CARBON COUNTY
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 2020-____

AN ORDINANCE OF THE COUNTY OF CARBON ESTABLISHING AND PROVIDING FOR PARKING KIOSKS/MULTI SPACE PARKING METERS; ESTABLISHING KIOSKS ZONES; ESTABLISHING AND REGULATING UNMETERED PARKING LOTS; REGULATING PARKING, TICKETING, AND PROVIDING PENALTIES FOR VIOLATION

IT IS HEREBY ORDAINED AND ENACTED by the Board of Commissioners of Carbon County as follows:

1. ORDINANCE NO. 2008-01, ORDINANCE NO. 2013-02, ORDINANCE NO. 2014-01, AND ORDINANCE NO. 2018-04 ARE HEREBY DELETED AND REVOKED IN THEIR ENTIRETY.

I. GENERAL REGULATIONS

§ 101 – Short Title

This Ordinance shall be known and may be cited as the CARBON COUNTY PARKING ORDINANCE.

§ 102 – Definitions and Interpretation

1. In this Ordinance, the singular shall include the plural and the plural shall include the singular, and the masculine shall include the feminine.

2. All references to “County” in this Ordinance shall mean the County of Carbon.

3. All references to “County Commissioners” in this Ordinance shall mean the Carbon County Board of Commissioners.

4. Words and phrases, when used in this article shall have the meanings ascribed to them in the Vehicle Code (75 Pa. C.S.A. §101 et seq.) as amended, except that in this article, the work “street” may be used interchangeably with the work “highway”, and shall have the same meaning as the word “highway” as defined in the Vehicle Code.

5. The provisions of this article, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this article, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this article shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

6. Kiosk. The term Kiosk may be used interchangeably with Multi Space Parking Meter in this Ordinance.
7. Parking Kiosk Zone. That zone or zones as designated in Section 201 and 301, et. seq and as depicted in Exhibits “A” and “B”.

§103 – Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

§104 – Severability

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

§105 – Effective Date

This Ordinance shall become effective upon enactment and recordation in the Ordinance Book of the County.

§106 – Enforcement

The authorized Parking Enforcement Personnel of the County are hereby empowered to enforce the provisions of this Ordinance.

II PARKING KIOSK ZONES

§201 – Parking Kiosk Zones Established

Parking kiosk zones are established upon certain County owned property situated in the Borough of Jim Thorpe as more fully described in Exhibit A and Exhibit B attached hereto and made part hereof.

* CREDIT CARD CONVENIENCE FEE .25¢
$1.25 CREDIT CARD MINIMUM

1. Validated Parking. Effective January 1, 2022, County residents are eligible for up to two (2) hours of validated/no fee parking in Carbon County Parking Zones 1A, 1B, 2A, 2B, or 3 for prescheduled and coordinated official transactions and activities with a county department under the Commissioner’s purview or validated parking program participating row or court offices. Official transactions may include, but are not limited to, attendance at public meetings, voter registration, veteran services, licensing, tax assessment appeals and inquiries, mapping services, etc.

§202 – Days and Hours Parking Kiosks in Operation and Parking Time Limits Apply

1. Parking Kiosks shall be operated, by deposit of currency, credit card or other approved manners of payment as set forth in Section 205 below, and the parking rates for specified lengths of time as well as the maximum parking times, prescribed in Section 201 shall apply at all
times seven (7) days a week in the parking kiosk zones listed in Section 201 and Section 301. See Exhibit B.

§203 – Placement and Characteristics of Parking

1. Multi-space parking meters/kiosks will be installed in several locations of the parking kiosk zones established by this Ordinance, and such kiosks shall be placed at such key points in the parking district with clear signage to indicate their locations. The parking kiosk zones as designated in Section 201 and Section 301 shall be designated by signage placed by the County.

2. Upon the expiration of time of the parking period, the vehicle shall be in violation of this Chapter and may be ticketed per the terms of this Chapter.

3. Each hour after the date of the initial violation the vehicle remains in the space after the parking time has expired will be considered a separate violation of this Chapter.

§204 – Parked Vehicles to be Wholly within Marked Spaces

Lines and/or markings shall be painted or placed upon the curb, sidewalk or roadway adjacent to each parking space for the purpose of delineating the parking space for which the kiosk shall be used. Every vehicle parked at any parking space shall be parked wholly within the lines or markings so placed and applicable to that space. It shall be unlawful and a violation of this article for any person to park a vehicle across any such line or marking, or to park a vehicle in such a position that the vehicle is not wholly within the area designated by those lines or markings.

§205 – Deposit in Kiosk; Overtime Parking Unlawful

1. Whenever a vehicle is to be parked in the Parking Kiosk Zone during any times designated in Section 201 and Section 301, the driver of the vehicle, upon entering the parking space, shall immediately deposit such currency or other form of payment in a Parking Kiosk.

