

ORDINANCE NO. 2074
AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE TITLE
10 ADDING CHAPTER 10.12 PREFERENTIAL PARKING DISTRICTS

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The Council has directed staff to prepare an Ordinance allowing for the creation of Parking Districts to address parking concerns in designated areas of the City.
- C. The Ordinance establishes the process to create and operate a Parking District. Individual Parking Districts may be designated by Council or upon receipt of a petition signed by the applicable number of merchants or residents residing in the proposed District.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Title 10 is amended to add Chapter 10.12 Parking Districts as set forth below and incorporated herein by reference.

PREFERENTIAL PARKING DISTRICT

10.12.010 Definitions.

For the purposes of this Section, the following terms, phrases, and words shall have the meaning given herein. The word "shall" is always mandatory and not merely directory.

- A. "Dwelling unit" means a house, apartment, condominium, mobile home or other type of residence, in conformance with city code and related zoning maps, having an address assigned consistent with the house numbering maps maintained by the City. Apartments having numbers or letters assigned in addition to the street address shall be deemed as a dwelling unit.
- B. "Employee of merchant" means any person employed by a merchant within a preferential parking district.
- C. "Visitor" means any person visiting or intending to visit, for any purpose, either a resident or merchant located in a preferential parking district.

D. "Merchant" means a person who, as proprietor, operates a commercial business involved in the retailing of goods or services within a preferential parking district.

E. "Preferential parking district" or "district" means an area with streets or boundaries designated by the ordinance establishing the district, wherein vehicles displaying a valid permit shall be exempt from parking restrictions established pursuant to this part.

F. "Resident" means a person who lives in a dwelling unit located in a preferential parking district.

10.12.020 Designation of preferential parking districts.

The City Council may, by ordinance, at its discretion or upon receipt of a petition signed by residents or merchants living or working in two-thirds of the dwelling units or businesses comprising not less than 50 percent of the developed frontage of the area proposed for designation, designate a certain area or areas to be a preferential parking district.

10.12.030 Issuance of permits.

A. Parking permits for preferential parking districts shall be issued by the department of public works.

B. The number of permits to be issued to any one dwelling unit or to any merchant's business establishment shall be determined by the parking conditions within each district and set forth in the ordinance establishing the district.

C. Parking permits may be issued by the City only to the following persons: residents and merchants within the prescribed preferential parking district.

10.12.040 Posting signs in permit parking area.

Upon the adoption by the City Council of an ordinance designating a preferential parking district and the specified parking regulations applicable thereto, the department of public works shall cause appropriate signs to be erected in the district, indicating prominently thereon the parking limitation, period of the day for its application, and the fact that motor vehicles with valid permits shall be exempt therefrom.

10.12.050 Permit parking exemption.

A. A motor vehicle on which is displayed a valid parking permit hanging from the rearview mirror shall be permitted to stand or be parked in the preferential parking district for which it is issued without being limited by parking restrictions established pursuant to this Chapter. Except as provided below, all other motor vehicles parked within a preferential parking district shall be subject to the parking restrictions and penalties as provided in this Chapter.

B. A preferential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated preferential parking district.

10.12.060 Exemption of certain vehicles.

No person shall, without a permit therefor, park or leave standing any vehicle or trailer in a preferential parking district in excess of the parking restrictions authorized pursuant to this part, except for the following:

A. Repair, maintenance, refuse, utility, fuel or delivery vehicles doing business in the preferential parking district;

B. Vehicles delivering emergency services within the preferential parking district, such as police, fire and ambulance.

10.12.070 Application for and duration of permit.

A. Except as otherwise provided in an Ordinance creating a preferential parking district, each parking permit issued by the department of public works shall be valid for one year. Permits may be renewed upon reapplication in the manner prescribed by the department of public works.

B. Proof of residency/merchant location shall be required. Proof of residency/merchant location shall consist of two of the following:

1. Driver's license
2. Property Tax Bill or rental/lease agreement
3. Utility Bill (Cable TV, Telephone (landline only), Gas, Water, or Electric)
4. Company business card/letterhead.

10.12.080 Permit fees.

The fee for a preferential parking permit shall be established by resolution of the City Council. In the absence of any such order, the fee shall be \$25.00.

10.12.090 Deposit of permit fees.

Permit fees collected under the provisions of this Chapter shall be paid to the City and deposited in the general fund.

10.12.100 Penalty provisions.

A. Unless exempted by provisions of this Chapter, no person shall stand or park a motor vehicle in any preferential parking district established pursuant to this part in violation of any parking restrictions established pursuant to this part. A violation of this section shall constitute an infraction, which shall be punishable by a fine, set by Resolution of Council.

B. No person shall falsely represent himself as eligible for a parking permit or furnish false information to the department of public works or other authorized city personnel in an application for a preferential parking permit.

C. No permit issued pursuant to this part shall thereafter be assigned, transferred or used for any consideration, monetary or otherwise. Violation of this subsection shall constitute an infraction and be punishable by a fine of \$100.00. Notwithstanding the foregoing, residents and merchants within a parking district may allow its/their visitors, customers, or employees use of such permits while visiting or conducting business within the parking district.

D. No person shall copy, produce or create a facsimile or counterfeit parking permit, nor shall any person use or display a facsimile or counterfeit preferential parking district permit. Violation of this subsection shall constitute an infraction and be punishable by a fine of \$100.00.

E. Permit holders shall report to the department of public works or other authorized city personnel a lost, stolen, or missing permit within 10 days of loss, at which time that permit shall be cancelled and a new permit issued, at no cost.

F. Permits shall be returned to the Department of Public Works when the permit holder ceases to reside or exist in a preferential parking district.

G. No person shall display a permit cancelled pursuant to subsection E. Any such display on a vehicle shall be cause for ticketing and towing at the owner's expense in

addition to the penalty set forth in subsection A of this section. Such cancelled permits shall be confiscated by the impounding authority.

10.12.110 Permit revocation procedure.

A. Any permittee who has violated the provisions of subsections B, C, D, E, F, or G of Section 10.12.100 shall be subject to having the permit revoked, and shall be notified in writing of the permit revocation. Upon notification of such revocation, the permittee shall, within 15 working days of receipt of such notice, either surrender the permit to the department of public works or request, in writing, a hearing before the director of public works or designated representative.

B. A timely request for a hearing made within 15 days of the receipt of the notice of revocation shall stay any revocation until five working days after the hearing decision is rendered.

C. A hearing shall be held by the director of public works or designated representative, unless continued by agreement, within five working days of the request for a hearing. At the hearing, any person may present evidence or argument as to whether the permittee has violated any provisions of this part and whether the permit should be revoked.

D. A decision shall be rendered, by the director of public works or designated representative, within five working days after the close of the hearing.

E. The director of public works or designated representative may give oral notice of the decision at the close of the hearing or may send notice of the decision by mail to the permittee. The decision of the director of public works or designated representative shall be final and conclusive.

F. If the revoked permit is not surrendered, the police department shall be notified so that appropriate enforcement action may be taken against the vehicle with the revoked permit the same as any other vehicle parking in the district without a permit.

10.12.120 Dissolving a district.

The designation process as set forth in this chapter shall be utilized by the City Council in determining whether to dissolve a preferential parking district.

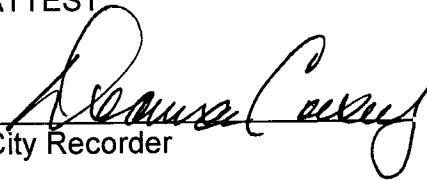
SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 8th day of April, 2021.


Mayor Hank Williams

ATTEST:


City Recorder