

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY,
PENNSYLVANIA**

ORDINANCE No. 3192

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, ADDING ELECTRONIC PARKING METERS ON PROPERTY LOCATED AT 4221 FERNE BOULEVARD, MORE PARTICULARLY IDENTIFIED AS DELAWARE COUNTY TAX PARCEL No. 16-11-01047-00, WHICH IS COMPRISED OF APPROXIMATELY 20,400 SQUARE FEET OF PAVED ASPHALT; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Upper Darby Township (“Township”) is a Home Rule municipality organized and operating in accordance with the Charter of Upper Darby Township (“Charter”) as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. §2901 et seq. (“Home Rule Law”); and

WHEREAS, Section C-201 of the Charter grants that the Township shall have and may exercise any power and function not denied by the Constitution of Pennsylvania, the General Assembly of the Commonwealth of Pennsylvania, or the Charter; and

WHEREAS, Chapter 520, entitled Vehicles and Traffic, includes a provision for the installation, operation, maintenance, regulation and control of the use of parking meters and imposes penalties for the violation thereof; and

WHEREAS, The Township desires to enter into a Parking Lease Agreement with Blue Devil Realty, LLC, owner of certain real property located at 4221 Ferne Boulevard, Drexel Hill, Pennsylvania 19026, further identified as Delaware County Tax Parcel Number 16-11-01047-00 (“Property”); and

WHEREAS, the Property contains approximately 20,400 square feet of paved asphalt; and

WHEREAS, the Parking Lease Agreement will lease approximately thirty-three (33) parking spaces to the Township for an initial term of five (5) years, with consecutive five (5) year renewal terms as set forth in the Parking Lease Agreement; and

WHEREAS, the Parking Lease Agreement requires the Township to enact an Ordinance adding parking meters to the Property; and

WHEREAS, the Public Safety Committee and the Upper Darby Police Department have reviewed this proposal and find that it is in the best interest of the Township, and will not create a threat to public safety nor inhibit the flow of traffic.

NOW, THEREFORE, Upper Darby Township hereby **ORDAINS** as follows:

SECTION 1. PARKING METERS

Chapter 520 is hereby amended and supplemented by adding the following metered parking restriction:

Electronic Parking Meters shall be added on property located at 4221 Ferne Boulevard, Drexel Hill, Pennsylvania, 19026, further identified as Delaware County Tax Parcel No. 16-11-01047-00 in such quantities and in such locations as determined by the Upper Darby Township Superintendent of Police, or his/her designee.

SECTION 2. SEVERABILITY

The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such constitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this Ordinance or the Upper Darby Fee Schedule. It is hereby declared to be the intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION 3. INTERPRETATION

The words, phrases and provisions of this Ordinance are not to be interpreted in a way that results in an absurd construction of the meaning, or in a way that causes one provision to contradict another.

SECTION 4. REPEAL OF PRIOR ORDINANCES

All Ordinances 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 repealed.

SECTION 5. EFFECTIVE DATE

Pursuant to the Upper Darby Home Rule Charter, this Ordinance shall become effective immediately upon the signature of the Mayor or, in the event the Mayor neither approves nor vetoes this Resolution, fifteen days after the last day on which the Mayor can approve or veto this Resolution, as set forth in the Upper Darby Township Home Rule Charter, Section C-702.C.

ORDAINED and **ENACTED** this _____ day of _____, 2025.

SEAL:

ATTEST:

MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY:

HAFIZ TUNIS, JR.
PRESIDENT OF COUNCIL

APPROVED this _____ day of _____ 2025.

ATTEST:

CRANDALL O. JONES
CHIEF ADMINISTRATIVE OFFICER

BY:

EDWARD BROWN
MAYOR

DRAFT