

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MINUTES
MARCH 25, 2019

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Mr. Charles Strauss, Mr. Christopher Berger, Ms. Patricia Lawson and Mr. John Lawver. Staff present included: Mayor Theodore Streeter, Borough Manager Charles Gable, Borough Secretary Sara Stull, Borough Solicitor Harold Eastman, Planning Director Becky LaBarre, Parking Manager Richard Miller, Public Works Director Robert Harbaugh, and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Linda Atiyeh, Gallery 30, 26 York Street; Gary Shaffer, 141 East Middle Street; Mike Shestok, 264 Baltimore Street; and Becka Fissel, Gettysburg Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times*, and filming Community Media-ACCTV.

President Naugle announced that an executive session of the Borough Council was conducted immediately following the adjournment of the March 11, 2019 monthly general business meeting consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act.

President Naugle announced that an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's work session consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment of employees and/or former employees of the Borough; (2) to receive information and discuss the possible purchase or lease of real property by the Borough; and (3) to consult with its solicitor and other professional advisors regarding information and strategy in connection with litigation filed in the Adams County Court of Common Pleas to Docket No. 19-S-206 captioned Linda Atiyeh, et al., Plaintiffs v. Borough of Gettysburg, et al., Defendants.

Public Comment

Mike Shestok, 264 Baltimore Street said that he doesn't agree with the 150-foot cell tower that AT&T presented to the Planning Commission to be placed at the Gettysburg Fire Department. He said that the new kiosks that have been place in certain areas of the Borough are difficult for most people to understand.

Gary Shaffer, 141 East Middle Street expressed his concern about the 150-foot cell-phone tower stating it's an "unacceptable obtrusion." He asked Borough Council to go on record opposing the cell tower.

New Business

AT&T Cell Tower (150 ft.) Recommendation

Planning Director LaBarre said that AT&T submitted the proposal along with “a thick packet” of information which the Planning Commission received on Sunday evening prior to their Monday evening meeting. Councilman Strauss said that after the Planning Commission voted, they felt that they should have spent more time deliberating, and also had more time to review the packet. Councilman Heyser suggested that Council send the Gettysburg Fire Department a letter asking them to withdraw the proposal since they are the owner of the property. Solicitor Eastman advised Council not to weigh in because they have no jurisdiction, and that they have spoken through the existing ordinance. He said that the ordinance only authorizes the planners to make a recommendation and advise whether the proposal is consistent with the zoning and that the decision is made entirely by the Zoning Hearing Board.

Council President Naugle asked Councilman Heyser and Manager Gable to prepare a draft letter to the Gettysburg Fire Department requesting that they reconsider its intention to lease property for a cell-tower. It will be placed on the agenda for Council approval at the April 8th meeting.

GARA-BORO MOU

Chad Clabaugh said that he met with Gettysburg Area Recreation Authority (GARA) representatives to discuss the Borough taking clean fill and dirt from construction projects, and placing it in problem wet areas of the recreation park. He said that GARA was agreeable and asked for a Memorandum of Understanding (MOU) between the Borough and GARA.

Council members were in favor of this and asked that the MOU be placed on the April Council agenda for approval.

RTK Amendments Petition

Manager Gable said that municipalities are adopting a resolution to amend the Pennsylvania Right-to-Know Law to safeguard it from people abusing it. He said that it will protect personal information of agency employees. Manager Gable said that changes could include “recuperative compensation” to cover research costs. He recommended that Council consider adopting this resolution

Council members were in favor of this and asked that a resolution be placed on the April Council agenda for adoption.

DCNR GIL Grant Application

Council President Naugle reported that the application for a grant agreement for the Gettysburg Inner Loop is prepared for submission to the Department of Conservation and Natural

Resources (DCNR) for construction work. She said that a resolution will need to be prepared for inclusion with the application.

Council members were in favor of this and asked that a resolution be placed on the April Council agenda for adoption.

Parking PILOT Feedback

Parking Manager Miller gave a brief overview of the current pilot parking meter program. He said that it involves single-space “smart” meters and several multi-space kiosks from various vendors placed at various locations. He noted that coins were used in 60 percent of recent transactions compared to 40 percent card usage. Coin users occupied spaces for an average of 30 minutes, and card users averaged about two hours. Manager Miller said most feedback is from unhappy users because the new system requires entering the license plate number. Manager Miller reported that another pilot program is planned to begin soon with 20-minutes loading and unloading parking spaces.

Council members asked that they be notified of any upcoming changes or pilot programs so that they can respond to citizens inquiries.

