drive any vehicle in such parking lots or parking garages on any other than the designated driveways, and then drive in the direction only as indicated by signs.

(k) No person shall drive a vehicle on any roadway in such parking lots and parking garages at a speed greater than five miles per hour.

(l) No vehicle shall be parked and left unattended on any roadway in any of such parking lots and parking garages.

(m) No person shall enter or leave any parking lots and parking garages at other than the designated entrances and exits either with a motor vehicle or as a pedestrian.

(n) No person shall use any portion of any parking lots and parking garages in a manner as to endanger the person or property of another.

(o) No person shall use any of such parking lots and parking garages as a place for the buying or selling of merchandise of any kind.

(p) No person shall distribute literature or throw handbills in any parking lots and parking garages or into any vehicle while parked in such parking lots and parking garages.

(q) No person shall drive a vehicle through any parking lots and parking garages as a thoroughfare from one highway to another.

(r) No person other than the lessees or person designated by them shall park any vehicle in any leased parking spaces.

(s) No person shall throw, deposit or place in or on any parking lots and parking garages any nails, tacks, crockery, scrap iron, glass, tin, wire or any other article or things liable to cause puncture to the tires of vehicles.

(Ord. 55-1951 §2; Ord. 14-1967 §1; Ord. 30-1966 §1; Ord. 17-1988 §2. Passed 10-4-88.)

(t) Except for persons parking vehicles lawfully bearing a handicapped or severely disabled veteran registration plate or displaying a handicapped or severely disabled veteran parking placard when such vehicles are being operated by or for the transportation of a handicapped person or a severely disabled veteran, no person shall park a vehicle on public or private property reserved for a handicapped person or a severely disabled veteran which property has been posted with a sign indicating that vehicles parking in violation of this subsection may be towed and stating the penalty amount for violation hereof. The designation of areas within the City parking lots for posting shall be by executive order signed by the Mayor which shall state the penalty amount for violation thereof.

(Ord. 9-1995 §B. Passed 6-6-95.)

517.03 HOURS AND DAYS APPLICABLE.

(a) Parking on any parking lot is hereby exempted from the provisions of this article on Sundays and on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day, Christmas Day and such other holidays as may hereafter be designated by the Mayor.

(b) On all days except as provided in subsection (a) hereof, parking of vehicles on parking lots, except those for which a specific parking time has been designated by the Mayor or which are in continuous operation for a twenty-four hour period and have signs posted in the entrances to each such parking lot to advise motorists, is hereby limited to the period of time designated in Section 517.02(d). (Ord. 55-1951 §3; Ord. 15-1971 §1.)

517.04 LEASED SPACES.

The Mayor may designate any areas on any parking lots and parking garages affected by this article as spaces for the parking of vehicles by lease on a time basis without installation of parking meters immediately adjacent or next to such parking spaces. (Ord. 17-1988 §3. Passed 10-4-88.)

517.05 RENTALS.

The Mayor shall have the authority to determine the rentals charged for all nonmetered parking spaces on all City parking lots and parking garages. (Ord. 25-1983 §1. Passed 8-16-83.)

517.06 ENFORCEMENT.

(a) The duty of enforcing the provisions of this article shall be upon the Police Chief or Police Commissioner acting through the Police Department. (Ord. 1-2009. Passed 1-6-09.)

(b) Regular police officers of the Police Department shall be empowered to enforce the provisions of this article and to issue citations and parking tickets for violations thereof. Uniformed employees of the Police Department who are not regular police officers shall be empowered upon authorization by the Police Commissioner or Chief of Police to issue citations and parking tickets for parking violations only. (Ord. 23-1978 §3. Passed 9-19-78.)

517.07 GENERAL AUTHORITY PARKING LOTS.

As to all parking lots transferred by the City to the City General Authority, the fee to be charged for parking as well as the designation of nonmeter rental spaces and the hours of operation shall be the schedule of rates and charges for the use of meters and the schedule of hours of operation adopted by the Authority which may be amended thereafter on or before the first day of each fiscal year of the Authority. (Ord. 23-1995. Passed 12-5-95.)

517.99 PENALTY.

Whoever violates Sections 517.02 (a), (b), (c), (d), (e), (f) or (g) shall upon conviction thereof be fined not less than twenty dollars (\$20.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not more than ten days (10-days). Whoever violates Sections 517.02 (h), (j), (k), (l), (m), (n), (o), (p), (q) or (r) shall upon conviction thereof be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not more than ten days (10 days). Whoever violates Section 517.02 (t) shall upon conviction thereof be fined not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not more than ten days (10 days) and may subject the vehicle to towing. Whoever violates Section 517.02 (i) and (s) shall upon conviction thereof be fined not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, or imprisoned for not more than ninety days (90 days) or both. Whoever violates any other provisions of this article shall upon conviction thereof be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not more than ten days (10-days). (Ord. 1-2009. Passed 1-6-09.)

ARTICLE 521
Snow Emergencies

<p>521.01 Declaration of public policy and safety.</p> <p>521.02 Applicability.</p> <p>521.03 Special signs.</p> <p>521.04 Snow emergency in effect.</p> <p>521.05 Parking prohibited.</p> <p>521.051 Towing and storage of vehicles.</p> <p>521.052 Implementation and enforcement.</p>	<p>521.06 Announcements.</p> <p>521.07 Declarations.</p> <p>521.08 Termination of emergency.</p> <p>521.09 Record.</p> <p>521.10 Snow emergency routes.</p> <p>521.99 Penalty.</p>
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CROSS REFERENCES

Tire studs prohibited - see Vehicle Code 75 Pa. C.S.A. §4525(c)
Tire chains - see Vehicle Code 75 Pa. C.S.A. §4525(d)

521.01 DECLARATION OF PUBLIC POLICY AND SAFETY.

It is hereby declared to be in the best interest of the public policy and the public safety of the City to establish snow emergency routes on designated public streets. The City would regulate and restrict the parking of vehicles on snow emergency routes during declared snow emergencies.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.02 APPLICABILITY.

Whenever the Mayor or his designated agent, hereinafter referred to as "Snow Emergency Coordinator", receives from a recognized weather forecasting service, a firm forecast of snow, sleet or freezing rain, he is authorized to declare that these snow emergency regulations will be in effect not less than two hours from the time announcement is made to the public in accordance with the requirements of Section 521.06.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.03 SPECIAL SIGNS.

On each street or highway designated by Council as a snow emergency route in Section 521.10, the Snow Emergency Coordinator shall post special signs to this effect at intervals and places determined by the Police Traffic Safety Office and or required by law for the posting of signs prohibiting parking of vehicles.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.04 SNOW EMERGENCY IN EFFECT.

While a snow emergency is in effect, and until such emergency has been declared by the Snow Emergency Coordinator to be terminated, no person shall park a motor vehicle on signed snow emergency routes. All parked motor vehicles violating the parking restrictions will be towed. Parking will be prohibited at City parking meters located on snow emergency routes during snow emergencies. Motor vehicles parked at such parking meters will be towed if the vehicle violates the parking restrictions.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.05 PARKING PROHIBITED.

Whenever the Snow Emergency Coordinator finds that falling snow, sleet or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he finds, on the basis of a firm forecast by the weather forecasting services aforesaid of snow, sleet or freezing rain, that the weather conditions as so forecast may create a condition making it necessary that such parking be prohibited, he is authorized to announce such a prohibition, to become effective not less than two hours after such announcement, at a time to be specified by the Snow Emergency Coordinator. Announcement of such prohibition shall be in accordance with the requirements of Section 521.06. After the effective time of such prohibition, no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route, except that the Snow Emergency Coordinator has not announced prior to 11:00 p.m., that parking on snow emergency routes is to be prohibited after a specified time, a vehicle parked on a snow emergency route may remain so parked until 8:00 a.m. The prohibition of parking announced by the Snow Emergency Coordinator under the authority of this section shall remain in effect until the Snow Emergency Coordinator announces the termination of the snow emergency, in part or whole, or until the roadway of an entire block of a snow emergency route street is substantially clear of snow from curb to curb, whichever first occurs, after which the prohibition of parking authorized by this section shall no longer be in effect.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.051 TOWING AND STORAGE OF VEHICLES.

