EXECUTIVE ORDER NO. 9-92

WHEREAS, The City of Philadelphia, pursuant to the enactment of Bills 350 and 362, has decriminalized parking violations and provided for administrative appeals of civil fines and penalties for such violations; and

WHEREAS, the civil adjudication process will be supervised by a Deputy Finance Director and will be located in the Finance Department; and

WHEREAS, the establishment of an advisory panel of public officials and private citizens will help assure that the appeals process is fair and convenient from the viewpoint of citizens wishing to protest parking tickets; and

WHEREAS, such a panel would also assure that the administration of the adjudication process is consistent with legislative intent and is coordinated with the City's overall parking management system;

NOW, THEREFORE, I, Edward G. Rendell, Mayor of the City of Philadelphia, by the power vested in me in accordance with Section 3-100(h) of the Philadelphia Home Rule Charter, do hereby order as follows:

SECTION 1. ESTABLISHMENT OF THE PARKING ADJUDICATION ADVISORY PANEL

The Parking Adjudication Advisory Panel is hereby established within the Finance Department. The panel shall be composed of at least nine members, who shall be appointed by the Mayor. The Mayor shall appoint the chairman of the Parking Adjudication Advisory Panel.

SECTION 2. PURPOSE

The purpose of the Parking Adjudication Advisory Panel shall be to assure the fairness, convenience, and efficiency of the adjudication process for the appeal of parking tickets and to assure that the process is consistent with legislative intent and is coordinated with the City's overall parking management program.

SECTION 3. MEMBERS

The Mayor shall appoint the following persons as members of the Parking Adjudication Advisory Panel:

1. Two members of the City Council of Philadelphia;

2. The Chairman of the Philadelphia Parking Authority;

3. The Finance Director;

4. The Deputy Director of Finance - Bureau of Administrative Adjudication; and

5. At least four citizens, at least two of whom shall be attorneys.

SECTION 4. FUNCTIONS

1. The Parking Adjudication Advisory Panel shall adopt such by-laws, rules, and regulations necessary to carry out its purpose.

2. The Parking Adjudication Advisory Panel shall review proposed rules and regulations, as submitted by the Deputy Director of Finance - Bureau of Administrative Adjudication, which will govern the civil adjudication process.

3. The Parking Adjudication Advisory Panel shall recommend such changes in the overall management and administration of the civil adjudication system as it shall see fit.

SECTION 5. EFFECTIVE DATE

This order shall take effect immediately.

DATE: Oct 20, 1992 BY: Edward G Rendell

Edward G. Rendell
Mayor

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BYLAWS

PARKING ADJUDICATION ADVISORY PANEL

ARTICLE I: NAME, AUTHORITY, PURPOSE

SECTION 1. the official name of this organization is the Mayor's Parking Adjudication Advisory Panel, hereinafter referred to as the Panel.

SECTION 2. This Panel is established by the authority of the Mayor under Executive Order 9-92.

SECTION 3. The purposes of this Panel are:

(a) To assure the process for appeal of parking violations is fair and convenient from the viewpoint of citizens wishing to protest parking tickets.

(b) To assure the administration of the adjudication process consistent with the legislative intent of Bills 350 and 362.

(c) To assure the adjudication process is coordinated with the City's overall parking management system.

ARTICLE II: OBJECTIVES

SECTION 1. To review the proposed rules and regulations governing the civil adjudication process as submitted by the Director of Finance.

SECTION 2. To recommend changes and improvements in the overall management and administration of the civil adjudication system.

ARTICLE III: MEMBERSHIP

SECTION 1. The Panel is established within the Office of the Director of Finance and consists of at least nine members. The Mayor shall appoint the Chairman of the Panel.

SECTION 2. The nine Panel members will be appointed by the Mayor as follows:

(a) Two members of the City Council of Philadelphia.

(b) The Chairman of the Philadelphia Parking Authority.

(c) The Finance Director.

(d) The Deputy Director of Finance - Bureau of Administrative Adjudication.

(e) At least four citizens, at least two of whom shall be attorneys.

SECTION 3. Panel members may authorize alternates to replace and represent them at Panel meetings. Alternates shall have the same rights and privileges as all voting Panel members. Authorization for alternates shall be made known to the Panel secretary in advance of meetings.

SECTION 4. All vacancies on the Panel shall be filled by appointment of the Mayor.

ARTICLE IV: OFFICERS, ELECTION AND DUTIES

SECTION 1. Officers shall consist of a Chairman, Vice-Chairman and Secretary/Treasurer.

