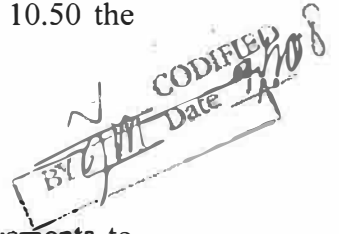


ORDINANCE NO. 1946

(An ordinance amending Title 10, Chapters 10.08, 10.12, 10.16, 10.40, and 10.50 the Hood River Municipal Code – Vehicles and Traffic)



WHEREAS, the City of Hood River conducted a parking study in 2005;

WHEREAS, the parking study provided recommendations for improvements to parking policies and the parking management system;

WHEREAS, the recommendations in the parking study called for changes to Hood River Municipal Code in Title 10, Vehicles and Traffic, and;

WHEREAS, the City Council directed the City staff to develop a parking plan based on the parking study recommendations;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Title 10, Vehicles and Traffic, of the Hood River Municipal Code is amended to read as follows: [deletions in ~~strike-out~~ and additions in underline]

CHAPTER 10.08 – DEFINITIONS

Legislative History: Ord. 1831 (2002); Ord 1791 (2000); Ord 1740 (1997); Ord 1280 (1970)

Sections:

10.08.010 Definitions-Generally

10.08.080 Parking meter. "Parking meter" means and includes any mechanical device or meter placed or erected for the regulation of parking by authority of this title. Each parking meter installed shall indicate by proper legend the parking time established by the city, if any, and, when operated, shall at all times, unless out of order, indicate the balance of parking time or time when the paid for parking time is ended, and at the expiration of such period shall indicate illegal or overtime parking. For the purposes of this title, a parking pay station shall have the same meaning as a parking meter.

10.08.090 Parking Meter Permit. "Parking meter permit" means a permit paid for a fee set by resolution of the City Council which allows the permit holder, when the permit is properly displayed, to park at a designated parking meter space without the requirement to deposit coins in the meter.

10.08.100 Parking meter space. "Parking meter space" means any space adjacent to a parking meter or within the designated area of parking pay station and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters. When motorcycles are parked in a meter space, more than one motorcycle may be parked in a single space.

10.08.101 Parking meter zone. "Parking meter zone" means and includes any restricted street upon which parking meters or parking pay stations are installed and in operation.

CHAPTER 10.12 - STATE TRAFFIC LAWS

Legislative History: Ord 1804 (2000); Ord 1802 (2000); Ord 1568 (1985); Ord 1280 (1970)

10.12.010 Imposing additional assessment for violations. An additional assessment of not less than \$10 will be imposed on each violation of the Oregon Vehicle Code that results in an adjudicated verdict of guilty or a forfeiture of bail or security, and such additional assessment shall be directed to the Police Department of the City of Hood River to defray capital costs associated with the enforcement of the Code.

CHAPTER 10.16 – ADMINISTRATION

Legislative History: Ord 1791 (2000); Ord. 1740 (1997); Ord 1560 (1985); Ord 1280 (1970)

Sections:

- 10.16.010 Powers of the council
- 10.16.015 Traffic safety/parking committee
- 10.16.020 Duties of the city manager
- 10.16.030 Installation of temporary traffic-control devices under conditions of public danger
- 10.16.040 Basis for administrative standards
- 10.16.050 Authority of police and fire officers

10.16.010 Powers of the council.

A. Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.

- B. The powers of the council shall include but not be limited to:
1. Designation of through streets;
 2. Designation of one-way streets;
 3. Designation of truck routes;
 4. Designation of parking meter zones and residential parking zones;
 5. Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage;
 6. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law;
 7. Initiation of proceedings to change speed zones;
 8. Revision of speed limits in parks.

10.16.015 Traffic safety/parking committee. A traffic safety/parking committee is created consisting of the mayor, three council members and three members from the public appointed by the mayor. The city manager and public works supervisor shall be nonvoting members of the committee. It shall be the duty of the committee to:

- A. Coordinate traffic planning;
- B. Conduct traffic surveys, studies and investigations;
- C. Prepare and publish traffic reports;
- D. Recommend improvements of traffic conditions, ordinances and procedures;
- E. Hear complaints having to do with traffic matters;
- F. Educate the general public in traffic matters.

10.16.020 Duties of the city manager. Unless instructed otherwise or delegated by council, the city manager shall exercise the following duties:

A. Implement the ordinances, resolutions and motions of the council and his own orders by installing traffic control devices, parking meters and signs, or designating parking spaces. Such installations shall be based on the standards contained in the Oregon Manual on Uniform Traffic Control Devices for Streets and Highways;

B. Establish, maintain, remove or alter the following classes of traffic controls:

1. Crosswalks, safety zones and traffic lanes,

2. Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when the prohibition applies,

3. Parking areas and time limitations, including the form of permissible parking, e.g., parallel or diagonal;

C. Issue oversize or overweight vehicle permits.

The city manager may refer any such matters to the traffic safety/parking committee for their consideration and recommendations.

10.16.030 Installation of temporary traffic-control devices under conditions of public danger. Under conditions constituting a danger to the public, the city manager or his designate may install temporary traffic-control devices deemed by him to be necessary.

