

**ORDINANCE NO 2023 -**

**BOROUGH OF PHOENIXVILLE  
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE PHOENIXVILLE BOROUGH COUNCIL, CHESTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, "MOTOR VEHICLES AND TRAFFIC," PART 4, "GENERAL PARKING REGULATIONS," SECTION 15-410, "RESIDENTIAL PERMIT PARKING"; SECTION 15-412 "PARKING LOT NO. 2 RENTAL FEE"; SECTION 15-417 "PARKING LOT PERMITS"; SECTION 15-422 "PENALTY FOR VIOLATION"; AND PART 7 "METERED PARKING LOTS," SECTION 15-712 "EXCEPTIONS" OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE**

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

**SECTION 1.**

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

Subsection 2

**ELIGIBLE EMPLOYEE**

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

Subsection 6

B. The permit shall display ~~the license plate number of the motor vehicle, the residential parking area number and the expiration date~~ the unique permit number assigned and or be filed electronically in the Borough's parking permit system.

Subsection 7

B. Temporary Permit Issuance.

- (1) Upon receipt of a contractor application and the permit fee, and determination by the Borough that the information upon the application shows that the applicant is entitled to a contractor parking permit, the Borough Manager or his/her designee shall issue to the applicant a contractor parking permit, which shall be valid for up to 30 days. No more than two contractor parking permits shall be issued for any eligible property which is adjacent to a street or other location within a residential parking permit area. The permit shall display ~~the license plate numbers of the~~

~~motor vehicle~~, the residential parking area number and the expiration date. The permit shall be renewable on or before the expiration date, upon making application for renewal and payment of the permit fee. It shall be unlawful and a violation of this section for any contractor to display other than a current and valid permit while standing or parking in a residential permit parking area at any time when those permits are to be displayed.

## **SECTION 2.**

Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," §15-412 "Parking Lot No. 2 Rental Fee," is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

### **§15-412      Parking Lot No. 2 Rental Fee**

## **SECTION 3.**

Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," §15-417 "Parking Lot Permits," is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletion of language and underlined interlineations indicating insertions of language:

3.      Issuance of Parking Lot Permits Upon Payment of Fee. The Borough Manager or ~~his~~ their designee shall determine if an applicant is eligible for a parking lot sticker. If the Borough Manager or ~~his~~ their designee determines that an applicant is eligible for a parking lot sticker, the same shall be issued to any such eligible applicant for use with only the vehicle identified on the application by vehicle make, model and license plate number, upon payment to the Borough of Phoenixville ~~in a monthly amount, which amount shall be determined by resolution of the Borough of Phoenixville from time to time~~ in an amount as established in the Master Fee Schedule of the Borough of Phoenixville. The number of parking permits issued shall be limited to the total number of parking spaces in Borough Parking Lots designated for permit parking Permits are issued on a first come-first serve basis. There are no guaranteed parking spots.
  
4.      Validity of Parking Lot Permits.
  - A.      The parking lot permits provided herein shall be valid for ~~one to three calendar months~~ one to twelve months in a calendar year and the entire parking lot sticker fee provided ~~by resolution of the Borough of Phoenixville~~ in an amount as established in the Master Fee Schedule of the Borough of Phoenixville, shall be payable upon issuance of the parking lot sticker, irrespective of the date of the month of the issuance of the sticker. The recipient of a parking lot sticker issued as provided herein shall prominently display the sticker on the recipient's motor vehicle whereupon the recipient shall have the privilege of parking, without paying any additional parking fee, in any Borough of Phoenixville parking lot so designated for such parking and for which a charge for parking is otherwise made.

~~B. The Borough Manager or his designee shall, on application and payment of the parking permit fee, issue parking lot permits to eligible applicants on a month to month basis or issue a series of stickers valid for consecutive months, as the Borough Manager or his designee deems appropriate and convenient.~~

#### **SECTION 4.**

Chapter 15, "Motor Vehicles and Traffic," Part 7, "Metered Parking Lots," Section 15-422, "Penalty for Violation," is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Any person violating any provision of this Part shall, for each and every such violation and upon conviction thereof, be sentenced to pay a fine of ~~\$20 plus costs, except for a violation of § 15-419G, parking in a fire zone, for which the fine shall be \$25 plus costs~~ in an amount as established in the Master Fee Schedule of the Borough of Phoenixville and violation of § 15-419M, parking in any place where official signs prohibit or restrict parking, for which the fine will be that posted on the official sign or, in default of payment of said fines and costs, to undergo imprisonment for not more than five days.

#### **SECTION 5.**

Chapter 15, "Motor Vehicles and Traffic," Part 7, "Metered Parking Lots," Section 15-712, "Exceptions," is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

1. Any vehicle with a valid Borough of Phoenixville Residential/Employee parking lot permit may park in Borough Parking Lot Nos. 1, 3 & 4 and shall not be found in violation of §§ 15-705 and 15-708.
2. Any vehicle with a valid Municipal Building (347-351 Bridge Street) Parking Lot Permit may park in Borough Parking Lot Nos. 4 & 5 and shall not be found in violation of §§ 15-705 and 15-708.
3. During the period from March 15 through August 15 for each year during the hours of 3:00 p.m. and 11:00 p.m., Monday through Friday and 8:00 a.m. to 11:00 p.m. on Saturday and Sunday, and 8:00 a.m. to 11:00 p.m., Monday through Friday when hosting tournaments, showcases, or similar events previously approved by the Borough Manager Parking Lot 6 is for the exclusive use of the Babe Ruth League of Phoenixville, Inc. and shall not be found in violation of §§ 15-705 and 15-708.
4. Any vehicle with a valid ~~Customers Bank Building~~ Ashland Street (99 Bridge Street) Parking Lot Permit may park in Parking Lot 7 and shall not be found in violation of §§ 15-705 and 15-708.
5. Any vehicle with a valid Business Parking Lot Permit may park in Parking Lot 9 and shall not be found in violation of §§ 15-705 and 15-708 provided that:

- A. Permits are only valid from 6:00 am to 4:00 pm Monday through Friday only.
  - B. Businesses with addresses in the unit blocks of Hall Street, Walnut Street and Morgan Street between Church Street and Washington Avenue.
  - C. Business with addresses in the 100, 200 and 300 blocks of Church Street.
  - D. Businesses issued Permits for Lot 9 are not eligible for Zone “A” Business Passes.
  - E. Lot 9 Permits are not authorized for use in any other Borough managed parking lot.
- 5 6. By resolution, the Borough of Phoenixville may temporarily suspend the provisions of this Part requiring payment into parking meters and establishing a maximum parking time in parking meter lots.
- ~~6~~7. The Borough of Phoenixville shall have authority to establish no-parking or special-purpose-parking zones within any metered parking lot and to remove metered parking from those lots. The provisions of this Part shall not apply in those areas where no parking or special purpose parking is in effect.

#### **SECTION 6.**

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or section hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, part or section thereof not been included herein.

#### **SECTION 7.**

All Ordinances or parts of Ordinances conflicting or inconsistent herewith are hereby repealed.

#### **SECTION 8.**

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

**PASSED** by Borough Council this 12th day of December, 2023.

By: \_\_\_\_\_  
Jonathan M. Ewald  
President, Borough Council

**APPROVED** by the Mayor, this 12th day of December, 2023.

By: \_\_\_\_\_  
Peter J. Urscheler, Mayor

**ENACTED**, this 12th day of December, 2023.

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

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 12th day of December, 2023.

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