

FILE OF THE CITY CLERK

ADMINISTRATION ORDINANCE NO. 9- 2015

ADMINISTRATION BILL NO. 9- 2015

INTRODUCED – JULY 14, 2015

ADOPTED BY COUNCIL – AUGUST 25, 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA RESCINDING CHAPTER 202-PARKING LOTS TO THE CODE OF THE CITY OF LANCASTER; ADOPTING A NEW CHAPTER 202-PARKING LOTS, SURFACE TO THE CODE OF THE CITY OF LANCASTER; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

WHEREAS, in 1964, the City Council of the City of Lancaster adopted Article 1761 of the codified ordinances for the proper design and drainage of parking lots, controlled access to public streets and protection of adjoining property owners from increased flows and velocity of stormwater runoff; and

WHEREAS, Chapter 202 has been amended previously and the City finds it necessary to further amend the provisions therein to meet current minimum construction standards for the construction of new accessory and commercial surface parking lots, and the improvement, including but not limited to reconstruction and resurfacing, of existing off-street surface parking areas; and

WHEREAS, the City of Lancaster recognizes that surface parking lots are a significant contributor to stormwater runoff; and

WHEREAS, the 2011 Green Infrastructure Plan provided analysis of the amounts of impervious surfaces in the city; and

WHEREAS, surface parking lots represent thirty-two percent (32%) of impervious surfaces in the city; and

WHEREAS, among the purposes of the parking lots ordinance is to establish construction and material standards for the construction, reconstruction, resurfacing and repair of surface parking lots; to provide for adequate drainage, lighting, landscaping and safety; to establish process for permits, violations and penalties, appeals and modifications; and to further the goals, objectives and strategies set forth in the City of Lancaster Green Infrastructure Plan; and

WHEREAS, City Council desires to cultivate the formation and implementation of

sustainable construction standards for surface parking lots within the City.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The document attached hereto and incorporated herein as Exhibit "A", entitled Chapter 202; Parking Lots, Surface, be and hereby is adopted in its entirety to be included and made part of the Code of the City of Lancaster as Chapter 202.

SECTION 2. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 25th day of August, 2015, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

Bernard W. Harris Jr., City Clerk

By: _____
J. Richard Gray, Mayor

**Chapter 202. PARKING LOTS, SURFACE
GENERAL REFERENCES**

Uniform construction codes — See Ch. 116.

Sewers — See Ch. 249.

Stormwater management — See Ch. 260.

Streets and sidewalks — See Ch. 262.

Subdivision and land development — See Ch. 265.

Vehicles and traffic — See Ch. 285.

Zoning — See Ch. 300.

§ 202-1. Purpose.

The purpose of this Chapter is to provide minimum construction standards for the construction of new accessory and commercial surface parking lots, and the improvement, including but not limited to reconstruction and resurfacing, of existing off-street surface parking areas.

§ 202-2. Definitions.

A. As used in this chapter, the following terms shall have the meanings indicated:

ADEQUATE DRAINAGE – Control and disposal of surface water from parking lots and from any buildings, walks or other surfaces which drain onto parking lots in accordance with the City's Stormwater Management Ordinance, as amended, and other applicable statutes.

AASHTO – American Association of State Highway and Transportation Officials.

BMP (Best Management Practice) - Activities, facilities, control measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities.

CITY - The City of Lancaster, PA.

CITY ENGINEER – The Engineer of the City of Lancaster, or his/her designee.

DIRECTOR - The Director of the Department of Public Works or her/his designee.

ENLARGED – For the purpose of this Chapter, enlarged shall mean extending the total area of an existing parking lot beyond the area currently occupied, including paved surface used for the parking of vehicles, drive aisles, travel lanes, ticket booth, or similar use, and regardless of whether or not the area was previously covered by impervious surface including but not limited to buildings, structures or other paved surfaces. This definition shall also include extending the total area of a parking lot for the purpose of adding perimeter landscaping or other unpaved areas for screening, buffering and/or stormwater management.

GREEN INFRASTRUCTURE (GI) – Systems that mimic natural processes in order to infiltrate, evaporate, and/or reuse stormwater. Green infrastructure may use soils, topography, and vegetation in a way that minimizes the impacts of disturbance from development and maintains the pre-development hydrology and water qualities of urban areas.