Owners or operators who fail to obey the snow emergency signs and the declaration, pursuant to this article, or who interfere with City employees, agents or contractors in the discharge of their snow removal duties or performance of their contracts, shall have their vehicle towed at the owner's or operator's expense.

Towing and storage fees, as set by the towing contract, shall be paid to the towing contractor by the vehicle owner or operator before the owner of such vehicle, or authorized person, shall be permitted to repossess or secure the release of the vehicle. Vehicles unclaimed within sixty days of towing and storage shall be deemed abandoned and subject to disposal as such in the manner authorized by law.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.052 IMPLEMENTATION AND ENFORCEMENT.

This article shall be enforced by the Snow Emergency Coordinator and other snow removal personnel and contractors which shall have authority to implement the parking enforcement provisions thereof during snow emergencies.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.06 ANNOUNCEMENTS.

The commencement of or termination of each snow emergency shall be announced by the Snow Emergency Coordinator. Such announcement shall be made between the hours of 6:00 a.m. and 11:00 p.m. by means of broadcast or telecasts from not less than two radio or television stations with a normal operating range covering the City, and shall, if possible, also be made through newspapers of general circulation. Each such announcement shall state the time these snow emergency regulations become or will become effective.

The snow emergency announcement is the fair warning motor vehicle owners and operators will receive before the towing of vehicles commences.
(Ord. 10-1994 §1. Passed 9-20-94.)

521.07 DECLARATIONS.

Nothing in this article shall operate to prevent the Snow Emergency Coordinator from stating in advance of 6:00 a.m. his intention to declare a snow emergency at or after that time, nor shall anything herein contained operate to prevent the Snow Emergency Coordinator from announcing, through the means set forth in Section 521.06 that he has not declared a snow emergency.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.08 TERMINATION OF EMERGENCY.

Whenever the Snow Emergency Coordinator finds that some or all of the conditions which gave rise to the snow emergency no longer exist, he is authorized to declare the termination of the emergency, in part or whole, effective immediately upon announcement, except that if such announcement by the Snow Emergency Coordinator, whenever the roadway of an entire block of any snow emergency route is substantially clear of snow from curb to curb, the parking of vehicles is authorized at those times when parking normally is permitted on such street.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.09 RECORD.

The Snow Emergency Coordinator shall make or cause to be made a record of the date and time on which the declaration of a snow emergency or the announcement of a parking prohibition is first made to the public, in accordance with the requirement of Section 521.06, and the date, time and conditions of any announcement made to the public of the termination of a snow emergency, either in part or in whole, in accordance with the requirements of Section 521.08.

(Ord. 10-1994 §1. Passed 9-20-94.)

521.10 SNOW EMERGENCY ROUTES.

The following streets or portion thereof within the City are designated as snow emergency routes:

- (a) Market Street, City limit to City limit;
- (b) Philadelphia Street, City limit to Carlisle Avenue;
- (c) Queen Street, City limit to Arch Street;
- (d) George Street, City limit to City limit;
- (e) Princess Street, City limit to City limit;
- (f) Duke Street from Jackson Street to North Street;
- (g) King Street, Beaver Street to George Street;
- (h) Beaver Street from North Street to College Avenue.

(Ord. 23-2000. Passed 12-5-00.)

521.99 PENALTY.

Notwithstanding any other remedies provided for herein, whoever violates any provision of this article shall upon conviction thereof, be fined not less than twenty-five dollars (\$25.00) and in default of payment thereof, shall be imprisoned for not more than ninety days (90 days). Any person accused of a violation of any provision hereunder may settle the claim for such violation by paying to the City, twenty-five dollars (\$25.00) within forty-eight hours of the time such alleged violation was committed. However, the maximum amount of fine and imprisonment imposed shall not be greater than the fine or imprisonment provided for similar offenses by the Vehicle Code of the Commonwealth of Pennsylvania.
(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 525
Trailers

525.01	Definitions.	525.05	Discontinuance as living quarters.
525.02	Street parking while unattached prohibited.	525.06	Parking trucks, trailers and semi-trailers.
525.03	Vehicle as living quarters prohibited.	525.99	Penalty.
525.04	Lease of vehicle as living quarters.		

CROSS REFERENCES
Mobile home parks - see 25 Pa. Code Ch. 179

525.01 DEFINITIONS.

The following words and terms when used in this article shall have the following meanings unless the context clearly indicates otherwise:

- (a) "Operator" means every person who is in actual physical control of a tractor.
- (b) "Owner" means the person to whom or which the registration plate for the tractor, trailer or semitrailer has been issued by the Department of Revenue of the Commonwealth of Pennsylvania, or the corresponding department of a state other than Pennsylvania.
- (c) "Parking" means the standing of a vehicle, except Police or Fire Department vehicles or ambulances, whether occupied or not, upon a highway other than temporarily for the purpose and while actually engaged in loading and unloading or in obedience to traffic regulations or traffic signs or signals.
- (d) "Person" means every natural person or persons, firm, co-partnership, association or corporation.
- (e) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.
- (f) "Trailer" means every vehicle, wagon or truck without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.
- (g) "Tractor" means every vehicle which is self-propelled and which is designed or used to draw a trailer or semitrailer.
- (h) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn, or which may draw devices upon a public highway, excepting devices used exclusively upon stationary rails or tracks.
(Ord. 53-1947 §1; Ord. 54-1947 §1.)

525.02 STREET PARKING WHILE UNATTACHED PROHIBITED.

The parking of a trailer or semitrailer when the same is not attached to a tractor upon any of the streets, alleys or highways of the City is hereby prohibited.
(Ord. 54-1947 §2.)

525.03 VEHICLE AS LIVING QUARTERS PROHIBITED.

No person shall, within the City, occupy, reside in or use as living quarters any vehicle, including trailers or semi-trailers.
(Ord. 53-1947 §2.)

525.04 LEASE OF VEHICLE AS LIVING QUARTERS.

No person, whether as owner or agent, shall lease to or permit the use of by any person any vehicle, including trailers or semitrailers, as living quarters within the City.
(Ord. 53-1947 §3.)

525.05 DISCONTINUANCE AS LIVING QUARTERS.

Any person now living in any such vehicle, including trailers or semi-trailers, shall remove therefrom within thirty days after the effective date of this section.
(Ord. 53-1947 §4.)

525.06 PARKING TRUCKS, TRAILERS AND SEMI-TRAILERS.

(a) No person shall stand or park trailer, semi-trailer and three-axle trucks upon any street that lies within the following zoning districts of the City: Single-Family Detached Residential ("RS1"), Single-Family Attached Residential ("RS2"), Mixed Residential ("RM"), Residential Office ("RO"), or Open Space ("OS"). In cases where the division line between a residential or open space district and another district runs down the center of a street, parking trucks shall be allowed on the side of the street opposite the residential district.

(b) The parking of trailer, semi-trailer and three-axle trucks within the following zoning districts: Neighborhood Commercial ("CN"), General Commercial ("CG"), Commercial Highway ("CH"), Central Business District ("CBD"), Commercial Waterfront ("CW"), Heavy Industrial ("IH"), Light Industrial ("IL") and Institutional ("I"), or within the Enterprise Development Area Overlay ("EDA") District, as defined by the Zoning Ordinance of the City of York, is hereby specifically authorized for the purposes of this article.

