



**FINANCE DEPARTMENT
MUNICIPAL COLLECTOR'S DIVISION
M E M O R A N D U M**

TO: Bruce Walden, Chief Administrative Officer
FROM: Delora Siebrecht, Office Manager
DATE: March 27, 2006
RE: Over 72 Hour Parking Ordinance

Brief Description of the item

City Council asked staff to reevaluate the policy reflected in Urbana Local Traffic Code, Sec. 23-189. Parking in Excess of 72 Hours Prohibited. Specifically, Council requested information on how other cities, especially those promoting alternative modes of transportation, handle vehicles parked long-term on city streets.

Identification of the issues and any approvals required

Council members expressed concern that individuals who use alternative transportation modes will, as a consequence, sometimes leave their vehicles parked on city streets in excess of 72 hours. They worried that forcing such alternative transportation mode users to move their vehicles every 3 days works as a disincentive to their use of alternative transportation modes.

On the other side of the issue, 72 hour parking limits are very common in cities and are in place to prevent long-term storage of vehicles on city streets. The long-term storage of vehicles can cause aesthetic streetscape problems and set the tone for behavioral norms in a neighborhood. Also, the 72 hour ordinance helps the Public Works Dept. coordinate the removal of leaves and snow.

Urbana's enforcement is largely complaint based with the notable exception of those vehicles that clearly show signs of long-term storage, such as accumulation of debris around the vehicle. Our Parking Enforcement Supervisor does take call in information from residents who will be out-of-town for a lengthy period of time. The vehicle information is noted and exempted from ticketing.

Council approval is required to revise the ordinance.

Background / facts

City of Boulder Colorado Parking Study

In researching how other cities handle long-term street parking, I found a 2002 study of the 72 hour parking ordinance by the City of Boulder Colorado. The study was initiated because Boulder's Council members also expressed a concern that their 72 hour ordinance discouraged the use of alternative transportation modes. The study produced nine options that were reviewed by their Transportation Advisory Board.

Listed below are the options studied with a synopsis of the pros and cons shown in parenthesis. Attached are complete copies of Boulder's study session and the discussion from the Transportation Advisory Board Meeting. The study covers the issues and options that immediately come to light for Urbana.

1. **Establish a defense for people who park their cars in front of their own homes by adding an element of proof that a motor vehicle was not parked in front of its owner's home.** (Difficult to prove vehicle belongs to resident when registration does not show that address – common in college towns; resident may not always be able to park in front of their own house.)
2. **Establish an affirmative defense for people who park their cars in front of their own homes by adding an affirmative defense for such owners.** (Owner required to contest ticket – could be less convenient than moving vehicle every 3 days.)
3. **Change the ordinance to reflect a policy that, ordinarily tickets for this offense will not be issued in the absence of a citizen complaint, but make clear that such complaint is not an element of the offense that must be proven in court.** (Total complaint based enforcement could legally demonstrate improper motives; could set a pattern of variable enforcement where in one neighborhood people are not upset by long-term parking while on another block a single neighbor could be sensitive to the matter and continually complain.)
4. **Establish a permit system for those who can prove that they regularly utilize alternative transportation modes.** (Must develop program criteria and educate users; difficult to determine compliance; administrative demand considered excessive for unpredictable results.)
5. **Repeal the ordinance and allow people to park on street for as long as they like.** (Resolves problem of discouraging the use of alternative modes; likely to cause anxiety for some residents and neighborhoods who think that aesthetic qualities of a streetscape set the tone for behavioral norms in a neighborhood.)
6. **Leave the ordinance and its enforcement the way it is.** (There have not been many complaints about the way the ordinance is being enforced.)
7. **Increase the permitted street storage period for motor vehicles to a period longer than the current 72 hours.** (Could increase to 7 days with an additional 7 days before ticket issued for a total of 14 days; citizen calls to Parking Enforcement to shorten the time period outnumber citizen calls to extend the time period.)
8. **Exclude trailers and RV's.** (Exclude trailer and RV from any lengthening of the 72 hour ordinance; include RV's and trailer in another ordinance that restricts on-street overnight parking.)
9. **Enforce existing ordinance on a non-complaint basis after a two-week time period.** (Difficult to enforce and impracticable because of large amount of time required to administer.)