10.16.040 Basis for administrative standards. The regulations of the city manager or his designate shall be based upon:

A. Traffic engineering principles and traffic investigations;

B. Standards, limitations and rules promulgated by the state Highway Commission;

C. Other recognized traffic-control standards.

CHAPTER 10.40 - PARKING ZONES AND METERS

Legislative History: Ord1791 (2000); Ord 1730 (1996); Ord 1518 (1982); Ord 1280 (1970)

Sections:

- 10.40.010 Parking meter zones designated
- 10.40.020 *Repealed*
- 10.40.030 Installation, function and maintenance of parking meters
- 10.40.040 Deposit of coins required
- 10.40.050 Compliance with time limit required
- 10.40.060 Scofflaw
- 10.40.070 Unintentional violation due to mechanical defect
- 10.40.080 Meter collection duty
- 10.40.090 Parking meter hoods--Parking work permits--Issuance requirements
- 10.40.100 Parking meter hoods--Use regulations
- 10.40.110 Parking meter hoods--Forfeiture for violation
- 10.40.120 Courtesy permits
- 10.40.130 Disposition of meter proceeds

10.40.010 Parking meter zone designated. The areas, streets or portions of such streets designated by the city manager for placement of parking meters shall be considered parking meter zones.

10.40.020 *Repealed [Demarcation of parking spaces--Parking entirely within space required]*

10.40.030 Installation, function and maintenance of parking meters. The city manager will be responsible for the regulation, control, operation, maintenance and use of parking meters.

10.40.040 Deposit of coins required. No person shall park a vehicle in a metered parking space, except as other wise permitted by this title, without immediately depositing in the parking meter adjacent to the space the coin required by the meter, as designated by directions on the meter, unless the parking meter indicates at the time the vehicle is parked that an unexpired portion remains of the period for which a coin has been previously deposited. For a parking meter zone that is controlled by parking pay stations, no person shall park a vehicle in a parking space, except as other wise permitted by this title, without immediately depositing in the parking pay station, a form of payment required by the pay station, as designated by directions on the pay station, and properly displaying the payment receipt on the vehicle as instructed by the pay station. For meters that accept alternative forms of payment (credit card, debit card, etc.), those alternative forms of payment shall be considered "coin" for the purposes of this section. Motorcycles, motor scooters, or like vehicles are not required to deposit coins in metered parking spaces and more than one motorcycle, motor scooter, or like vehicle may be parked in one metered space without the deposit of coins.

10.40.050 Compliance with time limit required. No person, except as otherwise permitted by the ordinance codified in this chapter, shall permit a vehicle parked by him to remain parked in a parking meter space during a time when the parking meter adjacent to the space indicates that no portion remains of the period for which a coin had been deposited, or beyond the time limit for parking in such space, except that any time

remaining on a parking pay station receipt shall be valid for use at a metered space until that time has expired. The elapse of (1) hour from the time reported on the last violation for the same vehicle in the same space shall be considered a separate offense. No more than three (3) separate consecutive offenses will be allowed for the same vehicle parked in the same space.

10.40.060 Scofflaw . If any vehicle is illegally parked in violation of this Title 10 or any applicable part of the Oregon Motor Vehicle Code or whose owner is delinquent in payment of fines and costs imposed by the City, or has four (4) or more outstanding parking tickets, or owes more than \$200 in fines and fees, then that owner's vehicle shall be prohibited from parking on any streets or public places within the City and shall be seized, removed and impounded according to Section 10.36.050.

10.40.070 Unintentional violation due to mechanical Any unintentional violation of a provision of this chapter by reason of a mechanical failure of a parking meter is not an offense within the meaning of this chapter once the mechanical failure is verified by the City or where there is a hood covering the meter that states "out of order."

10.40.080 Meter collection duty. It shall be the duty of the city manager to direct the collection of all coins deposited in parking meters.

10.40.090 Parking meter hoods--Parking work permits – Meter passes -- Issuance requirements

A. No person may park a vehicle in a parking meter space where the meter is covered by a City parking meter "No Parking" hood unless the person has been issued a parking work permit, and the permit is with the vehicle.

B. No parking hood nor parking work permit may be used on a twelve-minute parking meter space.

C. Any person who has been issued a parking work permit which is with a vehicle at the time it is being parked may park the vehicle in any metered space, except a twelve minute parking meter space, without the necessity of depositing a coin in the meter.

D. Any person may park a vehicle in any metered space, without the necessity of depositing a coin, if the meter is covered with an "out of order" hood.

E. The city manager may issue a parking meter hood and/or a parking work permit on application as follows:

1. To a business person for a business vehicle used for delivery purposes;
2. To any duly licensed medical doctor whose office is located within a parking meter zone;
3. To any person engaged in the construction, reconstruction or repair of a building or installation of equipment in a building adjacent to a street where parking meters are installed; to be issued at the time of securing the work permit, to be used only at the scene of the work, and to be turned in at the time of completion of the job. The application shall state the location of the work and the time it is to be returned;

4. To all city officers, employees and city officials for use only by the individual officers, employees and officials while actually engaged in rendering services to or on behalf of the city. Parking work permits, when applied for and issued shall be plainly stamped and marked on the face thereof in large letters, "CITY EMPLOYEE."