(c) Nothing in this article shall be intended to prohibit the parking of trailer, semi-trailer and three-axle trucks for the purpose of the delivery or pick-up of merchandise or goods from 7:00 a.m. to 7:00 p.m. in RS1 and RS2 districts, or from 7:00 a.m. to 9:00 p.m. in RM, RO and OS districts, provided that the parking of said vehicle shall terminate immediately upon conclusion of the delivery or pick-up of merchandise or goods.

(d) Nothing in this article shall be intended to prohibit the parking of vehicles responding to emergencies, or any vehicle involved in the moving of household goods.
(Ord. 8-2001. Passed 9-18-01.)

525.99 PENALTY.

(a) Any operator who violates the provisions of Section 525.02 shall upon conviction be fined not less than twenty-five dollars (\$25.00) and not more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not less than five days (5 days) nor more than ten days (10 days).

(b) Any owner who violates, or permits the violations by his servants, agents or employees of, the provisions of Section 525.02 shall upon conviction be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall, if a natural person, be imprisoned not less than ten days (10 days) nor more than thirty days (30 days); or such fine and costs may be recovered by any legal means by which fines and penalties may be recovered.

(c) Any person who violates any provision of Section 525.03 to 525.06 shall, upon conviction be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and the costs of prosecution, and in default of payment thereof shall be imprisoned for not more than thirty days (30 days). Each day that any person occupies, resides in, uses, leases, parks or permits the use of any such vehicle, including trailers or semitrailers, shall be considered a separate and distinct offense.
(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 533
Bicycles

533.01	License required.	533.06	Daily report of sales.
533.02	License issuance and term.	533.07	Report of sale or transfer.
533.03	Self-adhesive license tabs and certificates; record.	533.08	Altering bicycles or licenses.
533.04	License fee.	533.09	Prohibited park or sidewalk riding.
533.05	Second-hand dealers; daily report of purchases.	533.99	Penalty.

CROSS REFERENCES

Bicycle operation - see Vehicle Code 75 Pa. C.S.A. §3501 et seq.
Sidewalk parking, operation - see Vehicle Code §3508, 3509

533.01 LICENSE REQUIRED.

No person shall operate or use a bicycle propelled wholly or in part by muscular power upon any of the streets, alleys or public highways of the City without first obtaining a license therefor from the Police Department. (1944 Code Ch. 5 §1.)

533.02 LICENSE ISSUANCE AND TERM.

The Police Department is hereby authorized and directed to issue upon written application bicycle licenses which shall be effective for two calendar years. (Ord. 7-1979 §1. Passed 6-5-79.)

533.03 SELF-ADHESIVE LICENSE TABS AND CERTIFICATES; RECORD.

The City shall provide each year fluorescent, self-adhesive license tabs together with license certificates, such fluorescent, self-adhesive license tabs and license certificates having numbers stamped thereon in numerical order, beginning with Number 1, and indicating the year for which the same are issued. Fluorescent, self-adhesive license tabs shall be suitable for attachment upon the frames of bicycles, and it shall be the duty of the Police Department to issue a corresponding license certificate to the licensee upon the payment of the license fee herein provided for. The fluorescent, self-adhesive license tab shall remain attached during the existence of such license. The Police Department shall also keep a record of the date of issue of each license, to whom issued and the number thereof. (Ord. 7-1979 §2. Passed 6-5-79.)

533.04 LICENSE FEE.

The license fee for two calendar years or parts hereof to be paid for each bicycle shall be one dollar (\$1.00) and shall be paid in advance. All license fees collected under this article shall be paid into the General Fund of the City. (Ord. 7-1979 §3. Passed 6-5-79.)

533.05 SECOND-HAND DEALERS; DAILY REPORT OF PURCHASES.

All persons engaged in the business of buying second-hand bicycles or parts thereof consisting of frames, handlebars, wheels, seats or tires, are hereby required to make a daily report to the Police Department giving the name and address of the persons from whom each bicycle or part is purchased, the description of each bicycle or part purchased, the frame number thereof and the number of the metallic license plate found thereon. (1944 Code Ch. 5 §5.)

533.06 DAILY REPORT OF SALES.

All persons engaged in the business of selling new or second-hand bicycles are hereby required to make a daily report to the Police Department, giving a list of all sales made by such dealers, which list shall include the name and address of each person to whom sold, the kind of bicycle sold, together with a description and frame number thereof, and the number of the metallic license plate attached thereto. (1944 Code Ch. 5 §6.)

533.07 REPORT OF SALE OR TRANSFER.

(a) It shall be the duty of every person who sells or transfers ownership of any bicycle to report such sale or transfer by returning to the Police Department the license certificates issued to such person as licensee thereof, together with the name and address of the person to whom such bicycle was sold or transferred, and such report shall be made within five days of the date of the sale or transfer.

(b) It shall be the duty of the purchaser or transferee of such bicycle, if the seller or transferor thereof is a person other than one engaged in the business of selling new or second-hand bicycles, within five days either to apply for a license therefor or to report the purchase or transfer to the Police Department. (1944 Code Ch. 5 §7.)

533.08 ALTERING BICYCLES OR LICENSES.

No person shall remove, destroy, mutilate or alter the number of any bicycle frame of any bicycle licensed pursuant to this article. No person shall remove, destroy, mutilate or alter any license plate, seal or license certificate during the time in which such license plate, seal or license certificate is operative. However, nothing in this article shall prohibit the Police Department from stamping numbers on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes. (1944 Code Ch. 5 §8.)

533.09 PROHIBITED PARK OR SIDEWALK RIDING.

No person shall ride a bicycle upon any sidewalk of the City or upon any areas of City parks where restrictions are posted.
(1944 Code Ch. 5 §9.)

533.99 PENALTY.

Whoever violates any provision of this article shall upon conviction thereof, be fined not more than one thousand dollars (\$1,000) and costs of prosecution and in default of payment thereof, shall be imprisoned for not more than ninety days (90 days).
(Ord. 1-2009. Passed 1-6-09.)

ARTICLE 537
Skateboards

537.01	Definition.	537.04	Pedestrian right of way on sidewalks.
537.02	Sidewalk riding prohibited in Central Business District.	537.99	Penalty.
537.03	Notice of prohibited riding places.		

537.01 DEFINITION.

As used in this article, “skateboard” means and includes a vehicle with wheels designed to be operated by the rider standing thereon and propelled by human power or gravity. (Ord. 13-1978 §4. Passed 5-2-78.)

537.02 SIDEWALK RIDING PROHIBITED IN CENTRAL BUSINESS DISTRICT.

The riding of skateboards upon any sidewalks in the Central Business District of the City is hereby prohibited. The location and boundaries of the Central Business District are delineated on the Zoning Map, City of York, as enacted by Council on December 19, 1995, inclusive of amendments and supplements thereto, and as specified in Section 1303.04 of the Planning and Zoning Code. (Ord. 20-2000. Passed 10-17-00.)

537.03 NOTICE OF PROHIBITED RIDING PLACES.

The riding of skateboards upon any sidewalk or on public or private property as to which notice against such activity is given by actual communication to the actor or posting in a manner reasonably likely to come to the attention of riders of skateboards, is hereby prohibited. (Ord. 13-1978 §2. Passed 5-2-78.)

537.04 PEDESTRIAN RIGHT OF WAY ON SIDEWALKS.

Where the riding of skateboards is permitted on sidewalks, the rider shall yield the right of way to pedestrians using the sidewalks, and due and proper care for pedestrians shall at all times be exercised by the riders. (Ord. 13-1978 §3. Passed 5-2-78.)

537.99 PENALTY.

Whoever violates any provisions of this article shall, upon conviction thereof, be fined not more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned for not more than ninety days (90 days). (Ord. 1-2009. Passed 1-6-09.)

ARTICLE 541
Dumpster Placement

541.01	Permit required.	541.04	Permit conditions.
541.02	Permit application.	541.05	Permit revocation.
541.03	Permit fee and duration.	541.99	Penalty.