Council President Naugle asked staff to send out a press release of these changes, and that Main Street Gettysburg send out the information via email notifications to inform the public.

Old Business

PBS 2019-4 Loading and Unloading Zones

Parking Manager Miller announced another six-month pilot program is due to begin with 20-minute loading and unloading spaces. Signs will be placed at the designated meters that are included in the program. He said that meters would be designated on Lincoln Square, Chambersburg Street, Carlisle Street and York Street.

PBS 2019-1 LPP (Local Privilege Permits) Policies

Parking Manager Miller announced another six-month pilot program that will allow permits for parking at long-term meters for residents or people that work in town. The cost for a permit is \$35 per month, and the designated meters will be marked for LPP parking.

Council members agreed to monitor this program to see if it has any impact on the parking garage usage.

PBS 2018-3 Vacation Rentals

Planning Director LaBarre gave a brief review of vacation rentals, and recommended that Council differentiate between “vacation rentals,” where the owner or a residential innkeeper is not

present, and “home stays” where the homeowner is hosting a guest. She said that lodging types include: Bed and Breakfasts, Hotels, Motels, Boarding Houses and Rooming Houses. Mrs. LaBarre added that the Borough must comply with the Uniform Construction Code (UCC). Council should decide what zoning districts they want to allow such rentals.

Public Comment

Mike Shestok, 264 Baltimore Street expressed his concern about the Borough’s recent lawsuit filed by Linda Atiyeh, and that he is not happy that taxpayers had to pay for this. He also said that he hopes the public gets involved with the newly formed Storm Water Authority Board. All properties will be subject to a fee to pay for federally-mandated improvements.

The meeting was adjourned to an executive session at 9:30 PM. Council President Naugle dismissed the meeting at 10:40 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15, PART 7 OF THE CODE OF ORDINANCES OF THE BOROUGH OF GETTYSBURG RELATIVE TO THE TEMPORARY RESERVATION AND USE OF PUBLIC PARKING SPACES IN UNMETERED AND IN METERED PUBLIC PARKING ZONES OF THE BOROUGH OF GETTYSBURG, AND THE PLACEMENT OF OPEN-TOP REFUSE CONTAINERS IN METERED OR UNMETERED PUBLIC PARKING ZONES OF THE BOROUGH.

The Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, hereby enacts, adopts and ordains this Ordinance amending Chapter 15, Part 7 of the Code of Ordinances of the Borough of Gettysburg as follows:

Part 7.

TEMPORARY RESERVATION AND USE OF PUBLIC PARKING SPACES

SECTION 1: The following is a statement of purpose and legislative intent of the Borough Council of the Borough of Gettysburg relative to its regulation of the reservation and use of on-street public parking spaces and this update, modification and amendment of the regulations and ordinance provisions of Chapter 15, Part 7 of the Code of Ordinances of the Borough of Gettysburg:

"Statement of Purpose and Legislative Intent. It is the purpose of this Ordinance to promote the health, safety and general welfare of the public through reasonable, consistent and non-discriminatory parking regulations and in furtherance of the goal of safe public access to on-street parking. The legislative authority to regulate, restrict or prohibit parking has been granted in the specific powers of the Borough Code, and such regulation is a valid exercise of a borough's police powers.

Over the last several months, the Borough Council and the Borough's pertinent appointed officials and administrative officers have undertaken a thorough review of the Borough's regulations relative to the reservation and use of on-street public parking spaces. In doing so, the Borough recognized that the bulk of the ordinance provisions and regulations set forth in Chapter 15, Part 7 of the Code of Ordinances had not been the subject of such review and update since the original ordinance codification process of the Borough Council during the mid decade of the 1980s. Accordingly, it was the intent of the Borough Council to review, update, refine and clarify the language of the ordinance provisions to avoid and to eliminate ambiguity, to the extent possible, and to update and modify regulations consistent with the administration and operation of the Borough's on-street public parking and its public parking space reservation program.

In its enactment of this Ordinance, the Borough Council recognizes that certain conditions warrant additional consideration relative to temporary reservation and use of on-street public parking in order to promote and maintain traffic and pedestrian safety. As set forth in detail in this Ordinance, such conditions include the loading or unloading of large groups of persons and passengers; the temporary parking needs for the conduct of special events in the Borough and for the conduct of special events and religious services, such as wedding or funerals, at Borough places of worship; the parking of vehicles and equipment for construction, property maintenance and repair work; relocation; and public service or utility work conducted in the Borough. In doing so, the Borough Council also recognizes that safe and convenient on-street public parking, particularly on-street public parking in metered zones in the downtown area of the Borough and along its primary public streets, is a very limited resource and service to the general public that should not be overburdened by the temporary reservation and private use of such public parking spaces.

