

FACT SHEET

<u>Title</u> AN ORDINANCE TO AMEND AND REENACT ARTICLE VII, DIVISION 4 OF CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO PARKING METERS AND PARKING METER TECHNOLOGY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.	<u>Date</u> December 1, 2015	<u>Originating Department</u> City Council
		<u>Sponsor</u> Councilman Everson

Purpose
To revise the parking meter ordinance to allow the use of technology such as smartphone apps for the payment of parking meter rates.

Background Information
Technology is now available to enable the payment of parking meter rates by smartphone, telephone, websites, and other methods. Parking meters would still be used, but drivers would have the option to pay using the app rather than by inserting coins into a parking meter. Parking meter zones have previously been established by ordinance. However, some parking meters are no longer in place due to deterioration, accidents, etc. This ordinance would also allow the marking and signing of parking spaces in established parking meter zones where there is no meter, and require payment of the parking meter rate using the app.

Timetable
Introduction December 8, 2015.
Final adoption December 22, 2015.

Finances

Alternatives

1. Adopt the ordinance.
2. Amend the ordinance.
3. Reject the ordinance.

Conclusion Councilman Everson recommends adoption of the ordinance.

FACT SHEET PREPARED BY: Julie W. Glass
Assistant City Attorney

ORDINANCE NO. ____ OF 2015

AN ORDINANCE TO AMEND AND REENACT ARTICLE VII, DIVISION 4 OF CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO PARKING METERS AND PARKING METER TECHNOLOGY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Everson

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Article VII, Division 4 of Chapter 90 of the Code of Ordinances of the City of Shreveport is hereby amended and reenacted to read as follows:

DIVISION 4. - PARKING METERS AND PARKING METER TECHNOLOGY

Sec. 90-321. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Operator means and includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.

Park or parking means the standing of a vehicle, whether occupied or not, upon a street, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, or loading or unloading merchandise, or in obedience to traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

Parking meter means and includes any mechanical device or meter, not inconsistent with this division, placed or erected for the regulation of parking by authority of this division.

Parking meter space means any space within a parking meter zone which is duly designed for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street, which is either adjacent to a parking meter or which is in an area clearly marked by signs indicating the space is in a parking meter zone and indicating that payment may be made by the use of parking meter technology.

Parking meter technology means technology that allows payment for parking in parking meter zones without the use of mechanical parking meters, including but not limited to telephone, smartphone applications, website, storefront payment, single or multi space

meters, or any other technology as deemed appropriate by the city to pay for parking. Parking meter technology may utilize parking space numbers, license plates, sticker numbers, or any other means designated by the specific parking meter technology to process parking payment.

Parking meter zone means and includes those areas designated by ordinance as parking meter zones.

Street means any public street, avenue, road, alley, highway, lane, path, or other public place located in the city and established for the use of vehicles.

Vehicle means any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

Sec. 90-322. - Meter zones.

The areas, streets, or portions of streets, named and described by ordinance of the city council, shall constitute parking meter zones within the city.

Sec. 90-323. - Marking of parking spaces in meter zones.

The traffic engineer is hereby directed and authorized to mark off individual parking spaces in parking meter zones in accordance with the plan of curb use on file in the office of the city traffic engineer. Such parking spaces shall be designated by lines painted or durably marked on the curbing or surface of the street.

Sec. 90-324. - Installation.

(a) Parking meters shall be installed upon the curb or sidewalk immediately adjacent to the parking spaces marked off in accordance with section 90-323. Such installations shall be in the manner set out in the plans and specifications on file in the office of the traffic engineer.

(b) For any parking space for which no meter is installed adjacent to the space, the traffic engineer shall install signage indicating that payment of the parking meter rates for that space shall be made using parking meter technology, and indicating the procedure for using said technology.

Sec. 90-325. - Display of signals.

(a) Each parking meter shall be so set as to display a signal showing legal parking upon the deposit of the appropriate coin or coins, lawful money of the United States of America, for the period of time prescribed by this division, and shall at all times indicate the balance of legal parking time. Each meter shall be arranged so that, upon the expiration of the lawful time limit, it will indicate by a proper visible signal that the lawful parking period has expired.

(b) When parking meter technology is in use, it shall notify the user and the parking enforcement officer of the legal parking time for which payment has been made, the balance of legal parking time and shall notify the user when the legal parking time has expired.