IMPROVEMENT – For the purposes of this Chapter, improvements shall include the modification of existing parking spaces and/or access aisles or drives, provision of required handicapped accessible spaces, correction of existing drainage problems, installation of required landscaping or reconstruction and resurfacing of paved areas. Sealing, restriping,

and similar minor repairs (rehabilitation) to paved areas of a surface parking lot solely for maintenance shall not be deemed an improvement, provided that the number of spaces is not altered.

1. **RECONSTRUCTION** – The replacement of the entire existing pavement structure by the placement of a similar, equivalent, increased or alternative pavement structure. Reconstruction involves removing and replacing all or part of the asphalt, concrete, or paver surface and aggregate base. A parking lot shall be considered to be reconstructed when more than 10% of the pavement structure needs to be removed and replaced. Reconstruction may utilize either new or recycled materials incorporated into the materials used for the reconstruction of the complete pavement.
2. **RESURFACING** – Structural enhancements that extend the service life of the existing pavement and/or improve its load carrying capacity by removing and replacing the wearing surface. Resurfacing may include patching pot holes or badly deteriorated areas of old asphalt that have exposed base course and a total area less than 240 square feet of the parking lot area for parking lots less than 2,400 square feet, or less than 10% of the parking lot area for parking lots greater than 2,400 square feet.
3. **OVERLAY** – Similar to resurfacing but does not include removing existing pavement. Overlay consists of increasing pavement thickness to strengthen existing pavement and may include patching pot holes or badly deteriorated areas that have not impacted the binder course and have a total area of less than 240 square feet.

MAXIMUM EXTENT PRACTICABLE (MEP) – Applies when the applicant demonstrates to the City of Lancaster’s satisfaction that the performance standard is not achievable. The applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of human safety and welfare, protection of endangered and threatened resources, and preservation of historic properties in making the assertion that the performance standard cannot be met and that a different means of control is appropriate.

MINOR REPAIR (rehabilitation) - Non-structural enhancements made to the existing pavement sections to eliminate age-related, top-down surface cracking that develop in flexible pavements due to environmental exposure. Minor repairs shall include but are not limited to, crack sealing, and patching pot holes or other deteriorated areas that have not impacted the base course and have a total area of less than 240 square feet.

PA BMP MANUAL - The Pennsylvania Stormwater Best Management Practices Manual of December 2006, or most recent version thereof.

PARKING LOT - An off-street area, not within the public right-of-way, designed and improved for the parking of motorized and non-motorized vehicles, including access drives and driveways, aisles and maneuvering space appurtenant thereto. For the purposes of this Chapter, a parking lot shall be those areas of 1,200 or more square feet used for parking, access drives, driveways and aisles.

1. **ACCESSORY SURFACE PARKING LOT** - A parking lot on which more than 80% of parking is allocated to a specific use or uses and for the exclusive use by customers, users or employees of the use or uses.
2. **COMMERCIAL SURFACE PARKING LOT** - A parking lot used as a commercial enterprise for the short- or long-term parking or storage of motor vehicles, is not

accessory to any other use, and contains parking space rented to the general public or reserved for individuals by the hour, day, week or month.

- Where there exists a mix of dedicated spaces for a specific use or uses and general rental spaces, if such general spaces represent a majority of the available parking spaces, it shall be considered a commercial surface parking lot.
3. **TEMPORARY SURFACE PARKING LOT** - A parking lot created for special events such as sporting events, theatrical performances, or other events that last no longer than seven days in duration or a total of not more than 30 days in any calendar year, or as overflow accessory parking, or as the staging area and parking for construction projects that last no longer than the schedule of construction.

PARKING LOTS SUPPLEMENTAL SPECIFICATIONS - The details, specifications and standards for the construction, reconstruction and repair and improvements of surface parking lots. The Parking Lots Supplemental Specifications are available on the City of Lancaster website and from the Department of Public Works.

PAVEMENT STRUCTURE – The structure of a paved surface including at a minimum a surface or wearing course and an aggregate base course.

POROUS (PERMEABLE, PERVIOUS) PAVEMENT - An alternative to standard impervious asphalt, concrete or masonry surfaces that allows stormwater to drain through the porous surface to a stone reservoir underneath. The reservoir temporarily stores surface runoff before infiltrating it into the subsoil or slowly releasing it into the municipal sewer system. The appearance of the alternative surface may be similar to asphalt, concrete, or masonry materials, but it is manufactured without fine materials and instead incorporates void spaces that allow for storage and infiltration. Underdrains may also be used below the stone reservoir if soil conditions are not conducive to complete infiltration of runoff.

