



MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer
William R. Gray, Public Works Director

FROM: N. Patrick Pioletti, Public Facilities Manager
Delora N. Siebrecht, Finance Office Manager
Shawn Crowley, Parking Enforcement Supervisor

DATE: April 5, 2007

RE: 72 Hour Parking Restriction in the west Urbana Neighborhood

Introduction

Recent discussions both on the City Council floor and by e-mail have centered upon modifying current parking restrictions by either extending the 72 hour parking limit to some other longer time frame up to eliminating it all together in the West Urbana area and perhaps City-wide.

Background

When considering changes to the current rules, it is important to remember that the reason there are special parking rules in the West Urbana Neighborhood is to discourage storage parking of autos so the street can be available for normal parking. The permit is intended to provide an alternative for those residents that do not have the option of parking in an off street location, so they can park on the street during the restricted hours.

The West Urbana Special Parking Zone was first enacted in May of 1975 with an annual fee of \$100 per permit. Over the course of the last 32 years, the fee has modestly increased to \$135 annually.

To date, the program has undergone several changes at various points of time in attempts to respond to citizen input and concerns. The most recent overhaul of this program came as a result of a focus group appointed by Mayor Satterthwaite which was comprised of staff and several neighborhood residents. The recommended changes from this group were adopted in 2002.

One item, among many, that surfaced during these meetings was the 72 hour parking restriction. This is something that the residents feel very strongly about. The overall concern is that if cars are not made to move regularly, then their neighborhood streets become clogged with storage parking. In addition, if a car that is parked in front of a neighbor's house is not compelled to move from time to time, the resident will rarely get the opportunity to park in front of or even

near their own home. This comment came through clearly and repeatedly not only from members of the focus group but from numerous others in the neighborhood as well.

In addition to citizen input on this subject, it is also necessary and convenient for the parked cars to be compelled to move to allow for the routine performance of tasks such as snow removal and street sweeping. While not every car is moved from the street in anticipation of such tasks, most cars in most neighborhoods are gone from the street during normal working hours or during extended school breaks. If the cars were allowed to never move simply by the purchase of a permit, they would indeed form an impediment to completing basic street maintenance functions. Longer permit parking periods would also complicate the occasional need to prohibit parking for various reasons (i.e. tree removal, planting, or trimming, street, curb, or sidewalk patching, street sign maintenance, etc.) because of the need to provide advance notice to permit holders.

It has also been suggested that, if the 72 hour parking restriction is eliminated, inoperable vehicles parked on the street will not pose a problem because the parking enforcement staff would be able to remove inoperable vehicles without the aid of a time restriction simply by observing its inoperable condition. While some vehicle defects are obvious such as flat tires, broken windows, expired plates, accumulated debris, etc., some others are not. It would be impossible for an enforcement officer to discern simply by looking at a car if it is in working order or not.

The primary trigger for enforcement of the 72 hour restriction currently is citizen complaint. If someone calls to say that a given car hasn't moved in a while, Parking Enforcement staff will then mark that car and monitor it for compliance. If it does not move within 72 hours it receives a ticket. While citizen complaints are not the only cause of enforcement of this restriction, they do result in the majority of tickets written for this offense.

In addition to the above information, two previous memos to the City Council on the subject of the 72 hour restriction have been attached for reference.

Recommendation

Based upon the number of calls received, citizen input through other sources and the need for cars to be compelled to move from the street this remains an important issue in neighborhoods and therefore should not be abandoned.



**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.



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Finance Department
Municipal Collector 217-384-2368
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Date: March 14, 2006

Re: Over 72 Hour Parking Ordinance

Council Request:

City Council has asked staff to reevaluate the policy reflected in Urbana Local Traffic Code, Sec. 23-189. Parking in Excess of 72 Hours Prohibited. 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 72 hours works as a disincentive to their use of alternative transportation modes.

Parking Enforcement & Public Works:

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 problems and set the tone for behavioral norms in a neighborhood. Also, the 72 hour ordinance is helpful to the Public Works Dept. in the removal of leaves and snow.

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.

City of Boulder, CO – 72 hour parking study:

The City of Boulder Colorado studied their 72 hour parking ordinance in April 2002 because their Council members had also expressed a concern about discouraging the use of alternative transportation modes. The study produced nine options and an analysis of the pros and cons of each. Since Boulder studied the ordinance for the same reason as Urbana, reviewing their study is a good place to start our review. Attached are copies of Boulder's study.

The nine options are listed below with the synopsis of the pros and cons in parenthesis.

1. **Establish a defense for people who part 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; 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 – would be less convenient that 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.)
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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.)

Staff did not recommend options 1,2,3,4,5 and 9 (see attachment for more pro and con details.) Options that staff recommended for consideration were 6, 7 and 8. In the end, the Council made no changes in their ordinance and currently enforce the 72 hour ordinance on a complaint basis only.

Other city's policies on long-term parking on city streets:

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 are taken for exception to the ordinance.

Carbondale, IL – 72 hour parking limit on all streets.

Evanston, IL - Vehicle unremoved for 7 days. Resident only parking districts. Two types of permits issued, one for vehicles registered in Evanston (\$10) and one for vehicles not registered in Evanston (\$70). 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. Permits do NOT allow you to park longer than 48 hours or exempt you from alternate side parking regulations. Alternate side parking rules are in effect from November 15th – March 15th.

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