Sec. 90-326. - Meter rates.

Parking meter rates for metered zones within the city shall be as fixed by ordinance of the city council and as indicated on the meter or by the parking meter technology.

Sec. 90-327. - Hours of operation.

Parking meters and parking meter technology shall be operated in parking meter zones every day, except Saturdays, Sundays and holidays, provided, however, that within the meaning of this section, the term "holiday" shall include only days designated as holidays by the city council.

Parking meters and parking meter technology shall be operated in parking meter zones between the hours of 8:00 a.m. and 5:00 p.m., except as follows: on Commerce Street; on Travis Street between Commerce and Spring Street, and on Milam Street between Commerce and Spring Street parking meters and parking meter technology shall be operated between 8:00 a.m. and 11:00 a.m. and between 3:00 p.m. and 5:00 p.m. only.

Sec. 90-328. - Collection and deposit of funds.

(a) It shall be the duty of the traffic engineering division to make regular collections of the money deposited in parking meters and to deliver the collections to the finance department, which shall deposit such funds, unless the mayor, when authorized by the city council, contracts with a third party to fulfill this responsibility.

(b) Funds collected through parking meter technology shall be deposited with the city through the finance department in accordance with regulation established by the Director of Finance.

Sec. 90-329. - Maintenance.

It shall be the duty of the traffic engineering division to maintain in operating condition all parking meters installed under the provisions of this division, unless the mayor, when authorized by the city council, contracts with a third party to fulfill this responsibility.

Sec. 90-330. - Method of parking in metered spaces.

At each parking space marked off in accord with this division, it shall be unlawful to park any vehicle in such a way that it shall not be entirely within the limits of the space so designated.

Sec. 90-331. - Procedure on occupancy of metered space.

(a) When any vehicle is parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, pay the parking meter rate either using the meter or by the use of parking meter technology.

(1) If payment is made using the meter, the operator shall immediately deposit or cause to be deposited in the meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter, and when required by the directions on the meter, shall also set in operation the timing mechanism on such meter. The failure to deposit such proper coin and to set the timing mechanism in operation when so required shall constitute a violation of this division.

(b) If payment is made using parking meter technology, the operator shall follow the directions posted for the use of such technology.

(c) Upon payment of the parking meter rate, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which the parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time.

Sec. 90-322. - Meter zones.

The areas, streets, or portions of streets, named and described by ordinance of the city council, shall constitute parking meter zones within the city.

Sec. 90-332. - Overtime parking.

(a) It shall be a violation of the provisions of this division for any person to cause, allow, permit or suffer any vehicle registered in his name or operated by him to be parked overtime, or beyond the period of legal parking time established for any parking meter zone, or to permit any vehicle to remain or be placed in any parking space in a parking meter zone in excess of the time for which the parking meter rate has been paid, or to permit any vehicle to remain or be placed in any parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, irrespective of the number or amounts of coins deposited in such meter. For example, it is a violation of this section to permit a vehicle to remain in a two-hour metered parking zone beyond two hours, irrespective of whether the owner or operator has returned to the meter and deposited additional coins therein. Any parking meter technology used shall not permit payment for longer than the period of time for which parking is lawfully permitted in the parking meter zone. At any meter in the Central Business District as defined by the limits of the downtown development authority, each succeeding period of overtime parking, or

parking beyond the period of legal parking time established for the particular parking meter zone, shall be deemed a separate offense. The above designation includes both sides of all streets affected by parking meters.

(b) For the offense of overtime parking or parking beyond the period of legal parking time established for any parking meter zone, the penalty shall be a fine of \$10.00; provided, however, that if such fine is not paid within ten days of the date of the offense, the fine shall be \$50.00.

Sec. 90-333. - Tampering with, breaking, etc.

It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter or parking meter technology installed or used under the provisions of this division.

Sec. 90-334. - Deposit of slugs.

It shall be unlawful for any person to deposit or cause to be deposited in any parking meter any slug, device, metal substance or other substitute for lawful coins.

Sec. 90-335. - Reservation of powers.

Nothing in this division shall be construed as prohibiting the city from providing for bus stops, for taxicab stands and other matters of similar nature, including the loading or unloading of trucks, vans or other commercial vehicles; nor shall the provisions of this division be construed as prohibiting the city from prohibiting parking during certain hours of the day within the metered areas covered by this division.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney's Office