CROSS REFERENCES

Power to prohibit street obstructions - see 3rd Class Sec. 2403(16)
(53 P.S. Sec. 37403(16))
Obstructions - see GEN. OFF. 753.03

541.01 PERMIT REQUIRED.

No person shall place or cause to be placed upon any street, sidewalk, alley or public right of way within the City of York any trash or refuse containers commonly known and referred to as dumpsters or dumpster bags, without first having obtained a permit from the Bureau of Permits, Licenses and Inspections. It shall be the responsibility of the user of the dumpster or dumpster bags to obtain a permit and to provide a copy of such permit to the owner of the dumpster or dumpster bags before placement of any dumpster or dumpster bag. (Ord. 4-2012. Passed 2-21-12.)

541.02 PERMIT APPLICATION.

A permit application shall be submitted to the City on an application form provided by the City for this purpose. (Ord. 4-2012. Passed 2-21-12.)

541.03 PERMIT FEE AND DURATION.

Upon approval of the permit application by the City, a permit for placement of the dumpster or dumpster bag shall be issued by the City upon payment of the permit fee. Permits shall be good for a period of thirty days from the date of issuance thereof. Provided that the permit holder has complied with the requirements of this article and the permit issued hereunder, the permit may be renewed for additional periods of thirty days upon payment to the City of a renewal permit fee for each thirty day period. The permit fee and permit renewal fee shall be set by the Chief of Police. (Ord. 4-2012. Passed 2-21-12.)

541.04 PERMIT CONDITIONS.

Upon issuance of a permit as set forth herein, the permit holder agrees to comply with the following requirements:

- (a) Any dumpster or dumpster bag for which a permit is issued as set forth in this article, shall bear reflectorized or illuminated marking in order to provide adequate warning of the placement of such dumpster or dumpster bag to pedestrians and motorists.
- (b) After any dumpster or dumpster bag is filled to capacity, the same shall be emptied or caused to be emptied within three calendar days thereof.
(Ord. 4-2012. Passed 2-21-12.)

541.05 PERMIT REVOCATION.

Any permit issued or renewed by the City as provided herein may be immediately revoked by the City upon mailing of notice of revocation to the permit holder at the address stated in the permit application, for any of the following reasons:

- (a) Failure to comply with any provision of this article or any requirement as set forth in the permit or permit application.
- (b) The emission of any foul or noxious odor from material contained in the dumpster or dumpster bag, regardless of whether the dumpster or dumpster bag is filled to capacity or not.
- (c) The presence of any vehicular, pedestrian, fire, health or safety hazard or potential hazard arising after issuance of a permit or renewal thereof.
(Ord. 4-2012. Passed 2-21-12.)

541.99 PENALTY.

Any person violating any provision of this article shall upon conviction thereof, be fined not more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof, shall be imprisoned for not more than ninety days. Upon revocation of any permit granted or renewed hereunder by the City, failure to remove any dumpster or dumpster bag for which a permit has been revoked shall constitute a separate violation for each day after revocation. For each day that a dumpster is placed as provided herein without having obtained a permit therefor, a separate violation shall exist.
(Ord. 4-2012. Passed 2-21-12.)

ARTICLE 545
Public/Private Property Towing

<p>545.01 Short title. 545.02 Purpose. 545.03 Authority to remove and impound. 545.04 Definitions. 545.05 Annual license required. 545.06 Minimum requirements/ qualifications. 545.07 Towing rotation. 545.08 General regulations. 545.09 Prohibited acts. 545.10 Maximum fee schedule for towing services. 545.11 Notification of removal. 545.12 Notification of removal and impounding due to City request. 545.13 Records of vehicles towed or stored. 545.14 Authorization for removal.</p>	<p>545.15 Effect of payment of towing and storage charges without protest. 545.16 Record of vehicles removed/ impounded. 545.17 Owner/operator liable for fine/penalty. 545.18 Removal time limitations. 545.19 Complaints against licensed towing companies. 545.20 Financial interests of private property owner and towing company prohibited. 545.21 Schedule of fee review. 545.22 Penalty. 545.23 Termination of license. 545.24 Fines and penalty for violation. 545.25 Severability.</p>
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CROSS REFERENCES
Booting - see TRAF. Art. 507

545.01 SHORT TITLE.

This article shall be known and may be cited as the Public/Private Property Towing Ordinance. (Ord. 40-2011. Passed 12-6-11.)

545.02 PURPOSE.

The purpose of this article is to provide for a convenient and regulated towing system for the timely removal of motor vehicles damaged, abandoned, immobilized, illegally parked, or disabled on public rights-of-way or on public or private property within the City. (Ord. 40-2011. Passed 12-6-11.)

545.03 AUTHORITY TO REMOVE AND IMPOUND.

(a) **Public Property.** Any vehicle parked on any of the highways, public rights-of-way or other public property in the City, which is parked in violation of any provision of the law or of any ordinance of the City, or which has been immobilized in excess of 72 hours in accordance with the provisions of this article, may be removed under the provisions of this article. The Chief of Police, Director of Public Works, City Engineer, Parking Manager, or any officer of the York Police Department is authorized to make the decision whether or not to remove any vehicle. Removal shall be done only by employees of the Municipality or by a licensed towing company. Any vehicle removed shall be impounded in a storage facility, as herein defined, or on property controlled by the City and designated for vehicle impoundment by the City.

(b) **Private Property.** Any motor vehicle left unattended on private property within the City may be removed under the provisions of this regulation. The decision to remove any such motor vehicle shall be made by either the property owner or upon written authorization as specified in Section 545.14. Removal of such vehicle may be done only by towing services licensed by the City as designated in Section 545.05. Any motor vehicle removed by authority of this article shall be impounded in a storage facility, as herein defined.
(Ord. 40-2011. Passed 12-6-11.)

545.04 DEFINITIONS.

- (a) **City.** The City of York, County of York, State of Pennsylvania.
- (b) **Business.** Business is the physical place/establishment where employees report to work, equipment is stored and dispatched to and from, all company dealings take place, record keeping and daily activity, etc., is performed. For purposes of this article, a business shall have employees at the business address at a minimum of normal business hours, which is defined as 8:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of national holidays.
- (c) **Chief of Police.** The Chief of Police of the York Police Department or his/her designee.
- (d) **Custodian.** A person having permission from the vehicle owner to exercise care and/or control over a vehicle.
- (e) **GVW.** Gross vehicle weight.
- (f) **Drop Fee.** Is the fee an individual may pay to have a vehicle returned if it is on or hooked to the tow truck, but the tow truck has not yet left the location where the car was parked. The drop fee is only applicable before the tow truck begins to move the vehicle from the place it was parked.
- (g) **Motor Vehicle.** As defined in the Vehicle Code.
- (h) **Person.** An individual, firm, partnership, association, employee, corporation, company, or organization of any kind.
- (i) **Private Parking Lot.** A non-municipal parking lot open to the public or used for parking without charge, or a non-municipal parking lot used for parking with charge.

(j) **Private Property.** Real property owned by an individual, firm, partnership, association, corporation, company or organization including private parking lots as defined in the Vehicle Code.

(k) **Property Owner.** An individual, firm, partnership, association, corporation, company, organization, or designee representing the owner of the property from which the vehicle is being towed.

(l) **Storage Facility.** A secured area for the storage of towed vehicles.

(m) **Timely Response.** Generally means 20 minutes or less from the time the towing company is requested until the wrecker arrives at the scene. At times there may be circumstances beyond a tower's control that makes it impossible for a towing company to arrive within 20 minutes.

(n) **Towing Rotation List.** The list maintained by the Chief of Police of all towing companies licensed by the City.

(o) **Towing Company.** Any business engaged in the towing, removing, or storing of motor vehicles at the request of the Municipality or private property owners. This includes the towing company owner and its employees and agents.

(p) **Towing Company Owner.** Any person(s) having financial interest in a licensed towing company. This does not include persons who are solely employed by the towing company.