In addition, lodging establishments, specifically hotels and bed and breakfast use establishments with no on-site parking available adjacent or near front desk check-in facilities to provide convenient and safe services to arriving and departing guests, are distinguishable from other authorized and permitted business and commercial uses being conducted in the Borough because of the necessity of guests to safely load and unload luggage and personal items when they arrive or depart, which need varies depending on the number of available rooms and the number of registered guests. Absent a reserved parking space or spaces for this purpose, hotel and bed and breakfast guests may be overburdened in attempting to transport luggage and personal items from a remote parking space or may even park illegally in order to facilitate loading and unloading, thereby creating unsafe and dangerous conditions by impeding the orderly movement of vehicles and pedestrians in and along public streets and sidewalks. Further, limiting the reservation of public parking spaces by hotels and bed and breakfast use establishments, as opposed to authorizing such reservation and use of public parking to much more prolific commercial uses in the downtown area of the Borough and along its primary public streets such as retail stores and shops, restaurants and professional and business offices, will not unreasonably or severely limit or eliminate safe and convenient on-street parking spaces for use of the general public. However, the safe and convenient accommodation of overnight guests in the Borough by hotels and bed and breakfast use establishments provides a potential economic opportunity and benefit for other commercial uses in the Borough due to potential patronage from such overnight guests.

Reasonable restrictions on temporary reserved parking spaces are in the public interest and also benefit Borough businesses, property owners, residents, visitors and guests. Such regulations are rationally related to the Borough's legitimate and substantial interests in ensuring the health, safety and general welfare of the public while traveling and parking on public streets within the Borough of Gettysburg."

A.

Temporary Reservation of Public Parking Spaces in Unmetered Zones

SECTION 2: Chapter 15, Part 7, Section 701 shall be amended to read as follows:

"§15-701. Authority to Reserve Unmetered Public Parking Spaces on Streets; Authorized Purposes for Temporary Reservation of Unmetered Public Parking Spaces.

1. The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized and empowered to make reservations of public parking spaces for temporary parking and short-term use in unmetered public parking spaces on or adjacent to the streets or in the public parking areas of the Borough of Gettysburg for the purposes hereinafter provided for and set forth in this Part upon the payment of fees to be established, set or amended by resolution to be adopted from time to time by the Borough Council.
2. Purposes: Parking spaces may be reserved and used on a temporary basis for the following purposes:
 - a. Temporary reserved parking for passenger buses and large capacity vans, for short-term use only, in the loading and unloading of passengers for visitation at historic sites, museums and cultural centers, theaters and tourist attractions;
 - b. Temporary reserved parking for short-term use only, in connection with the conduct of funerals, weddings and special events and services at places of worship;
 - c. Temporary reserved parking for the performance of construction, property maintenance and repair work at adjoining or nearby buildings or properties to be limited to a maximum of three (3) parking spaces for the parking of construction vehicles and/or construction, property maintenance and repair equipment on a weekly basis to correspond with the good faith estimated time of completion of a project and times of active work and construction at the project site;

d. Temporary reserved parking for moving trucks and large capacity vans for short-term use only in the moving and relocation of personal property, equipment, furniture and furnishings to or from an adjoining or nearby building or property;

e. Temporary reserved parking for public service or contract work or use by or on behalf of a government entity, municipal authority or public utility; and

f. Temporary reserved parking required for the conduct of a special event, as requested and approved by the Borough, pursuant to the special events approval and permitting procedures as regulated in Chapter 6, Part 9 of the Code of Ordinances of the Borough of Gettysburg.

3. Reservation of Unmetered Public Parking Spaces by Hotels and Bed and Breakfast Use Establishments : Unmetered parking spaces may be reserved and used only by hotel and bed and breakfast use establishments (bed and breakfast use establishments shall specifically not include full-unit vacation rental uses, homestay unit rental uses, or boardinghouse or rooming house uses for purposes of reservation of public parking spaces pursuant to this provision) for the temporary use for unloading or loading purposes of arriving or departing guests at the time of their check-in or departure. Further, any hotel or bed and breakfast use establishment with two (2) or fewer guest rooms generally available for occupation shall not be eligible to reserve and use unmetered public parking spaces pursuant to this provision. The maximum number of parking spaces that may be reserved shall be based on the number of guest rooms generally available for occupation at the hotel or bed and breakfast use establishment are set forth as follows:

a. A minimum of three (3) to ten (10) guest rooms (inclusive) - one (1) reserved parking space;

b. Eleven (11) to thirty (30) guest rooms (inclusive) - up to a maximum of two (2) reserved parking spaces;

c. Thirty-one (31) to fifty (50) guest rooms (inclusive) - up to a maximum of three (3) reserved parking spaces; and

d. Fifty-one (51) guest rooms or more - up to a maximum of four (4) reserved parking spaces.