Boulder staff did not recommend options 1, 2, 3, 4, 5 and 9 (see attachments for more pro and con details.) Options that staff recommended for consideration were 6, 7 and 8. Ultimately, the Transportation Advisory Board recommended leaving the ordinance and enforcement the way it is.

I contacted Boulder's Director of Parking Services and was told that the Council made no changes in the ordinance and currently the 72 hour ordinance is enforced on a complaint basis only. The issue was the conflicting points of view of the permanent residents - who didn't want cars parked for long periods in front of their homes - and the alternative mode policies prevalent in the community. The issue has not come up again in Boulder.

List of other city's ordinances on long-term street parking:

City of Champaign – 72 hour parking limit enforced by citizen complaint and officer observance. Usually two weeks before vehicle would be towed. No call in's taken for exception to the ordinance.

Carbondale, IL – 72 hours

Danville, IL – 7 days

Rantoul, IL – 7 days

Evanston, IL - 7 days. Resident only parking districts. Snow and street maintenance is handled by designated days when no parking at all is allowed on a street.

Madison, WI – 48 hour parking limit. Resident parking permits. Alternate side parking rules are in effect from November 15th – March 15th for snow removal.

Ann Arbor, MI – 48 hour parking limit. Enforced mostly through call in complaints.

Berkley, CA – 72 hour parking limit.

Thousand Oaks, CA – 72 hour parking limit.

Everett, WA – 72 hour parking limit.

Aspen, CO – 72 hour parking limit.

Allentown, PA – 72 hour parking limit.

Seattle, WA – 72 hour parking limit.

Santa Clara, CA – 72 hour parking limit.

Urbana Statistics – Tickets Issued for Over 72 Hours & Abandoned Vehicle

From Jul 05 - Jan 06, Urbana issued 376 tickets under the Over 72 Hour Parking Ordinance. 34 of the tickets were voided after a complaint was filed. Approximately 150 of the tickets were issued from Dec. 1 - 16. This was a period of heavy snowfall and Public Works was attempting to clean snow out of side streets and asked Parking

Enforcement to ticket vehicles that had not moved for days. The remaining tickets were call in complaints or vehicles that came to the attention of parking enforcement because of trash, debris or snow around the vehicle.

During the same Jul - Jan period, 80 tickets were issued under the Abandoned and/or Inoperable Vehicle Ordinance. Tickets under this ordinance are issued to vehicles with no vehicle registration or those that have a flat tire or some other visible problem that makes them inoperable. Most of these vehicles are eventually towed after attempting to notify the registered owner.

Historical reference in Urbana Municipal Code.

The 72 hour ordinance is referenced in Urbana's Municipal Code in 1964. The ordinance may be in older code but it will require more intensive research to confirm.

Options and their consequences

Staff has identified four options from the Boulder study for consideration by Council.

1. Repeal the ordinance and allow people to park on the street as long as they like.

Pros:

1. Resolves the issue of discouraging the use of alternative transportation modes.
2. Provides a convenience of not having to move ones car every three days.

Cons:

1. Vehicles storage creates a problem for street maintenance.
2. Affects the aesthetic qualities of a neighborhood.
3. Certain streets near student housing would become storage for student vehicles. These streets are much closer to housing than the parking lots provided for students by the University plus the parking would be free.
4. Vehicles could migrate from Champaign, who enforces a 72 hour ordinance, because vehicles can park in Urbana at no cost and no penalty for an indefinite period of time.
5. We have not received many complaints about the current ordinance – no restrictions could create many complaints from residents in certain neighborhoods.
6. Creates a perception of decreased property values when a neighborhood is parked bumper-to-bumper.
7. Could decrease available parking for residents in front of their homes.

2. Increase the allowable time from 72 hours to 7 days.

Pros: Partially resolves the issue of discouraging the use of alternative transportation modes.