(q) **Vehicle Code.** Title 75 of the Pennsylvania Consolidated Statutes.

(r) **Winching.** When the cable that is attached to a motorized pulley system is unwound and attached to a vehicle to then place that vehicle in such as position that the vehicle may either be driven away or conventionally hooked to a wrecker.

(s) **Wrecker.** A vehicle designed and used for removing and transporting motor vehicles. This term shall also include a rollback truck, tow truck, or other vehicles commonly used to perform towing services.
(Ord. 40-2011. Passed 12-6-11.)

545.05 ANNUAL LICENSE REQUIRED.

There are two separate licenses available, a private towing license and a public towing license: The Public Towing License is required for any towing company engaged in the business of towing vehicles at the request of the City from highways, public rights-of-way or other public property in the City shall be licensed annually in accordance with the provisions of this section. The Private Towing License is required for any towing company engaged in the business of towing vehicles from private property in the City and shall be licensed annually in accordance with the provisions of this section.

(a) **Application for License.** Applications for license shall be submitted to the Chief of Police upon forms prepared and made available by the City. The application form(s) shall be properly completed, signed and accompanied by the application and license fee. The Chief of Police shall review and inspect the required storage facility and towing equipment and all applications for compliance with the terms of this article and other applicable regulations.

- (b) Issuance of License(s). A private and/or public towing license shall be issued only to towing companies that comply with the provisions of this article.
- (c) License Fee. The license fee under this article for the original application shall be \$750.00 for the public towing license and \$750.00 for the private towing license. These are nonrefundable application fees.
- (d) Multiple Licenses. The application fee for a second license for any towing company currently licensed (either public or private) at the time of original application shall be \$200.00.
- (e) License Renewal. All licenses, except those terminated for just cause as provided herein, are subject to an annual renewal fee of \$400.00 for a single license and \$700.00 for both a public and private license. This renewal fee shall be paid within the first quarter of each calendar year.
(Ord. 40-2011. Passed 12-6-11.)

545.06 MINIMUM REQUIREMENTS/QUALIFICATIONS.

Towing companies to be licensed under this article to tow vehicles at the request of the City or private landowners shall maintain the following minimum requirements:

- (a) Wreckers and General Equipment.
 - (1) Business and equipment shall be located within the City of York, Pennsylvania.
 - A. Only if the Chief of Police deems there to be a need to allow more tow companies to provide services controlled by this article shall a tow company whose business is located outside the City of York be allowed to be licensed under this article.
 - (2) All wreckers shall be clearly marked with the towing company's name and telephone number marked on each side of the vehicle.
 - (3) Wreckers shall be maintained in safe mechanical condition and must display current state inspection and registration.
 - (4) Towing Equipment Required. One wrecker with, at a minimum, the following equipment or specifications:
 - A. 10,000 pound or greater GVW chassis truck;
 - B. Rear wheel lift with either an integrated or separate boom;
 - C. 8,000 pound winching capability;
 - D. Recovery chain;
 - E. Jumpstart capability;
 - F. Dolly wheels;
 - G. One or two rotating amber overhead lights visible from 360 degrees;
 - H. Clean-up equipment and oil dry or similar approved material; the ability to communicate immediately with the towing company's dispatcher; and
 - I. Any other equipment to properly tow vehicles.
 - (5) One roll back vehicle (required for public property towing license).
 - (6) Wrecker(s) and required towing equipment shall be owned or leased by the towing company.
 - (7) A wrecker used by a City licensed towing company shall not be used or operated by any other towing company under this article unless authorized to do so by the Chief of Police.

- (b) Storage Facilities.
- (1) All storage facilities used for impoundment of vehicles towed at the request of the City/private property owner shall be located within the City of York, Pennsylvania.
 - (2) The storage facility shall be owned or leased by the towing company owner.
 - (3) The storage facility shall comply with zoning regulations applicable in the jurisdiction where the facility is located.
 - (4) The storage facility shall be, at a minimum, enclosed by a secured fence or building. When enclosed by a fence, the fence shall be a minimum of 6 feet in height and made of a sturdy material such as a chain link, wooden slats, or other approved material. All gates shall be secured with locks or other security mechanisms to reasonably prevent entry by unauthorized persons.
 - (5) The lot shall be reasonably well lit to provide ability for towers/customers to inspect, release, pick up vehicles, and to provide a safer environment during hours of darkness.
 - (6) The towing company owner is responsible for the security of the stored vehicles.
 - (7) The towing company owner shall establish a system convenient to the vehicle owner to provide for release of towed vehicles from the storage facility 24 hours a day, daily.
 - (8) Release of towed vehicles under the private towing license shall be completed within a 2-hour time period following receipt of the request to release the towed vehicle.
 - (9) Release of personal property from a towed vehicle that is not attached to the vehicle shall be made within a 2-hour time period following receipt of the request to return the property. Except as provided in Section 545.10(a)(3), no fee shall be charged for the return of personal property from a towed vehicle that is not attached to the vehicle.
- (c) Advertising: Towing companies must be listed in the York classified section of the current published telephone directory. This listing must, at minimum, include the company name, business address, and a business telephone number that is personally answered 24 hours per day.
- (d) Insurance.
- (1) Towing companies shall be required to carry insurance at the minimum policy limits as follows:
 - A. Automobile liability insurance in an amount not less than \$1,000,000.00, combined single limits.
 - B. Workers' compensation insurance, as required by Statute.
 - C. Garage keeper's liability insurance in an amount not less than \$50,000.00 per location.
 - D. Garage liability insurance in an amount not less than \$500,000.00 combined single limit.
 - E. Miscellaneous coverage to provide complete protection to the City against any and all risks of loss or liability including comprehensive General Liability.
 - F. Collision coverage for vehicles in tow.

- (2) The City shall be listed as an additional insured party on all policies and such policies shall contain a provision requiring notification to the City prior to any policy revision or termination. A copy of the policy shall be provided to the Chief of Police.
- (e) Criminal Record. No towing company owner shall have any misdemeanor and/or felony criminal convictions for criminal violations that would be inconsistent with providing professional towing service. Specifically, no towing company shall have such conviction(s) for the following violations of the Pennsylvania Crimes Code:
- Chapter 25 Criminal Homicide
 - Chapter 29 Kidnapping
 - Chapter 31 Sexual Offenses
 - Section 3502 Burglary
 - Section 3921 Theft by Unlawful Taking or Disposition
 - Section 3922 Theft by Deception
 - Section 3925 Receiving Stolen Property
 - Section 4101 Forgery
 - Section 4104 Tampering With Records or Identification
 - Section 4107 Deceptive Business Practices
 - Section 4117 Insurance Fraud
- (f) Property, Business Privilege, Mercantile, or Municipal Taxes and Fees. No company shall receive a license or license renewal if the company has not paid its property taxes and/ or business privilege and mercantile Taxes or any other municipal fee as required under York City Ordinance. (Ord. 40-2011. Passed 12-6-11.)

545.07 TOWING ROTATION.

This section only applies to towing companies holding current public towing licenses, as provided for in this article. The Chief of Police shall maintain the list of licensed towing companies, listed alphabetically, requested by authorized City employees on a rotating basis. "Rotating basis" means the towing company appearing on top of the list shall be requested first to do the tow. Once the towing company on the top of the list is requested, that name shall be placed on the bottom of the list. Thereafter, for each subsequent request, the process shall be repeated. The towing company listed on the top shall be requested and that name then moved to the bottom. When the towing company on the top of the list is called for a towing request and fails to answer the telephone, that company shall be moved to the bottom of the list and the next name on the list will be requested. However, if a towing company is unable to respond to the request because all towing equipment/drivers are handling other towing services, the next towing company on the list will be requested and the unavailable company will remain on the top of the list for the next request. If a towing company on the top of the list is requested but prior to providing the towing services the request is canceled, that towing company shall be placed back on top of the towing rotation list to receive the next request. This rotation may be waived when, in the opinion of a City employee, the immediate removal of a vehicle(s) is critical to public safety, health, or welfare. (Ord. 40-2011. Passed 12-6-11.)