SALDO – City of Lancaster Subdivision and Land Development Ordinance.

STORMWATER MANAGEMENT FACILITY (SWM FACILITY) - Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, infiltrates/evaporates/transpires, cleans or otherwise affects stormwater runoff. Typical SWM facilities include, but are not limited to, detention and retention basins, open channels, watercourses, road gutters, swales, storm sewers, pipes, BMPs, and infiltration structures.

- B. If a word or term is not defined by this Ordinance, but is defined in the City Stormwater Management (SWM) Ordinance, Subdivision and Land Development Ordinance (SALDO), Zoning Ordinance, or other City ordinance or code, then that definition shall apply. If a word or term is not defined in this Ordinance, SWM Ordinance, SALDO, Zoning Ordinance or other City ordinance or code, then the word or term shall have its plain and ordinary meaning within the context of the section. In the latter case, a standard reference dictionary should be consulted.

§ 202-3. Minimum standards and applicability. All new and existing surface parking lots shall conform to the following minimum standards:

- A. All surface parking lots shall be designed in accordance with the dimensional requirements and other parking requirements in this Chapter and other City codes and ordinances including but not limited to the City Zoning Ordinance and Subdivision and Land Development Ordinance, as applicable.

- B. Paved surfaces. All new, reconstructed and resurfaced parking lots, including all parking spaces, access drives, drive aisles, entrances, exits, circulation and maneuvering areas, and interior lanes for all uses shall be surfaced with asphalt, concrete, pavers or a masonry-type material. Stone or gravel is not considered a masonry-type material.
- C. All surface parking lots shall meet the minimum design and construction standards with regards to the following:
 - 1. Paved Surfaces.
 - 2. Anticipated loading, soil characteristics and other load-bearing stresses.
 - 3. Access aisle drives, parking stall angles, stall sizes, and landscaping.
 - 4. Provisions for adequate drainage.
 - 5. The design and construction of any proposed permeable parking spaces and green infrastructure techniques.
 - 6. All construction standards shall be in accordance with the City of Lancaster Zoning Ordinance and SALDO, City of Lancaster Parking Lots Supplemental Specifications, AASHTO or similar, and applicable manufacturer standards, as approved by the City.
- D. Handicapped-accessible spaces shall be provided and designed in accordance with the American with Disabilities Act of 1990, as amended, the ICC ANSI A117.1-2009 standard or its successors and the City Zoning Ordinance, as applicable.
 - 1. Signage for accessible spaces are required by the ANSI standard and shall be indicated on the plans.
- E. Adequate lighting. Lighting shall be provided in all surface parking lots in accordance with the following minimum standards:
 - 1. All lighting shall be properly shielded in accordance with International Dark-Sky Association guidelines so as to eliminate glare and light spillage beyond the property line and onto adjacent property. All luminaires shall be fully shielded so that no light is emitted above the horizontal plane.
 - 2. Photometric lighting design plans shall indicate fixture location and height and light intensity measured in foot-candles at grade.
 - 3. In commercial areas, parking surfaces shall have target illumination as set forth in the Parking Lots Supplemental Specifications and the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook.
 - 4. When designing lighting for new parking lots, existing lighting from adjoining light sources shall be considered in order to avoid excess illumination. Lighting shall be placed to avoid conflict with overhead utilities, trees and structures. Wall packs and similar fixtures may be used for small accessory parking lots.
 - 5. Light poles and standards in parking lots shall be installed in accordance with the provisions in the Parking Lots Supplemental Specifications, and, to the maximum extent practicable, shall be in compliance with the Streetscape Guidelines in the Streetscape District Ordinance, Chapter 262, Article VII, when located within the Streetscape District.
 - 6. The use of motion sensors for dimming and extinguishing lights after dark is encouraged.
 - 7. Irrespective of the provisions for adequate lighting herein, and when approved by the City, a surface parking lot not used between dusk and dawn shall not be required to install lighting.