Cons:

1. Could affect street maintenance.
2. Certain streets near student housing would become storage for student vehicles. These streets are much closer to housing than the parking lots provided for students by the University plus the parking would be free.

3. Vehicles could migrate from Champaign, who enforces a 72 hour ordinance, because vehicles can park in Urbana at no cost and no penalty for at least a couple of weeks before being ticketed.
4. Resident would have to move their vehicle every 7 days.

3. Establish a permit system for those who can prove that they regularly utilize alternative transportation modes. Such a system would require that special permits be issued to individuals who pledge to use alternative transportation modes for some predetermined percentage of their travel.

Pros:

Resolves the issue of discouraging the use of alternative transportation modes.

Cons:

1. Criteria for participation in the program would need to be developed.
2. It would be very difficult to develop criteria that excludes students who bring a vehicle for weekend use or transportation home AND who rides campus buses to classes weekdays.
3. Resident must sign-up for program and pledge to use alternative modes of transportation for X percentage of their travel.
4. Difficult to determine compliance with alternative transportation mode use.
5. An easy way to store your vehicle on the street because verifying compliance is almost impossible.
6. Could be viewed as unfair or inequitable for residents who don't use alternative modes of transportation but don't use their vehicle frequently either.
7. Depending on number of participants could affect street maintenance.

4. Leave the ordinance and its enforcement the way it is.

Pros:

1. Resolves street maintenance issues.
2. Controls the streetscape aesthetics in a neighborhood.
3. Controls student parking.
4. Lack of evidence that the 72 hour ordinance is a disincentive to alternative modes of transportation.

Cons: Alternative transportation users would have to move their vehicle every 72 hours.

Fiscal impact

None.

Recommendation

Option 1 - Staff does not recommend this option for reasons stated and because of real concerns that it would open Urbana streets to vehicle storage by students and others not living in Urbana.

Option 2 - Staff does not recommend this option for reasons stated and because it could open Urbana streets to week day storage.

Option 3 – Staff does not recommend this option for reasons stated and because of legal concerns in developing criteria that is fair to all residents but prevents students riding campus buses to classes from qualifying for the permit.

Option 4 – Staff recommends leaving the ordinance and enforcement the way it is for reasons stated and because the restriction is necessary to maintain clean, safe and aesthetic neighborhoods.

Goss/Grove	407	329	335	324	59	26	61	61
Mapleton	271	316	275	276	56	54	37	37
High/Sunset	55	65	74	60	4	3	14	14
University Hill	455	509	461	493	13	28	45	47
Columbine	149	141	148	156	0	0	66	64
Whittier	480	432	486	446	79	82	73	73
TOTAL:	1817	1792	1779	1755	211	193	296	296

IV. ISSUES

The NPP commuter permits provide a cost effective parking alternative for employees and students. In anticipation of the commuter permit sunset clause, as well as to assess the NPP after its first 5 years, staff initiated a number of studies and efforts. First, staff sent out a survey to all NPP permit holders. The survey results indicated: "In general, the majority of respondents to the NPP survey from all 6 NPP zones combined felt that conditions in their neighborhood as a result of the NPP program had either stayed the same or improved." A copy of the survey was included in the April 3, 2002, WIP. (See Attachment A.) In addition, staff initiated a "white space" study – the amount of non-parked space – in all NPP areas. As a result of the study 71 commuter permits were removed, relocated or refunded and 127 commuter spaces were added on blocks with appropriate capacity. And finally, in 2001, staff hired Molly Tayer to develop a community outreach process to not only learn if the commuter permit program should sunset as planned, or be continued in some form, but also to use it as an opportunity to learn more from the community about the day to day on-street parking conditions and their observations and recommendations regarding enforcement of the district. Please see Attachment B for the Community Review Of the NPPP – District Outreach and Program Assessment.

As indicated by the survey and the Tayer initial Assessment, the NNP district residents do not feel that the commuter permits are an imposition on the parking access on their block. However, there are issues raised by the residents that needed to be considered and addressed.

