



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 110757

Introduced October 27, 2011

Councilmember Greenlee

**Referred to the
Committee on Law and Government**

AN ORDINANCE

Amending Chapter 12-2800 of The Philadelphia Code, entitled "Administrative Adjudication of Parking Violations," by providing that additional fees and costs shall be imposed for failure to answer a parking ticket only when a notice of violation, issued with respect to such ticket, has not been answered within a specified period of time, increasing certain penalties and costs, revising the time period required to answer a parking ticket and making certain technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-2800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-2800. ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS

* * *

§ 12-2804. Issuance and Service of Parking Tickets.

* * *

(4) Except as provided in subsection 12-2804(8), a person to whom a parking ticket has been served shall answer within [eight (8)] *fifteen (15)* days after the date the ticket was served. Failure to answer within the prescribed period shall result in the [imposition of] *issuance of a notice of violation stating that* additional fees as set forth in § 12-2809 *shall be imposed if the notice of violation is not answered within the time prescribed therein.*

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§ 12-2805. Notice of Violation.

(1) The Parking Authority shall, at any time within forty-five (45) days after learning of the name and address of the owner of the motor vehicle, send a notice by first class mail to the owner of the motor vehicle, and, if known, to the operator, at the address appearing on the registry of a state department of motor vehicles. The notice of violation shall inform the operator or owner: (i) of the parking violation charged, the time and date of the parking violation, and the amount of fines, costs and additional fees *that shall become due if the notice of violation is not answered within the period prescribed in § 12-2809*; (ii) of the right to request a hearing; (iii) that a civil action may be commenced against the violator for failure to appear or pay the amount due; and (iv) of such other penalties as maybe authorized by [statue] *statute*, ordinance or regulation.

* * *

(3) Except as provided in subsection 12-2804(8), a person to whom a notice of violation has been issued shall answer within [fifteen (15)] *ten (10)* days after the date the notice was issued.

§ 12-2806. Answer.

(1) In answer to a parking ticket or notice of violation, a person to whom such ticket or notice was issued may:

- (a) admit the commission of the violation by payment of the fines, *and any costs and additional fees due*;
- (b) admit with explanation; or
- (c) deny liability and request a hearing with respect to the parking violation.

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§ 12-2809. Civil Penalties and Costs.

(1) The civil penalties prescribed for parking violations under the Philadelphia Traffic Code, and payable by a person to whom a parking ticket or notice of violation has been issued, are as set forth in subsection 12-2809(2) or 2809(4). Except as provided in

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subsection 12-2804(8), the total sum of costs and additional fees payable by a person who fails to answer a [parking ticket within fifteen (15) days after the date the ticket was issued] *notice of violation within ten (10) days after the date such notice was issued*, or by a person who, after a hearing pursuant to Section 12-2807, has an order entered against him sustaining the charges, is [twenty (\$20)] *twenty-five (\$25)* dollars. In the event that payment is not made within thirty (30) days after entry of a final order determining liability for a parking violation or in the event that a person fails to answer a notice of violation *within twenty (20) days after the date of issuance of such notice* or fails to appear at a hearing when required to so, an additional fee of twenty-five (\$25) dollars shall be added to the amount due and a fee shall be charged equal to the cost charged by any state for driver or vehicle information necessary to advance collection of outstanding penalties, costs, fines, and fees.

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SECTION 2. This Ordinance shall become effective 90 days after it becomes law.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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