SECTION 3: Chapter 15, Part 7, Section 702 shall be amended to read as follows:

“§15-702. Application for Reservation; Fee.

An applicant desiring to temporarily reserve an unmetered public parking space or spaces hereunder shall make a written application therefor to the Borough. The application shall state the purpose for which the temporary parking reservation is required and shall state the estimated time for which the reservation and use of the public parking space is required. An applicant shall pay the appropriate fee or fees for the reservation as established, set or amended by resolution to be adopted from time to time by the Borough Council."

SECTION 4: Chapter 15, Part 7, Section 703 shall be amended to read as follows:

“§15-703. Grant of Reservation; Marking of Reserved Parking Space.

The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized, upon receipt of a reasonable request which is within the consideration of the protection of the public health, safety and welfare, to designate by lawful signage the temporary reservation and use of a certain unmetered public parking space or certain unmetered public parking spaces as an emergency no-parking space or emergency no-parking spaces."

SECTION 5: Chapter 15, Part 7, Section 705 shall be amended to revise the section heading and the text to read as follows:

“§15-705. Unlawful Use of Reserved Parking Space Prohibited.

It shall be unlawful for any person to park in an unmetered reserved parking space except for the authorized purpose as specifically set forth in the application submitted to and approved by the Borough in order to reserve temporary use of such space."

SECTION 6: Chapter 15, Part 7, Section 706 shall be amended to read as follows:

“§15-706. Penalty.

Any person who shall violate any provision of this Part 7A shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution. Each day that a violation of this Part continues shall constitute a separate offense."

B.
Temporary Reservation of Public Parking Spaces in Metered Zones

SECTION 7: Chapter 15, Part 7, Section 711 shall be amended to read as follows:

**“§15-711. Authority to Reserve Public Parking Spaces in Metered Zones;
Authorized Purposes for Temporary Reservation of Public Parking Spaces.**

1. The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized and empowered to make reservations of public parking spaces for temporary parking and short-term use in metered public parking spaces on or adjacent to the streets or in the public parking areas of the Borough of Gettysburg for the purposes hereinafter provided for and set forth in this Part upon the payment of fees to be established, set or amended by resolution to be adopted from time to time by the Borough Council.
2. Purposes: Parking spaces may be reserved and used on a temporary basis for the following purposes:
 - a. Temporary reserved parking for passenger buses and large capacity vans, for short-term use only, in the loading and unloading of passengers for visitation at historic sites, museums and cultural centers, theaters and tourist attractions;
 - b. Temporary reserved parking for short-term use only, in connection with the conduct of funerals, weddings and special events and services at places of worship;
 - c. Temporary reserved parking for the performance of construction, property maintenance and repair work at adjoining or nearby buildings or properties to be limited to a maximum of three (3) parking spaces for the parking of construction vehicles and/or construction, property maintenance and repair equipment on a weekly basis to correspond with the good faith estimated time of completion of a project and times of active work and construction at the project site;
 - d. Temporary reserved parking for moving trucks and large capacity vans for short-term use only in the moving and relocation of personal property, equipment, furniture and furnishings to or from an adjoining or nearby building or property;
 - e. Temporary reserved parking for public service contract work or use by or on behalf of a government entity, municipal authority or public utility; and
 - f. Temporary reserved parking required for the conduct of a special event, as requested and approved by the Borough, pursuant to the special events approval and

permitting procedures as regulated in Chapter 6, Part 9 of the Code of Ordinances of the Borough of Gettysburg.

3. Reservation of Metered Public Parking Spaces by Hotels and Bed and Breakfast Use Establishments : Metered parking spaces may be reserved and used only by hotel and bed and breakfast use establishments (bed and breakfast use establishments shall specifically not include full-unit vacation rental uses, homestay unit rental uses, or boardinghouse or rooming house uses for purposes of reservation of public parking spaces pursuant to this provision) for the temporary use for unloading or loading purposes of arriving or departing guests at the time of their check-in or departure. Further, any hotel or bed and breakfast use establishment with two (2) or fewer guest rooms generally available for occupation shall not be eligible to reserve and use metered public parking spaces pursuant to this provision. The maximum number of parking spaces that may be reserved shall be based on the number of guest rooms generally available for occupation at the hotel or bed and breakfast use establishment are set forth as follows:

- a. A minimum of three (3) to ten (10) guest rooms (inclusive) - one (1) reserved parking space;
- b. Eleven (11) to thirty (30) guest rooms (inclusive) - up to a maximum of two (2) reserved parking spaces;
- c. Thirty-one (31) to fifty (50) guest rooms (inclusive) - up to a maximum of three (3) reserved parking spaces; and
- d. Fifty-one (51) guest rooms or more - up to a maximum of four (4) reserved parking spaces."