It is anticipated that Tayer will complete the Assessment by the end of May. Over the summer staff will develop final recommendations. In early fall staff will present the recommendations to the affected NPP neighborhood organizations, and return with a recommendation to Council in October 2002.

72 Hour On-Street Parking Limitation

III. BACKGROUND:

Ordinance 7-6-20 states, in part,

"No vehicle shall be parked upon any street for more than seventy-two hours without being moved or for the principle purpose of storage for more than seventy-two hours."

The current enforcement procedure for the 72 hour parking ordinance is primarily complaint based unless the officer observes debris surrounding the vehicle. The enforcement scenario process is as follows:

- Complaint from citizen received.
- Parking Control Officer observes the vehicle and records the odometer.
- Parking Control Officer returns after 72 hours and if vehicle has not moved .2 of a mile the vehicle either gets a ticket or a notice; a copy is mailed to the vehicle owner.
- Vehicle owner has 7 days to correct the situation.
- If after 7 days the vehicle remains with the same odometer reading, the vehicle is impounded and towed. The vehicle owner is responsible for all towing and impound fees.

Listed below are statistics regarding the 72 hour parking enforcement by Parking Services only.

Year	Vehicles Observed	Verified abandoned	%	Impounded/towed	%	Total Tickets Written citywide	% abandoned of total
2001	235	111	47%	27	11.5%	130,362	.08%
2000	208	94	45%	33	16%	111,516	.08%
1999	217	123		24	11%	87,308	.14%

IV. ISSUES

City Council has asked staff to reevaluate the policy reflected in ordinance 7-6-20, B.R.C., "Parking for More than 72 Hours Prohibited," within the context of a concern about encouraging the use of alternative transportation modes. Several Council members expressed concern that individual who sue alternative modes will, as a consequence, sometimes leave their cars parked on city streets. They worried that forcing such alternative mode users to move their cars every 72 hours works as a disincentive to their use of alternative modes. On the other side of the issue, Parking Services regularly receives requests from citizens to shorten the time during which motor vehicles are allowed to remain parked on city streets. City staff came up with 9 options that were reviewed by the Transportation Advisory Board. The nine options presented are listed below and analysis of each option is included in the attached TAB Memo.

1. Establish a defense for people who park their cars in front of their own homes by adding an element of proof that a motor vehicle was not parked in front of its owner's home.
2. Establish an affirmative defense for people who park their cars in front of their own homes by adding an affirmative defense for such owners.
3. Change the ordinance to reflect a policy that ordinarily tickets for this offense will not be issued in the absence of a citizen complaint, but make clear that such complaint is not an element of the offense that must be proven in court.
4. Establish a permit system for those who can prove that they regularly utilize alternative transportation modes.
5. Repeal the ordinance and allow people to park on the street for as long as they like.
6. Leave the ordinance and its enforcement the way it is.
7. Increase the permitted street storage period for motor vehicles to a period longer than the current 72 hours.

8. Exclude trailers and RV's.

9. Enforce existing ordinance on a non-compliant basis after a two-week time period.

During the TAB public hearing, the following issues were brought up:

University Hill neighbors Steve Walsh, Ken Wilson and Terry Rogers all supported keeping the ordinance at 72 hours and made the following points:

- University Hill neighborhood is used as a storage facility by CU students living in dorms.
- Vehicle storage creates a problem for street maintenance
- The 72 hour ordinance is needed to keep hill clean, safe as well as maintain aesthetics.
- Proposal to change ordinance to allow unrestricted parking in front of one's residence, while seemingly simple, is actually very problematic to enforce.
- 72 hour ordinance is an incentive to use alternative modes.

Premina supported extending the time period and felt the ordinance was targeted to specific neighborhoods.

During the TAB discussion, Board members raised the following points:

- Discussion represents two valid principles – encouragement of alternative modes and parking image impacts on neighborhood.
- While the existing ordinance may not be perfect, it seems to work in most cases.
- Beware of changes in the ordinance which might bring unintended consequences
- Issue does not seem to be very substantial; lack of evidence that 72 hour ordinance is a disincentive to alternative mode use.
- It is a complicated issue.
- One member likened the options to a “rubicks cube” – changing ordinance may have repercussions.
- Don't make policy changes based on a handful of complaints.