- F. Landscaping and Screening. All surface parking lots shall be designed and effectively landscaped and screened in accordance with standards for landscaping and screening in the Parking Lots Supplemental Specifications in addition to the following:
1. General landscaping standards and guidelines.
 - a. Landscaping shall be provided in low-lying or depressed perimeter landscape strips, interior planting islands and divider strips, as applicable, to minimize noise, glare and other nuisances as well as to enhance the environment and ecology of the site and surrounding area.
 - b. Landscape areas shall be designed and constructed to provide stormwater management. Landscape areas shall incorporate green infrastructure (stormwater management) in order to comply with §202-4, herein. Acceptable designs shall be consistent with Chapter 260, Stormwater Management, of the Code of the City of Lancaster.
 - c. All landscape areas shall include a combination of trees, shrubs and ground covers.
 - d. To the maximum extent practicable, native species of trees and other plant materials shall be provided.
 - e. All trees shall be sited and planted in accordance with Ch. 273 - Trees of the Code of the City of Lancaster.
 - f. Shrubs, ground covers and perennials used below shade trees within parking lots shall be of species able to withstand the harsh conditions and runoff of a parking lot. Plant selection should take into consideration tree growth and canopy cover and should be partially shade tolerant species.
 - g. Provisions to prevent conflicts with the opening and closing of automobile doors and to reduce damage from automobile overhang.
 - h. Trees shall be placed in order to avoid conflict with light standards and the effectiveness of light fixtures.
 - i. Plantings required within the parking areas are exclusive of other planting requirements such as street trees.
 - j. All damaged and dead landscape plantings, including trees, shall be replaced upon notice by the City.
 - k. Continuous curbing including but not limited to formed concrete and rolled asphalt shall not be installed to impede the flow of stormwater into landscaped areas. The use of depressed concrete curbs is permitted.
 - l. Replacement of Trees. Where one or more required shade trees are proposed to be removed, they shall be replaced by new shade trees meeting City requirements, and the new locations and species shall be approved by the City. The Zoning Officer may require that the City Shade Tree Commission and/or the City Arborist be provided with an opportunity for a review. This provision does not apply to required street trees.
 - m. Raised landscape and planting beds may be allowed upon permission of the City Engineer when used for accenting vehicle and pedestrian access points.
 2. Perimeter landscape strips shall be required for all surface parking lots with frontage on a public street and/or adjacent to residential dwellings.
 3. Planting islands shall be required for all surface parking lots containing forty (40) or more parking spaces.

4. Vegetated divider strips may be utilized in surface parking lots with one hundred (100) or more spaces in lieu of planting islands. However, divider strips shall be used in all surface parking lots with double-loaded parking rows that exceed forty (40) spaces.
5. In the event the tree planting or landscaping requirements in this subsection would result in the loss of the required number of off-street parking spaces as set forth in Article VIII of the City of Lancaster Zoning Ordinance, the number of trees and the area of landscaping may be reduced in accordance with the following:
 - a. Enhanced SWM facilities shall be designed and constructed to reduce stormwater runoff by no less than an additional 20% above the amount required in Section 202-4, herein; and
 - b. There is no reduction in the number of off-street parking spaces as required in Article VIII, of the Chapter 300, Zoning, of the Code of the City of Lancaster.
- G. Curb stops or other means shall be used to ensure that parked vehicles do not overhang onto walking areas, sidewalks, or landscape areas.
- H. Maintenance. The parking lot owner and lessee or operator are responsible for properly maintaining the pavement surface per the applicable manufacturer's recommendations. The surface grade shall be maintained as installed, and ruts and potholes shall be repaired upon notice by the City. All vegetation must be properly maintained and replaced as necessary per applicable City codes and regulations. A schedule of maintenance shall be recorded in an Operations and Maintenance Agreement for stormwater facilities in accordance with Chapter 260, Stormwater Management, of the Code of the City of Lancaster.
- I. Safety. Parking lots shall be designed to allow for the safe flow of vehicular and pedestrian traffic and shall include design features to discourage through vehicular traffic between adjacent streets. Parking lot design shall consider vehicle speed in relation to pedestrian crossings and shall incorporate features such as designated pedestrian crosswalks when deemed necessary by the City. Appropriate sight distances, subject to approval by the City Engineer, at intersections of vehicle lanes shall be provided, and traffic control measures shall be installed where needed to facilitate public safety.

§ 202-4. Adequate drainage.

- A. All accessory and commercial surface parking lots shall be drained in a manner which is consistent with the City's Stormwater Management Ordinance, Chapter 260 of the Code of the City of Lancaster.
- B. Stormwater management facilities shall be installed and maintained in accordance with all applicable governmental and manufacturer's standards.
- C. All new or reconstructed surface parking lots shall be designed to incorporate stormwater management BMPs that permanently remove stormwater runoff in accordance with Chapter 260, Stormwater Management, of the Code of the City of Lancaster.
 1. Any combination of SWM facilities may be incorporated for the control and management of stormwater runoff, including green infrastructure/low impact development best management practices in accordance with the PA BMP Manual and the City Specifications Manual.
 2. SWM facilities, including green infrastructure, may be installed in series.
 3. Stormwater shall not be permitted to enter the sewer system in any area of the City of Lancaster with a Combined Sewer System without approval from the City Engineer.