SECTION 8: Chapter 15, Part 7, Section 712 shall be amended to read as follows:

“§15-712. Application for Reservation; Fee.

An applicant desiring to temporarily reserve a metered public parking space or spaces hereunder shall make a written application therefor to the Borough. The application shall state the purpose for which the temporary parking reservation is required and shall state the estimated time for which the reservation and use of the public parking space is required. An applicant shall pay the appropriate fee or fees for the reservation as established, set or amended by resolution to be adopted from time to time by the Borough Council."

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15, PART 7 OF THE CODE OF ORDINANCES OF THE BOROUGH OF GETTYSBURG RELATIVE TO THE TEMPORARY RESERVATION AND USE OF PUBLIC PARKING SPACES IN UNMETERED AND IN METERED PUBLIC PARKING ZONES OF THE BOROUGH OF GETTYSBURG, AND THE PLACEMENT OF OPEN-TOP REFUSE CONTAINERS IN METERED OR UNMETERED PUBLIC PARKING ZONES OF THE BOROUGH.

The Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, hereby enacts, adopts and ordains this Ordinance amending Chapter 15, Part 7 of the Code of Ordinances of the Borough of Gettysburg as follows:

Part 7.

TEMPORARY RESERVATION AND USE OF PUBLIC PARKING SPACES

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"Statement of Purpose and Legislative Intent. It is the purpose of this Ordinance to promote the health, safety and general welfare of the public through reasonable, consistent and non-discriminatory parking regulations and in furtherance of the goal of safe public access to on-street parking. The legislative authority to regulate, restrict or prohibit parking has been granted in the specific powers of the Borough Code, and such regulation is a valid exercise of a borough's police powers.

Over the last several months, the Borough Council and the Borough's pertinent appointed officials and administrative officers have undertaken a thorough review of the Borough's regulations relative to the reservation and use of on-street public parking spaces. In doing so, the Borough recognized that the bulk of the ordinance provisions and regulations set forth in Chapter 15, Part 7 of the Code of Ordinances had not been the subject of such review and update since the original ordinance codification process of the Borough Council during the mid decade of the 1980s. Accordingly, it was the intent of the Borough Council to review, update, refine and clarify the language of the ordinance provisions to avoid and to eliminate ambiguity, to the extent possible, and to update and modify regulations consistent with the administration and operation of the Borough's on-street public parking and its public parking space reservation program.

In its enactment of this Ordinance, the Borough Council recognizes that certain conditions warrant additional consideration relative to temporary reservation and use of on-street public parking in order to promote and maintain traffic and pedestrian safety. As set forth in detail in this Ordinance, such conditions include the loading or unloading of large groups of persons and passengers; the temporary parking needs for the conduct of special events in the Borough and for the conduct of special events and religious services, such as wedding or funerals, at Borough places of worship; the parking of vehicles and equipment for construction, property maintenance and repair work; relocation; and public service or utility work conducted in the Borough. In doing so, the Borough Council also recognizes that safe and convenient on-street public parking, particularly on-street public parking in metered zones in the downtown area of the Borough and along its primary public streets, is a very limited resource and service to the general public that should not be overburdened by the temporary reservation and private use of such public parking spaces.

In addition, lodging establishments, specifically hotels and bed and breakfast use establishments with no on-site parking available adjacent or near front desk check-in facilities to provide convenient and safe services to arriving and departing guests, are distinguishable from other authorized and permitted business and commercial uses being conducted in the Borough because of the necessity of guests to safely load and unload luggage and personal items when they arrive or depart, which need varies depending on the number of available rooms and the number of registered guests. Absent a reserved parking space or spaces for this purpose, hotel and bed and breakfast guests may be overburdened in attempting to transport luggage and personal items from a remote parking space or may even park illegally in order to facilitate loading and unloading, thereby creating unsafe and dangerous conditions by impeding the orderly movement of vehicles and pedestrians in and along public streets and sidewalks. Further, limiting the reservation of public parking spaces by hotels and bed and breakfast use establishments, as opposed to authorizing such reservation and use of public parking to much more prolific commercial uses in the downtown area of the Borough and along its primary public streets such as retail stores and shops, restaurants and professional and business offices, will not unreasonably or severely limit or eliminate safe and convenient on-street parking spaces for use of the general public. However, the safe and convenient accommodation of overnight guests in the Borough by hotels and bed and breakfast use establishments provides a potential economic opportunity and benefit for other commercial uses in the Borough due to potential patronage from such overnight guests.