TAB Recommendation:

“Jerry Wyss motioned to recommend to City Council Option 6 (Leave the ordinance and its enforcement the way it is) due to lack of evidence that there is a problem with alternative mode use.” Brant Liebmann seconded. The vote was 5-0 in favor of the motion.

CONCLUSION / NEXT STEPS:

NNP Commuter Sunset Provision

Staff is planning to continue with the process as outlined.

Does Council have any comments on the process to consider the sunseting or retention of the commuter permit portion of the NPP ordinance?

72 Hour On Street Parking Limitation Options

Which option does Council prefer staff to pursue?

Attachments:

- A. NPP Survey
- B. Community Review of the NPP
- C. TAB Agenda Item, April 8, 2002
- D. WIP, March 8, 2000

CITY OF BOULDER
TRANSPORTATION ADVISORY BOARD AGENDA ITEM
(MEETING DATE: April 8, 2002)

SUBJECT:

Public hearing and consideration of a recommendation to City Council regarding options for the 72-Hour Parking Prohibition, BRC 7-6-20

REQUESTING DEPARTMENT:

City Attorney's Office

Joe de Raismes, City Attorney

Jerry Gordon, Deputy City Attorney

Downtown University Hill Management Division

Molly Winter, DUHMD/Parking Services

Dave Bradford, DUHMD/Parking Services

BOARD ACTION REQUESTED:

Board recommendation to City Council.

FISCAL IMPACT:

To be determined based on alternative selected.

PURPOSE:

City Council has asked staff to reevaluate the policy reflected in ordinance 7-6-20, B.R.C., "Parking for More than 72 Hours Prohibited." This memorandum is intended to seek feedback from the Transportation Advisory Board before staff reports back to Council on this subject.

BACKGROUND:

At the request of city council, staff has reviewed issues associated with the 72-hour parking ordinance. Section 7-6-20, B.R.C., provides, in part:

- (a) No vehicle shall be parked upon any street for more than seventy-two hours without being moved or for the principal purpose of storage for more than seventy-two hours.

A Weekly Information Packet memorandum (WIP) on this subject was presented to Council in March 2000. (See Attachment A.) It provides the background relating to the ordinance and some enforcement and amendment alternatives. No change in the ordinance or its enforcement was initiated as a result of the March 2000, memorandum.

Council most recently discussed this ordinance within the context of a concern about encouraging the use of alternative transportation modes. Several Council members expressed a concern that individuals who use alternative modes will, as a consequence, sometimes leave their cars parked on City streets. They worried that forcing such alternative mode users to move their cars every 72 hours works as a disincentive to their use of alternative modes.

On the other side of the issue, Parking Services regularly receives requests from citizens to shorten the period of time during which motor vehicles are allowed to remain parked on City streets. Neighbors sometimes complain that the regular utilization of streets as long-term storage facilities for motor vehicles creates a visually unattractive environment and, thereby, contributes to a decline in the quality of life in our neighborhoods.

Current City Practice:

Currently, Parking Services handles “abandoned” vehicles largely on a complaint basis. During 2001, Parking Services began processing a total of 235 vehicles as possibly abandoned. The majority were from citizen complaints rather than initiated by Parking Services officers as a result of observation of accumulated trash. Of the initial 235 vehicles that were initially observed, 111 vehicles (47%) were still in the same spot after 72 hours and issued citations; and 27 (11.5%) were never moved and were actually impounded. Parking Services issues approximately 110,000 parking tickets per year.

OPTIONS:

Following the expression of concern by some Council members, staff discussed a number of options. Those include the following:

1. Establish a defense for people who park their cars in front of their own homes by adding an element of proof that a motor vehicle was not parked in front of its owner’s home:

One Council member suggested that while the seventy-two hour street parking restriction might be retained, it would be appropriate to allow people to park in front of their own homes for as long as they like. One way to accomplish that would be to add an “element” of proof that a car was not parked in front of its owner’s home. This means that a prosecutor would have to prove this fact in order to get a conviction in a 72 -hour parking situation.