SECTION 2. With the exception of the Chairman who shall be appointed by the Mayor, the officers shall be elected by the members of the Panel and shall serve for two years. Said election shall be held at the annual meeting each year. In order to establish a staggered pattern of election for officers, at the first annual meeting following the adoption of these Bylaws, the Vice Chairman and the Secretary/Treasurer shall be elected for an initial one-year term. No officer shall serve in this office for more than two consecutive terms.

SECTION 3. The Chairman's duties are:

(a) To preside at all meetings of the Panel and the Executive Committee.

(b) To ascertain that a quorum is present to conduct Panel meetings.

(c) To appoint Chairpersons of all Standing and Special Committees.

(d) To serve as spokesperson for the Panel as necessary.

(e) Any other duties as may be prescribed by the Panel members.

SECTION 4. The Vice-Chairman shall preside in the absence of the Chairman and shall have such other duties as assigned by the Chairman. In case the office of the Chairman becomes vacant for any reason, the Vice-Chairman shall serve as Chairman until a new Chairman is duly elected in accordance with Article VIII, Section 3.

SECTION 5. The Secretary/Treasurer's duties are:

(a) To give notices of meetings.

(b) To prepare agendas at the request of the Chairman and distribute to the Panel members or alternates.

(c) To take, prepare and distribute minutes of all Panel meetings to members or alternates.

(d) To keep attendance and current records of all members.

(e) To maintain reports and documents of the Panel and make them available for inspection.

(f) Other duties as assigned by the Chairman with the approval of the Panel.

ARTICLE V: COMMITTEES

SECTION 1. The Panel shall establish Executive, Standing and Special Committees as necessary to carry out the work of the Panel.

SECTION 2. The Executive Committee shall consist of the Chairman, Vice Chairman, Secretary/Treasurer and all Chairpersons of Standing Committees. The Executive Committee shall meet at the call of the Chairman or Panel. The Executive Committee shall conduct the business of the Panel between regular meetings within the overall policies of the Panel.

SECTION 3. The Standing Committees shall include: a) Bylaws, b) Legislative, and c) Oversight.

SECTION 4. The Chairman shall appoint such Special Committees as he/she or the Panel may require.

SECTION 5. Each Standing and Special Committee shall have at least three members, including the Chairperson.

SECTION 6. The Chairman and the Deputy Director of Finance - Bureau of Administrative Adjudication shall be ex-officio members of all Standing and Special Committees.

ARTICLE VI: MEETINGS

SECTION 1. The Panel shall meet quarterly or as otherwise determined by formal action of the Panel.

SECTION 2. The Deputy Director of Finance - Bureau of Administrative Adjudication or his/her designee shall attend all meetings.

SECTION 3. Special meeting are held on call of the Chairman or at the request of any four members of the Panel, one of whom shall be an officer.

SECTION 4. A notice and agenda for each meeting shall be prepared and distributed to each Panel member or authorized alternate at least one week prior to the meeting.

ARTICLE VII: QUORUM AND VOTING PROCEDURES

SECTION 1. A quorum to conduct official business of the Panel shall consist of five voting members in attendance, including one officer.

SECTION 2. Panel members or authorized alternates shall have one vote each on all matters brought up for vote. All votes shall be by voice vote unless otherwise requested except for the election of officers where a secret ballot shall be used.

SECTION 3. Except as otherwise stated in these Bylaws, a simple majority vote shall rule for all business conducted. A simple majority vote shall mean one more than half of the Panel members or alternates present and voting.

ARTICLE VIII: REMOVAL AND RESIGNATION OF MEMBERS AND OFFICERS

SECTION 1. Any Panel member may be removed at the pleasure of the Mayor.

SECTION 2. Termination of membership may be recommended by vote of the Panel through the Chairman to the Mayor for any Panel member who is unable to serve or who is absent from three successive regular meetings of the Panel. A member who is represented at a meeting by an alternate shall not be deemed absent.

SECTION 3. If an officer is removed, resigns, or is otherwise unable to serve, a new election shall be held to fill the unexpired term no later than the next regular meeting after official announcement of the vacancy and written notice of at least one week.

ARTICLE IX: BYLAWS

SECTION 1. The Bylaws shall be adopted, amended or repeated by a two-thirds vote of all Panel members present at a regular meeting, provided that all of the Panel members shall have been notified of the proposed action at least one week prior to the meeting at which the action will be voted on.

SECTION 2. Any amendment or action adopted shall become effective immediately following its adoption.

SECTION 3. In an emergency, as determined by the Panel, the provisions of these Bylaws may be temporarily suspended by a unanimous roll-call vote of all members present.

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