2. The following methods are the approved means of payment for use of any parking space in a Parking Kiosk Zone:

   A. Deposit of coins and/or bills (U.S. Currency) where applicable in the Kiosk.

   B. Insertion of a valid debit card or credit card in the Kiosk.

   C. By purchasing parking time by using a telecommunication device (ie, phone, computer, mobile device, etc.) through a software application administered by a third-party vendor approved by the County.

§206 – Payment; Overtime Parking Unlawful

1. Whenever a vehicle is to be parked in any parking space in a Parking Kiosk Zone, the operator or driver of the vehicle, upon entering the parking space, shall immediately purchase a desired duration of parking time in a manner approved under Section 205 of this Chapter.

2. Upon making the required payment for legal parking time through a method authorized in Section 205 of this Chapter, the parking space may be lawfully occupied by the vehicle for the time indicated on the Temporary Parking Permit.
3. During the Parking Kiosk hours of operation, if any vehicle remains in any parking space for such length of time that the face of the parking permit/receipt dispensed by the kiosk indicates by proper signal that the lawful parking time has expired, that vehicle shall be considered as having been parked overtime and the parking of a vehicle overtime shall be a violation of this Chapter. Each hour that the vehicle remains in this space after the parking time is expired shall be considered a separate violation of this Chapter.

§207 – Unlawful to Tamper with Kiosk

It shall be unlawful, and a violation of this Chapter, for any person to deface, tamper with, open or willfully break, destroy or impair the usefulness of the Parking Meter Kiosk installed under the provisions of this Chapter. Nothing in this Section shall apply to the servicing or opening of the kiosk by employees, agents or designated individuals of the County under the direction of the County Commissioners.

§208 – Unlawful to Remain Parked After Time Expiration

1. During the hours of parking kiosk operation, it shall be unlawful and a violation of this Article for any person to permit a vehicle to remain in a parking space when either (1) the parking permit/receipt issued by the kiosk indicates that the lawful time is expired and/or (2) where applicable, the parking time purchase for use of such space through the payment software application has expired.

2. Unless authorized under a separate Subsection of this Article, it shall be unlawful, and a violation of this Article, for any person to permit a vehicle to be in a parking space in the Parking Kiosk Zone after expiration of lawful parking as set out in this Ordinance.

§209 – Ticketing of Vehicles Parked Unlawfully; Effective Payment Within 24 Hours

1. It is the duty of the parking enforcement personnel of the County to report: (1) the date and hour of the violation (2) the license number of the vehicle (3) any other factors, the knowledge of which is necessary for a thorough understanding of the circumstances attending the violation.

2. The parking enforcement personnel making the report shall also place on or attach to the vehicle a notice to the owner or driver of the vehicle that the vehicle was parked in violation of this Article instructing the owner or driver that he shall pay, for the use of the County:

   A. Where the parking violation has to do with the parking in the Parking Kiosk Zone, the sum of $15.00 within 48 hours after the time of the notice, the sum of $25.00 when such payment is made more than 48 hours. Payment will save the violator from prosecution and from payment of the fine prescribed in Section 210 of this Article; or

   B. In the case of all parking violations other than a parking kiosk violation, the sum of $20.00 within 48 hours after the time of the notice, or the sum of $30.00 when such payment is made more than 48 hours after the time of notice. Payment will save the violator from prosecution and from payment of the fine prescribed in Section 210 of this Article.
§210 – Violations and Penalties

1. Any person who violates any provisions of this Article with the exception of Section 208, and who fails to pay the fine in accordance with Section 209, shall be cited after 10 days, and sentenced to pay a fine of not more than $50.00 and costs.

2. Any person who violates any provision of Section 208 of this Article shall, upon conviction, be sentenced to pay a fine of not more than $50.00 and costs.

§211 – Exceptions

1. By Resolution, the County Commissioners may temporarily suspend the provisions of this Ordinance requiring payment as set out herein to parking kiosks and establishing a maximum parking time in parking kiosk zones.

2. The County shall have authority to establish no parking or special purpose parking zones with in any parking kiosk zone, and to remove parking kiosks previously installed there, and the provisions of this Ordinance shall not apply in those areas where no parking or special purpose parking is in effect.

3. Designated parking space for the Office of Veterans Affairs will be exempt from payment of parking fee during regular hours of operations when individual is conducting business in the Office of Veterans Affairs.

III PARKING LOT KIOSK ZONES

§301 - Parking Kiosk Lots Established

The following rate are established as parking kiosk lots operated by the County, all of which are in the Borough of Jim Thorpe as set out in Exhibit A and Exhibit B attached hereto and made part hereof.

