

HATBORO BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 1053

AN ORDINANCE OF THE BOROUGH OF HATBORO, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 1, ADMINISTRATION AND GOVERNMENT TO AMEND PART 3, SECTION C: THE HATBORO BOROUGH PARKING COMMISSION ORDINANCE, REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 1 of the Code of Ordinances, Borough of Hatboro, Montgomery County, Pennsylvania regulates Administration and Government in the Borough; and

WHEREAS, Borough Council desires to amend the Parking Commission in the Borough to oversee the orderly development and maintenance of adequate public parking facilities in the Borough; and

WHEREAS, the Commission advises Borough Council on matters concerning the operations and maintenance of parking facilities owned or leased by the Borough of Hatboro; and

WHEREAS, the amendment to the Ordinance regulating the Parking Commission is necessary to protect the public health, safety and welfare of the residents, property owners, business owners and visitors to the Borough.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Council of Hatboro Borough, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

I. Chapter 1 of the Code of Ordinances of Hatboro Borough is hereby amended as follows:

Chapter 1: Administration and Government

Part 3: Commissions and Boards

C. Parking Commission

§ 1-321 Title, Legislative Intent, Interpretation.

1. Title. This Part shall be known and cited as the "Hatboro Borough Parking Commission Ordinance."
2. Legislative Intent. It is the intent and purpose of this Part to establish a commission to oversee the orderly development and maintenance of adequate public parking facilities, both on public streets and off-street, within the Borough limits of the Borough of Hatboro, and to advise Borough Council on matters concerning the operations and maintenance of parking facilities owned or leased by the Borough of Hatboro.
3. Interpretation. The provisions of this Part shall be held to be minimum requirements to meet the above stated legislative intent. Where provisions of this Part impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Part shall prevail. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than those of this Part, the provisions of such statute, ordinance, or regulation shall prevail.

§ 1-322 Definitions.

As used in this Part the following terms shall mean:

BOROUGH. The Borough of Hatboro, Montgomery County, Pennsylvania.

BOROUGH COUNCIL. The duly elected Borough Council of the Borough of Hatboro, Montgomery County, Pennsylvania.

BUSINESS PERSON. Any person who maintains an office, building, property, or facility at a fixed location within the Borough limits of the Borough of Hatboro for the purpose of transacting commercial or industrial enterprise or the offering of professional services.

RESIDENT. Any person who has established a place of residence within the Borough limits of the Borough of Hatboro, and which place is recognized as their civil and legal permanent and principal home.

§ 1-323 Borough Parking Commission Created, Terms of Office, Qualifications for Office.

1. Borough Parking Commission Created. The Borough Council of the Borough of Hatboro does hereby create the Borough Parking Commission. The Borough Parking Commission shall consist of five members who shall be appointed by the Borough Council.
2. Terms of Office. The term of office for each Borough Parking Commission member shall be as follows:
 - A. Two members shall serve for a period of one year from the date of the adoption of this Part.
 - B. One member shall serve for a period of two years from the date of the adoption of this Part.
 - C. One member shall serve for a period of three years from the date of the adoption of this Part.
 - D. One member shall serve for a period of four years from the date of the adoption of this Part.

All second and subsequent appointments or reappointments shall be for a period of four years from the expiration of the first term appointments. Borough Council shall fill vacancies occurring on the Borough Parking Commission upon expiration of terms or in the case of death, resignation, or incapacity by interim appointments of members to serve the unexpired term.

3. Qualifications for Office. Borough Council shall make initial appointments and fill vacancies with candidates who meet the following qualifications to insure a fair representation of the community.
 - A. Three of the members shall be residents of the Borough of Hatboro.
 - B. One member must be an active Business Person who maintains a place of business within the Borough of Hatboro, but need not own property or reside in the Borough of Hatboro.
 - C. One member shall be selected at the complete discretion of the Borough Council.

§ 1-324 Meetings and Organization.

1. Meetings. The Borough Parking Commission shall meet regularly, generally on a monthly basis, at a time and date and place to be determined by the members of the commission. Notice of meetings shall be published in the usual manner by the Borough Secretary and all regular monthly meetings held by the Borough Parking Commission shall be open to the public.
2. Organization. The Borough Parking Commission shall, at their first meeting after creation, elect from among themselves a chairman and a secretary, and shall thereafter re-organize annually at the first meeting in the New Year.

§ 1-325 Duties and Responsibilities.

1. The Borough Parking Commission shall have the duty to make reports to Borough Council on the status of Borough owned or leased parking facilities and all on-street parking within the Borough of Hatboro.
2. The Borough Parking Commission shall have the duty to supervise the operation and maintenance of all Borough owned or leased parking facilities.
3. The Borough Parking Commission shall have the responsibility to recommend to Borough Council the setting of hours of operation, setting of fees for usage and methods of collection of fees for all Borough owned or leased parking facilities.

4. The Borough Parking Commission shall review all proposals for changes of on-street parking regulations and make recommendations to Borough Council prior to any action by Borough Council.
 5. The Borough Parking Commission shall review all proposals for construction of all Borough owned or leased off-street parking facilities and shall make recommendations to Borough Council prior to any action by Borough Council.
 6. The Borough Parking Commission shall review any proposed private parking development submitted to it by the developer and may make recommendations or offer suggestions that may result in the enhancement of off- street pairing in the Borough of Hatboro.
 7. The Borough Parking Commission shall prepare an annual budget to be presented to Borough Council for consideration by Borough Council for inclusion in the Borough budget, for the operation, maintenance and proposed capital improvements of all parking facilities owned or leased by the Borough. The budget shall include anticipated revenues as well as proposed expenditures.
 8. Borough Council may direct other duties and responsibilities to the Borough Parking Commission as appropriate and permitted by law.
- II.** The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the Code of Ordinances of Hatboro Borough.
- III.** This ordinance shall be effective immediately upon its legal enactment by the Borough Council of the Borough of Hatboro.


Ordained and enacted, by the Council Members of Hatboro Borough, Montgomery County, Pennsylvania, this 19 day of NOVEMBER, 2018.

ATTEST:


HATBORO BOROUGH COUNCIL



 By: Diane Hegele,
 Borough Manager



 By: George Bollendorf,
 President



 By: Nancy Gaenst
 Mayor