Reasonable restrictions on temporary reserved parking spaces are in the public interest and also benefit Borough businesses, property owners, residents, visitors and guests. Such regulations are rationally related to the Borough's legitimate and substantial interests in ensuring the health, safety and general welfare of the public while traveling and parking on public streets within the Borough of Gettysburg."

A.

Temporary Reservation of Public Parking Spaces in Unmetered Zones

SECTION 2: Chapter 15, Part 7, Section 701 shall be amended to read as follows:

"§15-701. Authority to Reserve Unmetered Public Parking Spaces on Streets; Authorized Purposes for Temporary Reservation of Unmetered Public Parking Spaces.

1. The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized and empowered to make reservations of public parking spaces for temporary parking and short-term use in unmetered public parking spaces on or adjacent to the streets or in the public parking areas of the Borough of Gettysburg for the purposes hereinafter provided for and set forth in this Part upon the payment of fees to be established, set or amended by resolution to be adopted from time to time by the Borough Council.

2. Purposes: Parking spaces may be reserved and used on a temporary basis for the following purposes:

a. Temporary reserved parking for passenger buses and large capacity vans, for short-term use only, in the loading and unloading of passengers for visitation at historic sites, museums and cultural centers, theaters and tourist attractions;

b. Temporary reserved parking for short-term use only, in connection with the conduct of funerals, weddings and special events and services at places of worship;

c. Temporary reserved parking for the performance of construction, property maintenance and repair work at adjoining or nearby buildings or properties to be limited to a maximum of three (3) parking spaces for the parking of construction vehicles and/or construction, property maintenance and repair equipment on a weekly basis to correspond with the good faith estimated time of completion of a project and times of active work and construction at the project site;

d. Temporary reserved parking for moving trucks and large capacity vans for short-term use only in the moving and relocation of personal property, equipment, furniture and furnishings to or from an adjoining or nearby building or property;

e. Temporary reserved parking for public service or contract work or use by or on behalf of a government entity, municipal authority or public utility; and

f. Temporary reserved parking required for the conduct of a special event, as requested and approved by the Borough, pursuant to the special events approval and permitting procedures as regulated in Chapter 6, Part 9 of the Code of Ordinances of the Borough of Gettysburg.

3. Reservation of Unmetered Public Parking Spaces by Hotels and Bed and Breakfast Use Establishments : Unmetered parking spaces may be reserved and used only by hotel and bed and breakfast use establishments (bed and breakfast use establishments shall specifically not include full-unit vacation rental uses, homestay unit rental uses, or boardinghouse or rooming house uses for purposes of reservation of public parking spaces pursuant to this provision) for the temporary use for unloading or loading purposes of arriving or departing guests at the time of their check-in or departure. Further, any hotel or bed and breakfast use establishment with two (2) or fewer guest rooms generally available for occupation shall not be eligible to reserve and use unmetered public parking spaces pursuant to this provision. The maximum number of parking spaces that may be reserved shall be based on the number of guest rooms generally available for occupation at the hotel or bed and breakfast use establishment are set forth as follows:

a. A minimum of three (3) to ten (10) guest rooms (inclusive) - one (1) reserved parking space;

b. Eleven (11) to thirty (30) guest rooms (inclusive) - up to a maximum of two (2) reserved parking spaces;

c. Thirty-one (31) to fifty (50) guest rooms (inclusive) - up to a maximum of three (3) reserved parking spaces; and

d. Fifty-one (51) guest rooms or more - up to a maximum of four (4) reserved parking spaces.

SECTION 3: Chapter 15, Part 7, Section 702 shall be amended to read as follows:

“§15-702. Application for Reservation; Fee.

An applicant desiring to temporarily reserve an unmetered public parking space or spaces hereunder shall make a written application therefor to the Borough. The application shall state the purpose for which the temporary parking reservation is required and shall state the estimated time for which the reservation and use of the public parking space is required. An applicant shall pay the appropriate fee or fees for the reservation as established, set or amended by resolution to be adopted from time to time by the Borough Council."

SECTION 4: Chapter 15, Part 7, Section 703 shall be amended to read as follows:

“§15-703. Grant of Reservation; Marking of Reserved Parking Space.