- D. All surface parking lots shall be properly graded and maintained to prevent conditions which may lead water flowing over public sidewalks, standing water, ice or other conditions deemed to pose a threat to the public health, safety and welfare.
1. Paved surfaces, including but not limited to parking spaces and drive aisles, shall be graded and sloped in such a way for directing stormwater into landscaped areas or other stormwater management facilities.
 2. Stormwater flows onto adjacent property shall in conformance with the performance standards in the City of Lancaster Stormwater Management Ordinance.

§ 202-5. Permit application. Prior to construction, enlargement or improvement of a surface parking lot or conversion of land for use as a surface parking lot, the owner, tenant or other party in interest who proposes such construction or conversion shall first submit a Parking Lot Permit application and construction documents to the City Engineer. The construction documents shall include the following:

- A. For surface parking lots involving new or modified access drives to a public street or alley requiring Traffic Commission approval and/or where a highway occupancy permit would be required from the Pennsylvania Department of Transportation, the owner, tenant or other party in interest shall obtain prior to final permit approval the necessary approvals and submit evidence of same with the permit application to the City Engineer. An application for access to a public street or alley shall require that the applicant submit a written request to the City Traffic Commission. Applicants shall present to the Traffic Commission pertinent documentation concerning sight and safe stopping distances, safety for pedestrians and vehicles and impacts resulting from any loss of on-street parking. Proposed access drives and driveways shall be designed and constructed in accordance with the City SALDO.
- B. For any parking lot requiring a special exception or variance from the Zoning Hearing Board, the applicant shall first present evidence to the City Engineer that required approvals have been granted and are in effect.
- C. Site Plan. Three (3) copies of a site plan shall be submitted along with the permit application for all new surface parking lots and all surface parking lot improvement projects.
1. All new and reconstructed surface parking lots shall also submit a stormwater management site plan in accordance with Article IV of the City Stormwater Management (SWM) Ordinance.
 2. If proposed parking lot project is part of an overall land development, then the SALDO plan submission procedure and plan requirements set forth in Ch. 265 of the Code of the City of Lancaster shall apply.
 3. The site plan shall include the width and angle of all parking spaces, aisle width and direction, access drives, landscaping, lighting, and signage, in accordance with all City of Lancaster codes and ordinances.
 4. For sealing, restriping, patching and similar minor repairs to paved areas of a lot solely for maintenance, a site plan or drawing is not required.
- D. Material specifications, construction details, and cross-section profiles for the proposed pavement material shall be prepared in accordance with applicable industry, City or state standards.

- E. Grading plan with contours and spot elevations, nearest sewers, method of connection and materials used in the system shall be submitted showing final proposed contours at intervals of no more than two (2) feet in areas of disturbance.
- F. Details concerning excavation, reconstruction or installation of any curbs, streets, sidewalks and invert elevation of inlets and appurtenances which will be installed for the surface parking lot shall be shown on the site plan in accordance with applicable City specifications.
- G. The site plan shall indicate the location of all proposed relocation of utilities, poles, fire hydrants, signage, parking meters or demolition of structures.
- H. Erosion and sediment pollution control plan with sequencing narrative to address earthmoving activities, if applicable, shall be included with the site plan. All new, enlarged and reconstructed surface parking lots, regardless of size, shall indicate erosion and sediment pollution control methods on site plan.

§ 202-6. Procedure upon receipt of application. The City Engineer shall first determine whether or not the submitted Parking Lot permit application and construction documents are sufficient for review pursuant to §202-5. The application shall then be submitted to:

- A. Other City code administrators, including but not limited to the Bureau of Planning, Bureau of Code Compliance and Inspections, and Bureau of Stormwater, who shall review and comment upon the application's compliance with their respective codes and specifications. Comments may include reference to materials, inspections, permits, fees or escrow deposit accounts, if any, that are required with respect to the construction of drainage lines, tapping, repairs to street, curb or sidewalk, erosion control during construction, driveway or access drive permit, stormwater facilities or installation of other required improvements in compliance with all City codes and ordinances, and the City's Specifications and Guidelines Manual.
- B. Within thirty (30) working days of receipt of the application, the City Engineer shall return a copy of the plan(s) and related documents with any written comments to the applicant. The applicant shall address all comments and submit three copies of the revised plan/documents along with the original comment plan/documents to the City Engineer.