545.08 GENERAL REGULATIONS.

- (a) (1) Private Property. All vehicles removed, transported or conveyed from private property by a licensed towing company shall be stored at the towing company storage facility unless otherwise authorized by the Police Department.
- (2) Public Property: All vehicles removed, transported or conveyed at the request of the City, shall be stored at the towing company's storage facility or at property owned or controlled by the City, or to a location specified by the vehicle owner or operator.
- (b) Any vehicle remaining at the storage facility more than 90 days may be removed, as permitted by applicable salvor regulations in the Vehicle Code, and with written/faxed permission from the Chief of Police if the vehicle was impounded by the police.
- (c) In the case of a Police request of a towing company holding a public towing license, the towing company requested shall respond to the tow location within 20 minutes of the City's request. The City recognizes there are circumstances, such as adverse road conditions, that are beyond the towing company's control that would prohibit them from arriving at the scene of the tow within 20 minutes. In these situations the City may allow additional time for the towing company to respond. Generally, if the towing company fails to respond within 20 minutes after being requested, the next available towing company on the towing rotation may be requested. Nothing in this regulation is intended to permit or encourage the towing company to violate any provisions of the Pennsylvania Motor Vehicle Code or to operate a vehicle in an unsafe manner but is intended to place police requested tows at the highest priority for public safety reasons.
- (d) Towing companies shall be available to tow vehicles 24 hours-a-day, 7 days a week. In rare instances when a towing company is not available to tow vehicles for the City, the towing company shall notify the Chief of Police of the circumstances that prohibit them from performing tows and the estimated time they will be unavailable.
- (e) All licensed towing companies shall be required to notify the Chief of Police within 24 hours of any modifications to information provided in the towers license application.
- (f) All licensed towing companies shall be notified by the City of York of any additions, deletions, modifications, or changes to this article within 7 days of the change.
- (g) Towing company owners shall comply with all local, state, and federal laws and regulations and are responsible for insuring that all employees of the towing company adhere to this article.
- (h) The City shall not be liable for any towing company's fees for non-City vehicles unless the vehicle is towed to a City facility. All fees for towing services and storage shall be levied against the owner of the vehicle unless it is determined by the City that the vehicle was towed in error, in which case no charges will be assessed against the owner. If the error is that of the towing company, no charges will be assessed. If the error is that of the City, appropriate charges may be assessed against the City.
- (i) All fees for towing services and storage shall be levied against the owner of the vehicle unless it is determined by the Chief of Police or the private property owner from which the vehicle was towed or the towing company that the vehicle was towed in error, in which case no charge will be assessed.

(j) Towing companies shall be responsible for the conduct of all drivers and employees. Misconduct of towing company employees may subject a towing company to the suspension of towing privileges. The driver's licenses of persons towing for a towing company are subject to inspection by the Chief of Police.

(k) The towing company shall remove accident debris as part of the towing service.

(l) In situations involving hazardous materials that require the response by a specially trained hazardous material unit, towing services may be limited to those towing companies certified in the removal of hazardous material. Such companies may or may not be licensed under this article; however, those towing companies licensed by the City and certified in the removal of hazardous material will be requested first.

(m) In situations requiring the towing of an abandoned vehicle, as defined by the Pennsylvania Motor Vehicle Code, only approved "salvors" may be used to tow such vehicles. Salvors requested may or may not be licensed under this article; however, those towing companies that are salvors and licensed by the City will be requested first.

(n) In situations requiring the towing of a truck, truck tractor, or combination having a gross weight or registered gross weight in excess of 17,000 pounds, only those towing companies equipped to tow such vehicles may be requested. Such companies may or may not be licensed under this article; however, those licensed towing companies equipped for such tows will be requested first.

(o) Only in situations requiring the towing of a motor vehicle having a gross weight or registered gross weight in excess of the capability of the tower's equipment, the tower may subcontract the towing of the motor vehicle to an unlicensed towing company. The towed motor vehicle may be towed to and stored at either the tower's secured lot or to the subcontractor's storage area. When a tower utilizes the services of a subcontractor as permitted under this section, it will be the tower's responsibility to assure that the subcontractor complies with all other requirements of this article.

(p) Motor vehicles that are locked at the time they are to be towed and are not equipped with a lock steering mechanism shall have the front wheels placed on dollies before being towed to insure the vehicle being towed is kept in line with the towing vehicle. The exception would be those vehicles with front wheel drive, in which case the vehicle may be towed by the front. Motor vehicles being towed must have minimum lighting, as set forth in the Vehicle Code, to provide for safe movement on the highway.

(q) Before towing a vehicle a picture of the vehicle and parking violation must be taken by the tow company.
(Ord. 40-2011. Passed 12-6-11.)

545.09 PROHIBITED ACTS.

It shall be a prohibited act for any towing company to:

- (a) Sub-contract towing services requested by the City.
- (b) Tow or move a vehicle from or within public rights-of-way or public property without the consent of the owner or operator, or without authorization from the City.

- (c) Tow or move a vehicle from or within private property without authorization from the property owner.
- (d) Tow or move a vehicle from or within private property in violation of the requirements of this article.
- (e) Use "York" in the name of the towing company.
- (f) Charge or provide a written quote or invoice, or collect fees in excess of those specifically designated in Section 545.10.
- (g) Falsify any information with regard to the application.
- (h) Remove a motor vehicle from private property without using a wrecker.
- (i) Remove a motor vehicle from private property before completing every procedure required to secure the motor vehicle to the wrecker, including the attachment of any safety chains, so that the motor vehicle may be safely towed.
- (j) No towing company or employee shall respond to the scene of an accident to circumvent the towing rotation by soliciting a tow directly from an involved party to the accident. (Ord. 40-2011. Passed 12-6-11.)

545.10 MAXIMUM FEE SCHEDULE FOR TOWING SERVICES.

The following fees are established for towing and storage services provided at the City's request by licensed towing companies or performed for private property owners and are the maximum fees that may be assessed. It shall be deemed a City request anytime a towing company is requested by the City directly or through the York County Emergency Communication Center for towing services.

- (a) Fees for Non-Accident: Towing fees (including use of dollies) for each wrecker required to complete the tow request shall be:
 - (1) Motorcycles and vehicles less than ¾-ton GVW\$105.00
 - (2) Vehicles ¾-ton or larger but not exceeding 11,000 pounds GVW, or with dual rear wheels.....\$120.00
 - (3) Drive shaft removal and reinstallation\$60.00 (Remove & Install)
.....\$30.00 (Removal Only)
 - (4) Vehicles larger than 11,000 lbs. GVW or with dual rear wheels shall be commensurate with the service provided. The Chief of Police shall be notified in writing within 72 hours after the tow of the fee charged for all tows greater than 11,000 pounds.
 - (5) A snow removal fee is permitted when employee of towing company must shovel snow 10 minutes or more before vehicle may be removed for towing/impound \$35.00 for 10 to 30 minutes plus \$15.00 for each additional 15 minutes or part thereof.
 - (6) Drop fee.....\$60.00
 - (7) If the towing company is notified to cancel their response before a wrecker arrives at the scene, no fee may be charged. However, from the time the wrecker arrives at the scene through the point the towing company departs from the scene, the towing company may charge no more than.....\$55.00

- (8) In the event fees other than authorized are charge because of unusual circumstances the Chief of Police shall be notified in writing within 72 hours after the tow of the fee charged. No vehicle shall be removed under the authority of this article if, at the time of the intended removal, the owner or custodian of the vehicle is present and expresses a willingness and intention to remove the vehicle immediately. In these instances, the towing company shall charge no more than \$60.00 for responding to the scene and the limited services provided. The towing company shall make reasonable accommodations to permit the owner/custodian to obtain payment for the fee charged. Once the vehicle to be towed is secured to wrecker and the wrecker is in motion, the towing company is entitled to the fee listed in subsection (a). This is not applicable where the vehicle has been immobilized by City request for failure to pay accumulated fines and such fines remain unpaid.