F. The city manager will issue parking meter passes based on an established policy for the issuance of parking meter passes and collect a fee for such passes.

G. The fee for issuance of a parking meter hood, parking meter passes, and/or a parking work permit shall be set by council resolution. Meter hoods and work permits shall be valid for seven (7) days, but may be renewed for successive seven day periods. Meter passes are valid for thirty (30) days from the date of issuance. If the application for meter hoods, meter passes, or work permits is for less than the amount of time previously stated, the charge shall be set by council resolution for each day. There shall be no charge for issuance of a parking work permit to a city officer, employee or official.

H. The city council may hereafter, by resolution, adjust the parking meter hood, parking meter pass, and/or parking work permit fees or adopt administrative rules for issuance or use of permits.

I. The City Manager or designee shall keep a complete and up-to date list of all parking work permits or parking meter hoods which have been applied for and issued; designating the purpose for which such permit was issued. The list shall be open to public inspection. (Ord. 1518, 1982: Ord. 1280 §41, 1970).

10.40.100 Parking meter hoods--Use regulations. A person with a properly issued hood may place it upon a parking meter reasonably close to the place where he is engaged. This will reserve the parking meter space for the use of the permittee's vehicle during the period when he is actually engaged in the task for which the hood was issued. No parking hood shall be used for the purpose of creating a permanent loading zone. (Ord. 1280 §42, 1970).

10.40.110 Parking meter hoods--Forfeiture for violation. No person shall use a parking meter hood except for the purpose for which the hood was issued. Failure to abide by this provision will result in forfeiture of the hood, without refund of any of the fees paid; and the city manager shall not issue another hood to the violator except upon council approval.

10.40.120 Courtesy permits. The city manager may, in his discretion, make courtesy permits available to visitors of the city. Such permits shall be valid for not more than three days and shall be free. These permits, if properly displayed in accordance with the direction prescribed by the city manager, shall authorize the permittee to park his vehicle without regard to time limits and without having to pay the meter fees in any parking space allowing over thirty minutes of continuous parking.

10.40.130 Disposition of meter proceeds. As provided in Section 10.40.040, the amount of the coin designated in the directions on the meter adjacent to each parking space will be deposited in the General Fund of the City or any other fund designated by the City Council and levied and assessed as a fee to provide for the proper regulation, control and inspection of traffic upon the public streets of the city, including the doing of all things necessary to provide and maintain off-street parking, if, in the opinion of the city council, the traffic condition of the city requires the same; and to cover the cost of supervising, regulating and inspecting the parking of vehicles in the parking meter zones provided for in this chapter, the cost of placing and maintaining lines or markings designating parking spaces in parking

meter zones and the cost of the rental, purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters installed under this chapter and other expenses of the City.

CHAPTER 10.50 - 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. (Ord. 1654 (part), 1992).

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. (Ord. 1654 (part), 1992).

10.50.030 Payment for rental of parking space required. All 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. (Ord. 1654 (part), 1992).

10.50.040 Parking spaces allocated on a space-available basis. The City Manager shall control the allocation of parking spaces in city-owned parking lots and facilities by permits. Parking spaces are allocated on a space-available basis. Business and/or individuals have no continual or "vested" rights to the continued purchase of a permit for a permitted space. 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. The City Manager may, at his discretion and with notice to the individual or business, reduce the number of parking spaces allocated to the individual or business. If the number of spaces is reduced, the City will provide a prorated refund to the individual or business for the unused time on the permit. (Ord. 1654 (part), 1992).

10.50.050 Payment for rental of parking space required. All rental fees are due and payable on or before the tenth day of the month for the subsequent billing period which rental payment is being made. (Ord. 1654 (part), 1992).

10.50.060 Failure to pay advance rental. If monthly rental is not paid by five p.m. on the tenth day of the month prior to the month for which payment is being made, then rights to that permit 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 parking lot for which current rental payments have not been made, that vehicle's owner shall be subject to a fine set by a resolution of the City Council for each violation. The resale or transfer of permits without the approval of the City is prohibited. Any person found selling or transferring a permit without the approval of the City will have the permit revoked. For the purpose of this section, each violation shall be considered the elapse of (1) hour from the time reported on the last violation for the same vehicle in the same space shall be considered a separate offense. No more than three (3) separate consecutive offenses will be allowed for the same vehicle parked in the same space. (Ord. 1654 (part), 1992).

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 seven a.m. and six p.m. (Ord. 1654 (part), 1992).

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 chapter 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

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. (Ord. 1654 (part), 1992).

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. (Ord. 1654 (part), 1992).

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. (Ord. 1654 (part), 1992).

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. (Ord. 1654 (part), 1992).

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 Section 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. (Ord. 1654 (part), 1992).

Read for the first time: July 28th, 2008.

Read for the second time and passed: Aug 11, 2008, to become effective thirty (30) days hence.

Signed 8/11/08, 2008.



Linda Streich, Mayor

ATTEST:



Jennifer McKenzie, City Recorder