

Sec. 126-354. - Parking by permit only.

- (a) *Definitions.* As used in this policy, the following terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

*Block* means both sides of a street between two intersecting streets.

*Designated permit area* means a contiguous area of a single-family residential or commercial use containing not less than ten commercial or single-family residential lots, upon which the city council imposes a parking permit per this policy. Except, where there are less than ten commercial or single-family residential lots on the entire length of the street, then the entire length of the street may be considered.

*Non-permitted vehicle* means a vehicle parked or left standing in a designated permit area without having displayed thereon a parking permit for such area issued by the city pursuant to this policy, regardless of whether such vehicle parked or left standing is owned or being used by a resident and/or property owner of the designated permit area.

*Parking permit* means a permit issued by the city pursuant to this policy to a resident and/or property owner within a designated permit area for display on a vehicle owned or used by such resident and/or property owner or his or her visitors which is parked or left standing within the designated permit area.

*Resident* means a person whose place of residence is as located in the city as to render him or her eligible for procurement of a parking permit under this policy.

*Temporary permit* means a permit issued with by the city pursuant to this policy to property owner or resident within a designated permit area for display on a vehicle used by visitors which is parked or left standing within the designated permit area. Temporary permits shall be valid for time specified upon issuance not to exceed one 24-hour period.

- (b) *Parking permit exemptions.* The display of some sign or marking which identifies a non-resident commercial or service vehicle being used while the operator is conducting commercial or service related activities shall be deemed a parking permit and such vehicle shall be exempt from any parking restriction as established by this policy for any designated permit area.

- (d) *Establishment of a designated permit area-*

- (1) A neighborhood desiring to create a designated permit area may submit an application for consideration to the city engineer containing the following information:

- a. Description or a map showing the proposed blocks of the designated permit area.
- b. The address of each residential lot within the proposed designated permit area and to the extent such information is available to the applicants, the name(s) of the occupant(s) of each single-family residential home;
- c. An identification of any non-residential properties located within the proposed designated permit area, such as churches, schools, public facilities, or commercial establishments;
- d. A statement of the proposed parking restrictions desired by the applicants, including days of the week, times of the day, and the length of time for the parking restriction; and
- e. A petition to include the following statement signed by two-thirds of all single-family homes located within the designated permit area to determine if the area qualifies as a designated permit parking area:

"We the undersigned are residents and/or property owners of the proposed designated permit area described in this application. We understand that: (i) if this area is designated, certain restrictions will be placed upon on-street parking within the area; (ii) residents and/or residential property owners of the area will be entitled to obtain a limited number of parking permits exempting their vehicles from such parking restrictions, but if a resident and/or property owner owns a vehicle without having a permit displayed, that vehicle will be subject to the parking restrictions; (iii) parking permits will be issued for a term of one

year and require replacement each year; (iv) the cost of issuing the annual parking permits will be paid by the residents and/or property owners."

- (2) The city engineer will review all applications submitted for a proposed designated parking permit area and determine the following:
    - a. ~~No less than 75 percent of all available on-street parking spaces within the designated area are occupied and remain occupied for a minimum of two hours;~~
    - b. ~~No less than 25 percent of all available on-street parking spaces within the designated area are occupied and remain occupied by non-neighborhood vehicles; and~~
    - c. The proposed designated parking area is a contiguous commercial or residential use and consists of a minimum of ten commercial or residential lots, except where there are less than ten commercial or single-family lots on the entire length of the street, then the entire length of the street may be considered.
  - (3) A public hearing on the application shall be conducted by city council. Notice of the public hearing shall be mailed not less than ten days prior the scheduled date of the hearing to all persons listed in the petition as being an occupant of each of the single-family homes within the permit area and to any other persons who may not be listed in the petition but are shown on the latest tax roll as owning property within a minimum 300 foot radius of the proposed designated permit area. The council may approve, reject, or modify the proposed designated permit area in any manner the council deems appropriate, except that the area shall not be expanded but may be reduced by excluding certain properties as long as the remaining properties remain contiguous to each other. Council will approve the designated parking by permit area by adopting an ordinance, which shall describe each street within the area and the specific restrictions applicable to the area.
- (e) *Modification of a designated permit area.* In response to a request submitted any person or upon its own initiative, the city council may modify a designated permit area or any parking restriction applicable to such area, or council may abolish the entire area or rescind any of such restrictions by ordinance. No action shall be taken until council has conducted a public hearing on the proposed change with notice given in the same manner as required to establish the designated permit area.