(b) Storage Fees. The following storage fees may be assessed against the vehicle owner/custodian for the storage or towed vehicles at either the towing company's facility or a City facility:

- (1) For the first 24-hour period from the time the wrecker arrived at the scene.....no charge
- (2) Each calendar day or portion thereof after the first 24 hours for motor vehicles $\frac{3}{4}$ -ton GVW or less.....\$30.00
- (3) Each calendar day or portion thereof after the first 24 hours for motor vehicles larger than $\frac{3}{4}$ -ton GVW or dual rear wheels....\$35.00
- (4) Each calendar day, or portion thereof, after the 10th day of storage for any motor vehicle.....\$50.00
- (5) Overnight Vehicle Release Fee. A towing company may assess the vehicle owner or custodian a \$40.00 fee in addition to the towing fee and any other applicable fees to release a vehicle to its owner or custodian between the hours of Midnight to 6:00 a.m. When possible, the towing company shall notify the vehicle owner/custodian in advance of the additional overnight vehicle release fee.
- (6) Protection Fee. A towing company may assess the vehicle owner or custodian a \$25.00 fee in addition to the towing fee and any other applicable fees for covering motor vehicles or safeguarding the vehicle within a towing facility with open convertible tops, open windows and /or open areas that will allow weather to penetrate the interior of the vehicle.
- (7) Method of Payment. Due to the unexpected and costly nature of persons having their vehicles towed, towing companies shall, in addition to cash payment, accept at least 2 major credit cards for payment of towing and storage services.

(c) Fees for Crashes (Public Towing Licensees Only). Basic towing fees (including dollies) for each wrecker required to complete the tow request shall be:

- (1) Motorcycles and vehicles less than $\frac{3}{4}$ -ton GVW\$165.00
- (2) Vehicles $\frac{3}{4}$ -ton or larger but not exceeding 11,000 pounds GVW, or with dual rear wheels.....\$185.00
- (3) Drive shaft removal and reinstallation \$60.00 (Remove & Install)
.....\$30.00 (Removal Only)

- (4) Vehicles larger than 11,000 pounds GVW or dual rear wheels shall be commensurate with the services provided. The Chief of Police shall be notified in writing within 72 hours after the tow of the fee charged for all tows greater than 11,000 pounds.
- (5) A snow removal fee is permitted when employee of towing company must shovel snow 10 minutes or more before vehicle may be removed for towing/impound \$35.00 for 10 to 30 minutes plus \$15.00 for each additional 15 minutes or part thereof.
- (6) In the event fees other than authorized are charged because of unusual circumstances, the Chief of Police shall be notified in writing within 72 hours after the tow of the fee charged.
- (7) Protection Fee. A towing company may assess the vehicle owner or custodian a \$25.00 fee in addition to the towing fee and any other applicable fees for covering motor vehicles or safeguarding the vehicle within a towing facility with open convertible tops, open windows and/or open areas that will allow weather to penetrate the interior of the vehicle.
- (8) Authorized Winching Fees for Recovery. For tows requiring winching service, towing companies may charge up to the following fees in addition to the towing charge:
 - A. Per truck and 1 employee: \$65.00 minimum fee for the first 30 minutes or any part thereof
 - B. Per Truck and 1 employee (after first 30 minutes): \$35.00 per 30 minutes or any part thereof
 - C. Additional employee: \$35.00 minimum fee for the first 30 minutes or any part thereof
 - D. Additional employee (after first 30 minutes): \$30.00 per 30 minutes or any part thereof
 - E. Vehicles larger than 11,000 pounds GVW or dual rear wheels shall be commensurate with the services provided. The Chief of Police shall be notified in writing within 72 hours after the winch of the fee charged.

In calculating the above fees, the winching time begins when the towing service leaves the regularly maintained roadway and concludes when the vehicle to be towed is accessible by the wrecker.

(d) Long Distance Tows. If a vehicle owner or custodian requests to have their vehicle towed to a location greater than either 5 road miles from the towing scene a fee of up to \$4.00 per-mile fee (one-way) may be charged by the towing company. This per-mile fee is in addition to the towing fee schedule listed in subsection (c). Additionally, the towing companies may increase their per-mile fee beyond the base of \$4.00 at increased intervals of twenty-five cents (.25) for every fifty cents (.50) per gallon increase in towing companies' fuel costs above \$5.00.

Towing Company Fuel Costs Per Mile rate (one-way)	
\$5.00 or less per gallon.....	\$4.00 per mile
Between \$5.01 - 5.50 per gallon.....	\$4.25 per mile
Between \$5.51 - \$6.00 per gallon.....	\$4.50 per mile
Between \$6.01 - \$6.50 per gallon.....	\$4.75 per mile

(e) Clean Up Fees. Towing companies are required to clean up at an accident scene. An additional charge of up to \$30.00 may be charged for each vehicle involved in the accident that requires cleanup and in which the cleanup is actually performed by the towing company. If the clearing of the accident debris takes more than 30 minutes, the towing company may assess additional cleanup fees at the rate of \$5.00 per 15 minutes, or any part thereof after the initial 30 minutes.

(f) Storage Fees. The following storage fees may be assessed against the vehicle owner/custodian for the storage or towed vehicles at either the towing company's facility or a City facility:

- (1) For the first 24-hour period from the time the wrecker arrived at the scene.....no charge
- (2) Each calendar day or portion thereof after the first 24 hours for motor vehicles $\frac{3}{4}$ -ton GVW or less or with dual rear wheels....\$30.00
- (3) Each calendar day or portion thereof after the first 24 hours for motor vehicles larger than $\frac{3}{4}$ -ton GVW or with dual rear wheels ...\$35.00
- (4) Each calendar day or portion thereof after the 10th day of storage for any motor vehicle\$50.00

(Ord. 40-2011. Passed 12-6-11.)

545.11 NOTIFICATION OF REMOVAL.

Within 1 hour from the time of removal of any vehicle by an authorized towing service, the York County Emergency Communications Center shall be notified, by providing the Center with a copy (or facsimile) of the written authorization and shall include the following information:

- (a) The make, model, color, and registration number
- (b) State of registration
- (c) Address from where vehicle was removed
- (d) Date and time of removal
- (e) Towing fee
- (f) Name and 24-hour telephone number of the towing company
- (g) Location where the vehicle may be claimed by the owner

(Ord. 40-2011. Passed 12-6-11.)

545.12 NOTIFICATION OF REMOVAL AND IMPOUNDING DUE TO CITY REQUEST.

By the next business day, from the time of removal of any vehicle illegally parked or immobilized, notice of the fact of the removal and impounding shall be sent, in writing, by the York Police Department to the registered owner of the vehicle. The notice shall advise the location from where such vehicle was removed, the reason for its removal, and the location of the storage facility where the vehicle is impounded.

(Ord. 40-2011. Passed 12-6-11.)

545.13 RECORDS OF VEHICLES TOWED OR STORED.

(a) Every licensed towing company providing service at the request of the City shall make a written record of each vehicle towed or stored consisting of the following information:

- (1) Registration plate number and State
- (2) Time call was received
- (3) Spot or ticket time
- (4) Time wrecker arrived at the scene

- (5) Dates of accumulated unpaid parking tickets (if applicable)
- (6) Date vehicle was returned to owner/custodian
- (7) Towing and storage charges for each towed vehicle

(b) Every licensed towing company, on or before the 15th day of each month, shall send a copy of their towing records for the previous month that includes the information listed in subsection (a)(1) through (7) hereof. These records shall be maintained for at least 2 years and shall be subject to inspection by the Chief of Police.
(Ord. 40-2011. Passed 12-6-11.)