§ 202-7. Permit approval.

- A. Upon the City Engineer determining that any requested plan revisions have been made in accordance with City codes and specifications, that approvals have been granted by other boards, commissions or agencies and that all fees and escrow monies have been paid, the City Engineer shall authorize the issuance of the parking lots permit.
 - 1. An approved permit shall grant the City the right to enter upon private property on which a surface parking lot is to be or has been constructed, reconstructed, resurfaced or repaired at any time for purposes of inspection.
- B. In the event that the City Engineer refuses to issue a permit, the City Engineer shall state in writing the reason for the refusal and the regulation, ordinance or law upon which such refusal is based. The denial of the permit by the City Engineer shall be appealable to the Director of Public Works in accordance with the terms herein.

§ 202-8. Appeals.

Any person or property owner receiving a notice of violation of this Chapter, or has been denied a permit to construct, reconstruct, resurface or otherwise improve a surface parking lot shall have ten (10) working days following receipt of said notice or denial to file a written appeal of the same to the Director of the Department of Public Works, or her/his designee. The Director shall review the application, review the denial and any other information deemed appropriate, and hear the appeal and make a determination within thirty (30) working days of the receipt of the appeal. Decisions of the Director shall be appealable as provided by law. Appeals to the Director shall be recorded and decisions shall be written and shall include findings of fact.

§ 202-9. Permit fee. The Council of the City of Lancaster, by resolution adopted from time to time shall establish any and all such fees that are assessable by the City for the administration and enforcement undertaken pursuant to this Chapter.

§ 202-10. Violations and penalties. Whoever violates any of the provisions of this chapter shall, upon conviction in a summary proceeding, be fined an amount not less than \$100.00 and not to exceed \$1,000 or be sentenced to a term of imprisonment not exceeding thirty (30) days, or both, together with costs of prosecution for each offense. Any fines assessed hereunder shall be collected as other fines and costs or by law collectible. Each day of violation shall constitute a separate offense hereunder.

§ 202-11. Modifications.

- A. The provisions of this Chapter are minimum standards for the protection of the public welfare. However, the City Engineer shall have the power to modify any provisions of this Chapter as may be necessary in the public interest as follows:
- (1) Where the developer/applicant can show that the strict application of any provision of this chapter is unreasonable or will cause undue hardship, or that an alternative standard will provide equal or better results, the City Engineer may modify the strict terms and conditions of the Chapter so that substantial justice may be done and the public interest secured; provided, however, that such modification will not have the effect of nullifying the intent and purpose of this Chapter.
 - a. In order to obtain the variance, the applicant must show all of the following:
 - Unnecessary hardship would result from the strict application of the ordinance
 - The hardship results from conditions that are peculiar to the property
 - The hardship is not a self-created hardship
 - (2) In granting waivers and modifications, the City Engineer may impose such conditions as will substantially secure the objectives of the standards or requirements so varied or modified.
- B. When subsurface conditions exist on a project site where the strict application of the provisions of this chapter may result in the transport of known pollutants or have potentially harmful impact on groundwater quality, the City Engineer may modify the strict terms and conditions of this Chapter so that public health, safety, and welfare; and water quality are secured.

C. All requests for modifications to or waivers of chapter standards shall be in writing, shall include the reasons for requesting a modification or waiver and shall be accompanied by the fee referenced in § 202-9.

§202-12. Amendments.

The design, construction, reconstruction, and repair and improvements standards in the Parking Lots Supplemental Specifications and City of Lancaster Specifications and Guidelines Manual may be amended and revised by the City Engineer. No such amendments or revisions shall be effective, however, until thirty (30) calendar days after their promulgation by the City Engineer, their publication on the City's website and notice thereof has been published in one (1) newspaper of general circulation.

§202-13. Notice to repair, resurface or reconstruct surface parking lot.

- A. Any owner or operator of a surface parking lot shall cause the repair, resurfacing or reconstruction of parking lot within a period of 180 calendar days from the date of notice to do so.
- B. The City Engineer shall include in the written notice all violations of this Chapter and all other applicable City codes and ordinances.
- C. The property owner or lessee/operator may appeal a notice for the repair, resurfacing or reconstruction of parking lot as provided in Section 202-8 of this Chapter.