The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized, upon receipt of a reasonable request which is within the consideration of the protection of the public health, safety and welfare, to designate by lawful signage the temporary reservation and use of a certain unmetered public parking space or certain unmetered public parking spaces as an emergency no-parking space or emergency no-parking spaces."

SECTION 5: Chapter 15, Part 7, Section 705 shall be amended to revise the section heading and the text to read as follows:

“§15-705. Unlawful Use of Reserved Parking Space Prohibited.

It shall be unlawful for any person to park in an unmetered reserved parking space except for the authorized purpose as specifically set forth in the application submitted to and approved by the Borough in order to reserve temporary use of such space."

SECTION 6: Chapter 15, Part 7, Section 706 shall be amended to read as follows:

“§15-706. Penalty.

Any person who shall violate any provision of this Part 7A shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution. Each day that a violation of this Part continues shall constitute a separate offense."

B.
Temporary Reservation of Public Parking Spaces in Metered Zones

SECTION 7: Chapter 15, Part 7, Section 711 shall be amended to read as follows:

**“§15-711. Authority to Reserve Public Parking Spaces in Metered Zones;
Authorized Purposes for Temporary Reservation of Public Parking Spaces.**

1. The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized and empowered to make reservations of public parking spaces for temporary parking and short-term use in metered public parking spaces on or adjacent to the streets or in the public parking areas of the Borough of Gettysburg for the purposes hereinafter provided for and set forth in this Part upon the payment of fees to be established, set or amended by resolution to be adopted from time to time by the Borough Council.

2. Purposes: Parking spaces may be reserved and used on a temporary basis for the following purposes:

a. Temporary reserved parking for passenger buses and large capacity vans, for short-term use only, in the loading and unloading of passengers for visitation at historic sites, museums and cultural centers, theaters and tourist attractions;

b. Temporary reserved parking for short-term use only, in connection with the conduct of funerals, weddings and special events and services at places of worship;

c. Temporary reserved parking for the performance of construction, property maintenance and repair work at adjoining or nearby buildings or properties to be limited to a maximum of three (3) parking spaces for the parking of construction vehicles and/or construction, property maintenance and repair equipment on a weekly basis to correspond with the good faith estimated time of completion of a project and times of active work and construction at the project site;

d. Temporary reserved parking for moving trucks and large capacity vans for short-term use only in the moving and relocation of personal property, equipment, furniture and furnishings to or from an adjoining or nearby building or property;

e. Temporary reserved parking for public service contract work or use by or on behalf of a government entity, municipal authority or public utility; and

f. Temporary reserved parking required for the conduct of a special event, as requested and approved by the Borough, pursuant to the special events approval and

permitting procedures as regulated in Chapter 6, Part 9 of the Code of Ordinances of the Borough of Gettysburg.

3. Reservation of Metered Public Parking Spaces by Hotels and Bed and Breakfast Use Establishments : Metered parking spaces may be reserved and used only by hotel and bed and breakfast use establishments (bed and breakfast use establishments shall specifically not include full-unit vacation rental uses, homestay unit rental uses, or boardinghouse or rooming house uses for purposes of reservation of public parking spaces pursuant to this provision) for the temporary use for unloading or loading purposes of arriving or departing guests at the time of their check-in or departure. Further, any hotel or bed and breakfast use establishment with two (2) or fewer guest rooms generally available for occupation shall not be eligible to reserve and use metered public parking spaces pursuant to this provision. The maximum number of parking spaces that may be reserved shall be based on the number of guest rooms generally available for occupation at the hotel or bed and breakfast use establishment are set forth as follows:

- a. A minimum of three (3) to ten (10) guest rooms (inclusive) - one (1) reserved parking space;
- b. Eleven (11) to thirty (30) guest rooms (inclusive) - up to a maximum of two (2) reserved parking spaces;
- c. Thirty-one (31) to fifty (50) guest rooms (inclusive) - up to a maximum of three (3) reserved parking spaces; and
- d. Fifty-one (51) guest rooms or more - up to a maximum of four (4) reserved parking spaces."

SECTION 8: Chapter 15, Part 7, Section 712 shall be amended to read as follows:

“§15-712. Application for Reservation; Fee.

An applicant desiring to temporarily reserve a metered public parking space or spaces hereunder shall make a written application therefor to the Borough. The application shall state the purpose for which the temporary parking reservation is required and shall state the estimated time for which the reservation and use of the public parking space is required. An applicant shall pay the appropriate fee or fees for the reservation as established, set or amended by resolution to be adopted from time to time by the Borough Council."