545.14 AUTHORIZATION FOR REMOVAL.

No motor vehicle shall be removed from private property, except as authorized in subsection (b) hereof, under the authority of this article unless:

- (a) Written authorization for the vehicle to be removed is provided to the authorized towing company, in duplicate, signed by the owner or agent of the owner or the person having control of the property upon which the vehicle is left unattended. The authorization form shall be similar to the one hereinafter set forth and shall be completed at the time the vehicle is to be towed by the aforementioned person or persons.

You are hereby authorized to tow the following illegally parked vehicle from the parking lot/space indicated below. This lot is either owned and/or leased by (name of lot owner/manager).

The vehicle and location are described as follows:

MAKE _____

MODEL _____

YEAR _____

COLOR _____

LICENSE NUMBER AND STATE _____

LOT/LOCATION _____

Name/Address of Towing/Immobilizing Service: _____

authorized signature _____

please print name here _____

(b) No vehicle shall be towed from a private parking lot unless the lot is posted at the time the vehicle is towed to notify the public of any parking restrictions and the operator of the vehicle violates those restrictions. Posting shall be in conformance to the Rules and Regulations set forth in Annex A, Title 67, Transportation, Part I, Department of Transportation, Subpart A, Vehicle Code Provision, Article VIII, Administration and Enforcement, Chapter 217, Posting of Private Parking Lots. The tow company is also required to include its telephone number on all signs.

(c) Signs as required in subsection (b) hereof and, in addition to the number of signs required by subsection (b) hereof, shall be in place and evenly spaced in the parking lot based upon the number of available parking spaces as follows:

26 - 50 parking spaces require 1 additional sign

51 - 75 parking spaces require 2 additional signs

76 - 100 parking spaces require 3 additional signs, etc.

(d) In addition to the posting of private parking lots as required in subsection (b) hereof, the Chief of Police may require additional signs be posted and/or that the posted signs be altered. (Ord. 40-2011. Passed 12-6-11.)

545.15 EFFECT OF PAYMENT OF TOWING AND STORAGE CHARGES
WITHOUT PROTEST.

The payments of any towing and storage charges, authorized by this article shall, unless made "under protest," be final and conclusive and shall constitute a waiver of any right to recover the fees paid.

(Ord. 40-2011. Passed 12-6-11.)

545.16 RECORD OF VEHICLES REMOVED/IMPOUNDED.

The Chief of Police or designee shall keep a record of all illegally parked and/or immobilized vehicles impounded and shall be able at all reasonable times to furnish the owners/custodians with information as to the location of the storage facility where such vehicles are impounded.

(Ord. 40-2011. Passed 12-6-11.)

545.17 OWNER/OPERATOR LIABLE FOR FINE/PENALTY.

The payment of towing and storage charges authorized by this article shall not operate to relieve the owner or operator of any vehicle from liability for any fine or penalty for violation of any law or ordinance on account of which such vehicle was removed and impounded. (Ord. 40-2011. Passed 12-6-11.)

545.18 REMOVAL TIME LIMITATIONS.

(a) Non-Metered Private Lots. A motor vehicle found to be illegally parked or disabled on private property and otherwise authorized to be legally removed may not be removed from the property for 15 minutes if the discovery of the motor vehicle was made by the towing company in which case the towing company shall include the discovered time and the removal time on the "Notification or Removal" as required in Section 545.11. If the discovery of the illegally parked or disabled motor vehicle was made by the property owner and the towing company was requested to remove the illegally parked or disabled vehicle, the motor vehicle may be removed immediately. If an illegally parked vehicle is discovered parked blocking the entrance or exit to or from private property, in a marked and signed fire lane, in a marked and signed handicapped space or wholly or partially on a lawn the vehicle may be towed immediately.

(b) Metered Private Lots. A motor vehicle found to be illegally parked or disabled at a metered parking space on private property may not be removed from the property unless the illegally parked vehicle has 3 or more consecutive unpaid parking tickets over the course of 3 or more calendar days, or 3 or more accumulated parking tickets in at least a 12-hour period of time. If a motor vehicle is towed from a metered parking space on private property, the towing company shall include the specific dates of the unpaid parking tickets on the "Records of Vehicles Towed or Stored" in Section 545.13.

(Ord. 40-2011. Passed 12-6-11.)

545.19 COMPLAINTS AGAINST LICENSED TOWING COMPANIES.

The Chief of Police shall notify the towing company owner within 14 days of receipt of any complaint against a towing company that will be investigated by the Police Department. Complaints by City of York employees against a towing company shall be brought to the attention of the Chief of Police within 7 calendar days.

(Ord. 40-2011. Passed 12-6-11.)

545.20 FINANCIAL INTERESTS OF PRIVATE PROPERTY OWNER AND TOWING COMPANY PROHIBITED.

Towing companies are prohibited, either directly or indirectly, from giving or furnishing a rebate or payment of money or any other valuable consideration to a property owner from whose premise the towing company has, is about to, or will remove motor vehicles. Property owners are prohibited from accepting or giving, either directly or indirectly, any rebate, payment of money, or any other valuable consideration from or to a towing company in connection with the removal of a motor vehicle from private property except for signs and notices as required in Section 545.14. Property owners are prohibited from having a direct or indirect monetary interest in a towing company that, for compensation, removes motor vehicles from their private property. This section is not intended to prohibit the issuance of parking tickets to illegally parked vehicles.

(Ord. 40-2011. Passed 12-6-11.)

545.21 SCHEDULE OF FEE REVIEW.

All charges and fees authorized by this article shall be reviewed by the Chief of Police after 2 years (but no more than 3 years of the effective date of this article) and every 2 to 3 years thereafter. This section shall only be in effect when the Chief of Police receives a written request from a licensed towing company owner to review the charges and fees within 90 days prior to the scheduled review date. Any rate changes in response to the written request to the Chief of Police shall be made within 90 days after having received the request.

(Ord. 40-2011. Passed 12-6-11.)

545.22 PENALTY.

Any towing service that operates within the Municipality of York towing vehicles from private property in accordance with the Vehicle Code and is not an authorized towing service, as defined within this towing regulation, shall be subject to a fine, upon conviction, of not less than \$200.00 nor more than \$400.00 for the first violation and not less than \$300.00 nor more than \$600.00 for each subsequent violation.

(Ord. 40-2011. Passed 12-6-11.)

545.23 TERMINATION OF LICENSE.

Any towing company or its employee who violates any provision of this article (except Section 545.09) shall be issued a written warning for the first violation during any calendar year. Any subsequent violation during the same year may cause the termination of the towing company's license. The towing company is not entitled to a warning for violation of any provisions of Section 545.09 and may have their license terminated for the first and/or subsequent violations of this section. The towing company shall be notified in writing no less than 5 calendar days prior to the termination of its license. The notice of termination shall state the reason(s) for termination and the effective date of termination. The towing company shall have 14 calendar days to appeal the termination in writing to the Chief of Police. The Chief of Police or his/her designee shall hold the hearing within 10 calendar days of written receipt of the towing company's request for an appeal. The towing company may appeal the Chief's decision, in writing, to City Council within ten (10) calendar days of the receipt of the Chief's decision.

(Ord. 40-2011. Passed 12-6-11.)

545.24 FINES AND PENALTY FOR VIOLATION.

Upon conviction of any provision of this article, in addition to the penalty listed in Section 545.23, a towing company may be fined not less than \$300.00 or more than \$600.00. Additionally, upon conviction of any provision of Section 545.09, a towing company shall have their license revoked for a period of 1 year.

(Ord. 40-2011. Passed 12-6-11.)

545.25 SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, or phrase of this article shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the article, which shall remain in full force and effect, and for this purpose the provisions of this article are hereby declared to be severable.
(Ord. 40-2011. Passed 12-6-11.)