

## Ordinance 1654

(An ordinance adding Chapter 10.50 - City Owned Parking Lots and Facilities)

THE CITY OF HOOD RIVER ordains as follows:

Chapter 10.50 is hereby added to the Hood River Municipal Code and shall read as follows:

### CITY OWNED PARKING LOTS AND FACILITIES

Sections:

- 10.50.010 Lots and Facilities -- Authority for operation
- 10.50.020 Demarcation of parking spaces--Parking entirely within space required
- 10.50.030 Payment for rental of parking space required
- 10.50.040 Parking spaces allocated on a space available basis
- 10.50.050 Advance payment for rental of parking space required
- 10.50.060 Failure to pay advance rental
- 10.50.070 Use of rented parking spaces--Hours allocated to renter
- 10.50.080 Citation procedure and effect
- 10.50.090 Payment in lieu of answering citation
- 10.50.100 Failure to comply with citation--Arrest warrant issuance when
- 10.50.110 Owner responsibility for offense
- 10.50.120 Registered owner presumption
- 10.50.130 Impoundment of vehicles

10.50.010 Lots and Facilities -- Authority for operation. The City Manager is directed and authorized to mark off individual parking spaces in city owned parking lots and parking facilities, and collect rental fees for the rental thereof.

10.50.020 Demarcation of parking spaces--Parking entirely within space required. Such parking spaces are to be designated by lines painted or durably marked on the curbing or surface of the parking lot or facility. Each space so marked shall be numbered for identification. It is unlawful to park any vehicle in such a way that the vehicle is not entirely within the limits of the space designated.

10.50.030 Payment for rental of parking space required. All designated spaces within city owned parking lots and facilities shall be available to individuals or businesses upon payment of the fee which shall be set by council resolution.

10.50.040 Parking spaces allocated on a space available basis. Parking spaces are allocated on a space available basis. When the demand for parking spaces exceeds available spaces, an applicant for a space may apply for any space as may become available at a later date, and applications will be processed with priority given to those applications made at the earliest date.

10.50.050 Advance payment for rental of parking space required. All rental fees are due and payable on or before the twenty-fifth day of the month preceding the month for which rental payment is being made.

10.50.060 Failure to pay advance rental. If monthly rental is not paid by 5 p. m. on the 25th day of the month prior to the month for which payment is being made, then rights to that space shall be automatically relinquished and the space shall become available to the applicant next in priority pursuant to Section 10.50.040. Whenever a vehicle, for which rental payments had previously been made, is found to be parked in a space for which current rental payments have not been made, that vehicle's owner shall be subject to a fine of ten dollars for each violation.

10.50.070 Use of rented parking spaces--Hours allocated to renter. Timely payment of parking space rental fees as elsewhere herein provided shall entitle the renter to the use of the space rented on Monday through Friday between the hours of 7:00 a. m. and 6:00 p. m.

10.50.080 Citation procedure and effect. Whenever a vehicle is found parked in violation of a restriction imposed by this Chapter, the officer finding the vehicle shall issue a traffic citation for violation of this Ordinance and affix the citation in a conspicuous place on the vehicle. The citation shall require the owner of the vehicle to file an answer to the charges with the City Recorder within five days or pay the penalty imposed within that same period of time. The traffic citation shall contain, at a minimum, the following information:

1. The make of the vehicle;
2. The vehicle license number;
3. The date, hour and location of the violation;
4. Any other facts tending to establish the circumstances of the violation; and
5. The name of the owner of the vehicle if known by the officer at the time of issuing the citation.

10.50.090 Payment in lieu of answering citation. The owner or operator may, within twenty-four hours after the time in which the citation was attached to such vehicle as mentioned in Section 10.50.080, pay to the city recorder in full satisfaction of such violation the minimum sum of ten dollars; provided, however, in the cases of repeated violations or in the case of failure to pay within twenty-four hours, the municipal court judge, shall have authority to assess a larger sum for each such violation, but not in excess of one hundred dollars.

10.50.100 Failure to comply with citation--Arrest warrant issuance when. If the owner does not respond to a parking violation citation affixed to such vehicle within a period of five business days, the city recorder may send to the owner of the vehicle to which the parking citation was affixed a letter informing him/her of the violation and warning that in the event the letter is disregarded for a period of five business days, a warrant for the owner's arrest may be issued by the Municipal Court for the City of Hood River.

10.50.110 Owner responsibility for offense. The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent.

10.50.120 Registered owner presumption. In a prosecution of a vehicle owner, charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a rebuttable presumption that the registrant was then the owner in fact.

10.50.130 Impoundment of vehicles--If a vehicle is parked in any city owned parking lot or facility, without prior payment having been made as provided in 10.50.050, a police officer shall order the owner or operator of the vehicle to remove it. If the vehicle is unattended, the officer may cause the vehicle to be towed or stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another.

Read for the first time on April 27, 1992.

Read the second time and adopted by the City Council on April 27, 1992.

ATTEST:

Jay Reynolds  
Jay Reynolds, City Recorder

Glenn P. Taylor, Jr.  
Glenn P. Taylor, Jr. Mayor