SECTION 9: Chapter 15, Part 7, Section 713 shall be amended to read as follows:

“§15-713. Grant of Reservation; Issuance of Meter Bag.

If the Parking Manager, or designated Parking Department staff, or the Borough Manager determines that the applicant is qualified to be issued a meter bag, the same shall be issued to the applicant to be used only for the qualified purpose as specifically set forth in the approved application, and the Borough shall retain a record of the time and date of issuance. The Borough-issued meter bag, or such other customized meter bags or hoods specifically approved by the Borough, shall be the sole methods of the temporary reservation and use of a parking space or spaces for an applicant temporarily reserving parking spaces pursuant to subsections 711.2.a., b., c. and d. of this Part. The placement of any items or personal property in the metered parking space, by an applicant or by such other person at his, her or its direction, to deny or impede others from parking in the temporarily reserved spaces, to include but not limited to, the placement and use of furniture or traffic cones, is strictly prohibited. The restrictions contained in this section of the methods for reserving parking spaces shall not apply to the temporary reservation of parking spaces for public service contract work or use by or on behalf of a government entity, municipal authority or public utility pursuant to subsection 711.2.e. of this Part, or to the temporary reservation of parking spaces for a special event, approved and permitted by the Borough pursuant to Chapter 6, Part 9 of this Code of Ordinances and pursuant to subsection 711.2.f. of this Part."

SECTION 10: Chapter 15, Part 7, Section 716 shall be amended to revise the section heading and the text to read as follows:

“§15-716. Unlawful Use of Reserved Parking Space Prohibited.

It shall be unlawful for any person to park in a metered public parking space that has been reserved by the placement of a Borough-issued parking meter bag, or such other customized meter bag or hood specifically approved by the Borough, except for the authorized purpose as specifically set forth in the application submitted to and approved by the Borough in order to reserve temporary use of such public parking space."

SECTION 11: Chapter 15, Part 7, Section 717 shall be amended to read as follows:

“§15-717. Unlawful Use of Meter Bag Prohibited.

It shall be unlawful for any applicant to whom a parking meter bag has been issued or approved by the Borough to use or to permit the use of such parking meter bag, or

such other customized meter bag or hood specifically approved by the Borough, to reserve a public parking space for any purpose except for the authorized purpose as set forth in the application submitted to the Borough in order to reserve temporary use of such public parking space."

SECTION 12: Chapter 15, Part 7, Section 718 shall be amended to read as follows:

"§15-718. Penalty.

Any person who shall violate any provision of this Part 7B shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution. Each day that a violation of this Part continues shall constitute a separate offense."

C.

Placement of Open-Top Refuse Containers in Unmetered or Metered Public Parking Zones.

SECTION 13: Chapter 15, Part 7, Section 721 shall be amended to read as follows:

"§15-721. Authority to Allow Open-Top Refuse Container in Public Parking Spaces.

The Parking Manager, or designated Parking Department staff, or the Borough Manager, are hereby authorized and empowered to allow qualified applicants to place and use an open-top refuse container in either unmetered or metered public parking zones on or upon any public street, alley or area within the Borough of Gettysburg."

SECTION 14: Chapter 15, Part 7, Section 723 shall be amended to read as follows:

"§15-723. Grant of Reservation; Issuance of Permit.

If the Parking Manager, or designated Parking Department staff, or the Borough Manager determines that the applicant is qualified to be issued a permit for the placement and use of an open-top refuse container, the same shall be issued to the applicant to be used only for the qualified purpose as specifically set forth in the approved application, and the Borough shall retain a record of the time and date of issuance."

SECTION 15: Chapter 15, Part 7, Section 726 shall be amended to read as follows:

“§15-726. Penalty.

Any person who shall violate any provision of this Part 7C shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution. Each day that a violation of this Part continues shall constitute a separate offense."

SECTION 16: All remaining provisions of Chapter 15, Part 7 shall remain in full force and effect unless otherwise repealed by any other ordinance. All ordinances, or parts of ordinances, conflicting with this Ordinance shall be and the same are hereby repealed insofar as the same affect this Ordinance.

SECTION 17: This Ordinance shall take effect upon enactment.

THIS ORDINANCE DULY ENACTED AND ORDAINED according to law on this 8th day of April, 2019, at a duly advertised general monthly business meeting of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania.

BOROUGH OF GETTYSBURG

By: _____
Susan C. Naugle
President of Borough Council

ATTEST:

By: _____
Sara L. Stull, Secretary

APPROVED this __ day of April, 2019.

By: _____
Theodore H. Streeter, Mayor