BOROUGH OF OAKMONT
ORDINANCE NO. O3 of 2024

AN ORDINANCE OF THE BOROUGH OF OAKMONT, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND UPDATING THE BOROUGH CODE OF ORDINANCES, CHAPTER 195, VEHICLES AND TRAFFIC, BY UPDATING PARKING RESTRICTIONS TO ADDRESS PARKING AT ELECTRIC VEHICLE CHARGING STATIONS AND AMENDING BOTH CHAPTERS 139 AND 195 TO UPDATE LANGUAGE FOR PARKING FOR PERSONS WITH A DISABILITY

WHEREAS, Oakmont Borough has recently installed electric vehicle charging stations at the Third Street Parking Lot and plans to install additional electric vehicle parking stations in public parking areas in the future; and

WHEREAS, to ensure the electric vehicle charging stations are available for use by those with electric vehicles the Borough wishes to set regulations for the use of such public parking spaces; and

WHEREAS, the Borough, while reviewing its parking ordinances has found the language used for parking spaces for persons with a disability to be outdated and in need of being updated.

NOW THEREFORE, IT IS ORDAINED and ENACTED by the Council of the Borough of Oakmont, Allegheny County, that the following amendments are adopted.

I. Chapter 139 is amended with the following changes:

1. Article I. shall be replaced in total with the following:

Article I. Parking for Persons with a Disability

§ 139-1. Application and renewal process established.

The Borough hereby establishes an initial application and renewal process for persons with a disability or severely disabled veterans to demonstrate eligibility or a continued need for a designated parking space.

§ 139-2. Application procedures.

A. Persons with a Disability Parking Place Applications shall be available on the Oakmont Borough website and at the Borough Offices.

B. The completed application shall be returned to the Borough Office, along with proper fee payment.

C. The application shall be approved or disapproved within 60 days of the date of application.

D. Approved applications, along with fee payment, shall then be signed off on by both the Borough Manager and Chief of Police, and a Persons with Disability Parking Place Work Order shall be generated from the Manager for the installation of the persons with a disability parking place.

E. Disapproved applications shall be returned to the applicant, along with the fee payment.

F. The Persons with a Disability Parking Place Work Order, along with a copy of the approved application and location diagram, shall be generated from the approved application, thereby authorizing the Borough of Oakmont Street Department to perform the necessary work to install a persons with a disability parking place.

G. A list of approved persons with a disability parking places will be maintained by the Oakmont Police Department. The list shall be updated each year, immediately after the annual March 1 to March 31 renewal period, and a copy of the list provided to the Office of the Borough Manager.

H. Applicants shall be advised that, once a persons with a disability parking place is created enforcement must be initiated by prompt complaint to the Oakmont Police Department.

§ 139-3. Renewal procedures.

A. All persons with a disability parking privileges are subject to renewal each year by way of the Persons with Disability Parking Place Yearly Renewal application regardless of the date when the parking privileges were granted initially.

B. The renewal period for persons with a disability parking privileges shall be between March 1 and March 31 of each year; renewal applications shall be filed with the Oakmont Police Department.

§ 139-4. Fees.

A. All completed applications must be accompanied by a check or money order, made payable to the Borough of Oakmont in an exact amount as may be determined by Oakmont Borough Council from time to time.

B. Oakmont Borough Council, or its designee, may waive this fee in case of financial hardship.

§ 139-5. Violations and penalties.

The Borough of Oakmont reserves the right to revoke any parking privileges based on founded complaints of abuse. Confirmed abuse of persons with a disability parking privileges will result in removal of the designated parking place.

II. Chapter 195, Article IX, is amended with the following changes:

1. Sections 195-72 and 195-73 shall be replaced in total with the following:

§ 195-72. Public parking for persons with a disability.

A. No person, except for persons parking vehicles lawfully bearing a disabled or severely disabled veteran registration plate, or displaying a Persons with Disability Parking Placard, when such vehicles are being operated by or for the transportation of a person with a disability or a severely disabled veteran, shall park a vehicle on public or private property reserved for a person with a disability or severely disabled veteran, which property has been so posted in accordance with Pennsylvania Department of Transportation (hereinafter "PennDOT") regulations and PennDOT-approved signs. Any vehicle which is unlawfully parked in a designated person with a disability parking area may be removed from that area by towing and may be reclaimed by the vehicle owner upon payment of the towing costs.

B. Unauthorized use. An operator of a vehicle bearing a disabled or severely disabled veteran plate, or displaying a Persons with Disability Parking Placard or severely disabled veteran parking placard, shall not make use of the parking privileges accorded to persons with a disability and severely disabled veterans under Subsection A unless said operator is a person with a disability or a severely disabled veteran, or unless the vehicle is being operated for the transportation of a person with a disability or severely disabled veteran.

§ 195-73. Residential parking for persons with a disability.

A. No person shall park a vehicle, or allow the same to remain parked, upon any areas or parts of areas designated as a parking for persons with a disability unless said vehicle is properly registered or placarded and is used primarily for the conveyance of a person with a disability or severely disabled veteran who has applied for, and received, authorization from Oakmont Borough Council, or its designee, to install a parking place for a person with a disability.

B. A current list of approved residential parking places for persons with a disability shall be maintained by the Oakmont Police Department as per Oakmont's Parking Policy for Persons with a Disability. Said list shall be made available to any interested party for inspection.

2. Section 195-74 shall be amended as follows:

§ 195-74(B) the chart shall be updated to include a fine for violations of the new Electric Vehicle Charging Stations Section:

Section	Paid Within 5 Days	Fine Under Traffic Citation
195-___, Unauthorized use of electric vehicle charging stations	$10	

3. Section 195-74(C) shall be amended so that the phrase "Public handicapped parking" is replaced with "Public parking for persons with a disability."

4. A new Section "Electric Vehicle Charging Stations" shall be added with the following:

Electric Vehicle Charging Stations

A. The Borough hereby establishes policies and regulations regarding the use of publicly available electric vehicle charging stations installed within the Borough.

B. Only electric powered vehicles, meaning any vehicle that operates either partially or exclusively on electrical energy and can be charged from the electric charging station installed at the parking location, may park in any spots designated with signage providing for Electric Vehicle Parking Only.

C. Parking at any public electric vehicle charging stations shall be limited to the lesser amount of any posted time restriction for parking on any street or portion of street where the parking spot is located, or to a limit of no more than four consecutive hours.

D. The Borough shall establish, by resolution, reasonable charges for the use of electrical energy supplied from the electric vehicle charging stations.

III. Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

IV. 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 Borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

BE IT ORDAINED AND ENACTED this 17th day of June, 2024.

ATTEST:

Secretary

BOROUGH OF OAKMONT

By: _____
President, Borough Council

Examined and approved the _____day of _____, 2024.
This Ordinance recorded in the Borough Ordinance book at Volume/Page _____, on

_____, 2024, by the undersigned.

_____
Borough Secretary

_____
Mayor, Borough of Oakmont