This approach would present several logistical challenges.

- It may not be easy for an enforcement officer (or prosecutor) to know that a car is not parked in front of its owner’s home. Cars are not always registered at a particular address, as in the case where a young college student lives near college but drives a car registered to a parent’s address.
- No matter what a prosecutor or enforcement officer knows in this respect, it may be hard to establish this element at trial. Proving a negative is always difficult. In this case, a prosecutor would have to prove that a given car does not belong to anyone in an adjacent house.
- It may be hard to establish which car is in front of which house. Where does the property line end?
- It may be hard for all residents to park directly in front of their own houses. Sometimes there

is a fire hydrant or other parked car that causes some residents to park only partially in front of their own homes or a short distance down the street. This could, in individual cases, mean that citizens would feel that the law was not fair in their individual situations.

2. Establish an affirmative defense for people who park their cars in front of their own homes by adding an affirmative defense for such owners.

This approach is similar (in intent) to the one noted above. However, instead of making a prosecutor prove that a given car was *not* parked in front of a given owner's house, the burden of proof would be shifted to the car's owner to establish the defense. In other words, an owner who is cited for parking on the street for more than seventy-two hours could come to court and prove the defense of having parked in front of his or her own home.

The main problem with this approach is that it would require citizens who parked in front of their own houses to take time off from work and go to court to prove their defense. This would result in a number of trials and be less convenient for most people than just moving their car a short distance every 3 days.

3. Change the ordinance to reflect a policy that ordinarily tickets for this offense will not be issued in the absence of a citizen complaint, but make clear that such complaint is not an element of the offense that must be proven in court.

This approach would be very unusual in the Code. It would express a general policy preference for complaint based enforcement of the seventy-two hour ordinance, but would not require the proof of a complaint in a court case.

Difficulties with this approach include the following:

- This approach is apt to play into the hands of some offender who challenges a ticket based upon a theory of selective (improper) prosecution. The argument would be that while no element of proof is required, a "preference" is clearly expressed. The challenger might then argue that the fact that the preferred approach was violated in his or her case demonstrates improper motives on the part of the officer who wrote the citation.
- Enforcement systems that are wholly complaint based put a lot of power in the hands of potential complainers. Such systems can foster very differential enforcement. Thus, in neighborhoods where neighbors tend not to be upset by a long-term street parking, one standard of legal enforcement will prevail. Identical parking conduct on another block might be stringently prosecuted because a single neighbor on that block is hypersensitive with regard to the matter. A resultant pattern of variable enforcement might be hard to defend legally against a due process attack since it could be seen as arbitrary and capricious.

4. Establish a permit system for those who can prove that they regularly utilize alternative transportation modes.

To the extent that the contemplated change is motivated by a desire to assist those who regularly utilize alternative modes, one idea would be to create a permit system for those people allowing more long term street storage.

Such a system would require that special permits be given to individuals who pledged to use alternative transportation modes for some predetermined percentage of their travel.

Challenges associated with this approach might include the following:

- Appropriate criteria for participation in the program would need to be developed. For example, participation in educational programs and a pledge relating to the use of alternative modes might be required.
- It would be very difficult to determine compliance with alternative modes utilization. How would staff know if a citizen violated their percentage of travel by alternative modes pledge?
- The administrative demands to administer this program, either by Transportation or Parking Services, are considered excessive for unpredictable results.

5. Repeal the ordinance and allow people to park on the street for as long as they like.

Another approach to this issue is to simply rescind the ordinance and allow cars to be parked on the streets indefinitely. This resolves the perceived problem of discouraging the use of alternative modes. On the other hand, this approach would very likely cause great anxiety on the part of neighborhood activists who think that aesthetic qualities of a streetscape set the tone for behavioral norms in a neighborhood.

