

ORDINANCE NO. 3168

**AN ORDINANCE OF THE TOWNSHIP OF UPPER DARBY, COUNTY OF DELAWARE,
COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 7,
ADMINISTRATIVE CODE, ABOLISHING THE PARKING ENFORCEMENT
DEPARTMENT AND ASSIGNING PARKING ENFORCEMENT DUTIES TO THE
POLICE DEPARTMENT; REPEALING ALL INCONSISTENT ORDINANCES OR
PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, pursuant to Article VIII, Section C-801 of the Home Rule Charter of the Township of Upper Darby, the Township Council ("Council") is authorized to establish departments, office, or agencies deemed necessary for the conduct of Township affairs and may prescribe their functions;

WHEREAS, pursuant to Article VIII, Section C-802 of the Home Rule Charter of the Township of Upper Darby, the Council shall adopt an Administrative Code describing all Township departments, offices, and agencies and their functions, and Section C-802 authorizes the Chief Administrative Officer to promulgate regulations dealing with the internal organization of departments;

WHEREAS, by Ordinance No 2814, enacted July 20, 1994, a Parking Enforcement Department was established;

WHEREAS, the Chief Administrative Officer has reviewed the performance and necessity of a continuing, independent Parking Enforcement Department;

WHEREAS, the Chief Administrative Officer has determined that to best serve the needs of the Township, the Parking Enforcement Department should be abolished, and Parking Enforcement duties should be assumed by the Police Department;

WHEREAS, Council has considered the recommendations of the Chief Administrative Officer and has concluded that to best serve the health safety, and welfare needs of the Township Parking Enforcement duties should be assumed by the Police Department;

WHEREAS, Council has considered the recommendations of the Chief Administrative Officer and concluded that there is no longer a need for a Parking Enforcement Department, as Parking Enforcement Duties will best be addressed by the Police Department;

WHEREAS, Council desires to abolish the Parking Enforcement Department and assign Parking Enforcement Duties to the Police Department; and,

WHEREAS, Council, after due consideration of the proposed ordinance at a duly advertised public meeting, has determined that the health, safety and general welfare of the residents of Upper Darby Township will be served by this amendment of the Upper Darby Code.

NOW, THEREFORE BE IT ORDAINED, Sections 7-11, 7-23, and 7-19 of Chapter 7, Article V shall be amended as follows (text to be deleted shown as ~~{strikethrough}~~, text to be added shown as underline):

Section 1.

§ 7-11 Administrative organization.

~~(10) Parking Enforcement Department—Director.~~

~~§ 7-23 Parking Enforcement Department.~~

~~A. Function. The Parking Enforcement Department shall be responsible for the installation, maintenance, and repairs of all parking meters throughout the Township and for the collection of parking meter fees and enforcement of all laws and ordinances pertaining to illegally parked vehicles.~~

~~B. Department head. The Parking Enforcement Department shall be headed by a Director, who shall be responsible to the Mayor and Chief Administrative Officer for the performance of the functions of the Department.~~

~~C. Duties. The duties of the Director shall be to:~~

~~(1) Provide for the installation, maintenance, and repair of all parking meters;~~

~~(2) Provide for the collection of all fees which are deposited in parking meters and of all fines paid for violation of parking ordinances;~~

~~(3) Enforce all ordinances and laws pertaining to illegally parked vehicles;~~

~~(4) Keep and maintain all records of parking tickets;~~

~~(5) Issue citations for all unpaid parking tickets;~~

~~(6) File and prosecute all citations for unpaid parking tickets with the District Court;~~

~~(7) Keep and maintain records of all money collected from parking tickets, meter rentals, and parking lot rental spaces; and~~

~~(8) Deposit with the Finance Department all money collected from parking rentals and fines paid for violation of parking ordinances.~~

Section 2.

§7-19 Department of Police

E. Parking Enforcement. The Department of Police shall be responsible for the installation, maintenance, and repairs of all parking meters throughout the Township and for the collection of parking meter fees and enforcement of all laws and ordinances pertaining to illegally parked vehicles. A lieutenant, assigned by, and responsible to, the Superintendent shall be responsible for the performance of the following functions:

1. Provide for the installation, maintenance, and repair of all parking meters;
2. Provide for the collection of all fees which are deposited in parking meters and of all fines paid for violation of parking ordinances;
3. Enforce all ordinances and laws pertaining to illegally parked vehicles;
4. Keep and maintain all records of parking tickets;
5. Issue citations for all unpaid parking tickets;
6. File and prosecute all citations for unpaid parking tickets with the District Court;
7. Keep and maintain records of all money collected from parking tickets, meter rentals, and parking lot rental spaces; and
8. Deposit with the Finance Department all money collected from parking rentals and fines paid for violation of parking ordinances


Section 3. If any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

Section 4. All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.


Section 5. This Ordinance shall be effective immediately.

ENACTED and **ORDAINED** this 7th day of August, 2024.

ATTEST:


MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY:



HAFIZ TUNIS, JR.
PRESIDENT OF COUNCIL

Ordinance No. 3168 is APPROVED this 7th day of August, 2024.

ATTEST:


CRANDALL O. JONES
CHIEF ADMINISTRATIVE OFFICER

BY:


EDWARD BROWN
MAYOR