* CREDIT CARD CONVENIENCE FEE .25¢ ADDED TO APPLICABLE RATES SET OUT HEREIN

§302 - Reserved Parking Spaces for Handicapped May be Provided

The Board of County Commissioners at its discretion, may provide, at convenient and suitable locations in the Parking Kiosk Lots, reserved parking spaced for handicapped, and shall designate those spaced by appropriate signs. It shall be unlawful, and a violation of this Article, for any person to park in any such reserved parking space, any vehicle unless that vehicle bears or displays either: a “handicapped registration plate”, or a “handicapped parking placard”; a “disabled veteran registration plate”, or a “disabled veteran placard”, provided that all provisions, requirements and restrictions contained in the other sections of this Article shall apply to vehicles lawfully parked in reserved parking spaces for handicapped.

§303 - Unlawful to Park Overtime or When Lot Closed

It shall be unlawful for any person to park a vehicle, or to allow a vehicle to remain parked in any Parking Kiosk Lots:
a. For longer than the maximum parking time prescribed by Section 201 of this Article; or

b. At any time when the lot is closed to public use; or

c. No occupied campers or recreational vehicles or other vehicles are permitted in parking lots after 6:00 p.m.

§304 – Parking on Fee Basis Only

The parking spaces in the Parking Kiosk Lots shall be available in exchange for payment of a daily or a monthly fee only. The fee shall be fixed by the Board of Commissioners pursuant to a duly enacted Resolution. The monthly rental fees shall be paid in advance to the Chief Clerk of the County Commissioners for the use of the County. The rental parking spaces shall be assigned by the Chief Clerk of the County Commissioners and said spaces shall be marked “Reserved”.

This Ordinance shall become effective as determined by Resolution of the Carbon County Commissioners.

DULY ORDAINED AND ENACTED this 1st day of October, 2020 by the Carbon County Board of Commissioners in lawful session assembled.

CARBON COUNTY BOARD OF COMMISSIONERS

Wayne E. Nothstein, Chairman

Rocky C. Ahner, Vice-Chairman

Chris L. Lukasevich, Member

ATTEST:

Eloise K. Ahner, Chief Clerk/County Administrator
<table>
<thead>
<tr>
<th>Zone</th>
<th>Kiosk #</th>
<th>Location Description</th>
<th>Principal Zone Use/Access</th>
<th>Monday - Friday 6 a.m. - 6 p.m.</th>
<th>Monday - Friday 6 p.m. - 6 a.m.</th>
<th>Saturday, Sunday &amp; Holidays 6 a.m. - 6 p.m.</th>
<th>Saturday, Sunday &amp; Holidays 6 p.m. - 6 a.m.</th>
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<td>County Lot North</td>
<td>Public &amp; Validated (2 hours)</td>
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<td>County Lot North Central</td>
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<td>County Lot South Central</td>
<td>Employee Reserved/County Vehicles</td>
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<td>County Lot South</td>
<td>Employee Reserved/Rented</td>
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<td>2A</td>
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<td>*Lehigh Ave North/RT 209</td>
<td>Public &amp; Validated (2 hours)</td>
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<td>2B</td>
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<td>*Lehigh Ave South/RT 209</td>
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<td>N/A</td>
<td>No Fee</td>
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<td>*Railroad Station/Hooven Bldg</td>
<td>Public, Validated (2 Hours, &amp; Rented)</td>
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<td>County Lot, Administration Building</td>
<td>Employee Reserved &amp; County Vehicles</td>
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<td>No Fee</td>
<td>No Fee</td>
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<tr>
<td>5</td>
<td></td>
<td>County Lot, 44/76 Susquehanna Ave</td>
<td>Employee, Reserved, &amp; County Vehicles</td>
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<td>No Fee</td>
<td>No Fee</td>
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2 hour maximum parking in Zones 2A, 2B, 3
2 hour validated parking for county residents with pre-scheduled and arranged official business with a row office or county department
**CARBON COUNTY PARKING ZONES**

Kiosks
Status
- Kiosk (Existing)
- Kiosk (Existing) Validated Parking Enabled
- Kiosk (Potential)

Parking Zones
Zones
- 1A; 1B; 1C; 1D - County Lot
- 2A; 2B - Lehigh St & Route 209
- 3 - RR Station Hooven Bldg
- 4 - Admin Bldg Lot
- 5 - 44 & 76 Susquehanna Parking Lot

Kiosks
Status
- Kiosk (Existing)
- Kiosk (Existing) Validated Parking Enabled
- Kiosk (Potential)

Parking Zones
Zones
- 1A; 1B; 1C; 1D - County Lot
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