6. Leave the ordinance and its enforcement the way it is.

There have not been many complaints about the manner in which the ordinance is being enforced. Therefore, an option is simply to continue the enforcement protocol as outlined above. That enforcement is largely compliant-based, with the notable exception of those vehicles that clearly show signs of long-term storage, such as accumulation of debris around the vehicle.

7. Increase the permitted street storage period for motor vehicles to a period longer than the current 72 hours.

The ordinance could be amended to allow motor vehicles to remain on street for a longer period such as 7 days. Once a complaint was received from a citizen, or an Officer observed a vehicle that appears to be abandoned, the vehicle would be observed for 7 days. After 7 days if the vehicle is still there, and has not been moved, a ticket would be issued and paperwork would be started giving it another 7 days to move or it would be towed. That gives the owner a total of 14 days to move their vehicle. Citizen calls to Parking Services to shorten the time period outnumber citizen calls to extend the time period.

8. Exclude trailers and RV's.

During the discussion of vehicle parking on-street, the case arose whether trailers, boats or RV's should be treated differently than vehicles. Staff has received several complaints from citizens about trailer, boat or RV storage on street regarding their aesthetic appearance and safety concerns.

A number of different approaches could be taken to minimize or exclude trailers or RV's from on-street parking:

- Trailers and RV's could be excluded from any lengthening of the 72-hour ordinance. Trailers and RV's could remain with a 72-hour restriction. Due to their nature of being larger and occupying more space residents tend to become irritated more quickly when they sit on the street for extended periods.

- Another option for Trailers and RV's is to include them into Ordinance 7-6-24a that would restrict their being parked on-street, overnight. The ordinance states:

No vehicle with a gross vehicle weight of six thousand pounds or more shall be parked on any street in any district of the city zoned RR, RR1, ER, LR, MR, MXR, HR, HZ, MH, P, or A for more than thirty minutes between 8:00 p.m. and 7:00 a.m. The penalty for a first violation of this section is \$10.00. The penalty for a second violation of this section by the same vehicle or the same registered owner of a vehicle is \$20.00. The penalty for a third and any subsequent violation of this section by the same vehicle or the same registered owner of a vehicle is \$30.00.

This ordinance could be amended to say: No vehicle with a gross vehicle weight of six thousand pounds or more, or any trailer or RV, etc., shall be parked on-street, overnight.

9. Enforce existing ordinance on a non-compliant basis after a two-week time period.

The ordinance could remain as it is, be enforced on a non-complaint basis, if vehicles have been left for longer than two weeks. This would not be practicable. Parking Control Officers rotate through districts on a daily basis. With twelve districts this means that an Officer may only go through any given district once every 12-14 days. Another option would be to go through large areas of the City, chalking all vehicles in the area, and then returning two weeks later to see if any still remain. Then a ticket would be issued and abandoned paperwork started and impounded seven days later. This is not practicable either because of the large amount of time required to administer and it would require pulling an Officer out of an existing district.

RECOMMENDATIONS:

Staff does not recommend options 1,2, 3, 4, 5 and 9 for reasons stated above. Options that staff recommends for consideration are:

6. Leave the Ordinance and its enforcement the way it is.

The ordinance strikes a balance between the counter demands of supplying storage for vehicles of individuals who do not need to drive or use alternative modes, and of maintaining a level of neighborhood livability.

7. Increase the permitted street storage period for motor vehicles to a period longer than 72 hours.

Changing the ordinance to extend the amount of time for on-street vehicle storage could have a positive impact on alternative mode use, however staff does not have the data to support this at this time. Staff would anticipate an increase in complaints from citizens who view extended on-street vehicle storage as a detriment to the quality of their neighborhood.

8. Exclude trailers and RV's.

Staff would recommend additional public input on this issue. While Parking Services does receive some citizen complaints regarding trailer, boat and RV on-street storage, staff does not have done a thorough investigation of this issue to make an informed recommendation. However, staff would not recommend including trailers, RV, etc. in any extension of the 72-hour time period.

Attachments

- A - Weekly Information Packet Memorandum (WIP) on the 72-hour prohibition presented to Council in March 2000.