

Sec. 86-7. - Operation of vehicles in parks.

- (d) ~~Paid parking within parks is listed in section 126-381(1) — Parking fees in Prince Solms Park. There shall be a parking fee charged for all parking spaces in Prince Solms Park between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$20.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$20.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$20.00 fee will be charged to park in one space.~~

~~(2) — Exceptions:~~

- a. ~~A resident Prince Solms Sports pass shall be made available for users of the Prince Solms Park tennis courts, basketball courts and disc golf course.~~

~~For the purpose of this section, the term "resident" applies to persons who reside within the city limits. The term of the resident — Prince Solms Sports pass is May 1st through Labor Day in the same year the pass was purchased. The fee for the Prince Solms Sports pass shall be \$40.00 and valid for two years. All holders of a resident Prince Solms Sports pass shall be entitled entry into Prince Solms Park parking area at no additional charge, seven days a week, excluding holidays, from May 1st through Labor Day for the purpose of parking their vehicles to utilize the tennis courts, basketball courts and disc golf course in the park.~~

- b. ~~Vehicles with disabled veteran license plates will be exempt from parking fees.~~

- c. ~~When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.~~

- (e) ~~Reserved. (1) — Parking fees at the Landa Park parking lots located off Elizabeth Avenue. There shall be a parking fee charged for the 155 parking spaces located in Landa Park parking lots located off Elizabeth Avenue between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$10.00 for every parking space utilized vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$10.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$10.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.~~

~~(2) — Exceptions:~~

- a. ~~The Landa Park parking lot with 43 spaces located directly in front of the park and recreation department operations buildings will be reserved for staff use from May 1 through Labor Day and will not be available for paid parking. There will be reserved parking spots in this parking lot for mini-golf patrons that will be clearly marked and signed.~~

- b. ~~A Resident Parking Pass shall be made available for users of the Landa Park parking lots located off Elizabeth Avenue.~~

~~For the purpose of section 86-7, the term "resident" applies to persons who reside within the city limits.~~

~~For the purpose of section 86-7 (e), (f), and (g), there is no fee for the Resident Parking Pass and it shall be valid for three years. All holders of a Resident Parking Pass shall be entitled entry into Elizabeth Street parking area, Hinman Island Drive on street parking, and East San Antonio Street on street parking at no additional charge, daily, excluding holidays, from May 1st through Labor Day for the purpose of parking their vehicles.~~

- c. ~~Vehicles with disabled veteran license plates will be exempt from parking fees.~~

- d. ~~When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.~~

Commented [MKH1]: Moved to Chapter 126.

Commented [MKH2]: Moved to Chapter 126.

(3) a. ~~Penalties.~~ Any person who shall violate any provision of this section or fail to comply with any of the provisions herein, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding \$200.00. Each day any violation of this section continues shall constitute a separate and distinct offense.

b. ~~Towing of vehicles.~~ In addition to being cited for violations of this section, such vehicles can be towed at the discretion of the city manager, the chief of police, or the parks and recreation director, or their designated representatives. All towing costs incurred shall be the responsibility of the vehicle owner or operator. The installation and erection of appropriate signs is hereby authorized.

(f) ~~Reserved.~~ (1) ~~East San Antonio Street.~~ There shall be a parking fee charged for all parking spaces on the north side of East San Antonio Street between the intersection with South Liberty Avenue and the Comal River bridge between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$20.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$20.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$20.00 fee will be charged to park in one space. All fees collected from this parking location will go into the River Activities Fund.

(2) ~~Exceptions:~~

a. ~~A resident parking pass shall be available for residents to park in this location.~~

b. ~~Vehicles with disabled veteran license plates will be exempt from parking fees.~~

c. ~~When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.~~

(g) ~~Reserved.~~ (1) ~~Hinman Island Drive.~~ There shall be a parking fee charged for all parking spaces on Hinman Island Drive between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$30.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$30.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$30.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.

(2) ~~Exceptions:~~

a. ~~A resident parking pass shall be available for residents to park in this location.~~

b. ~~Vehicles with disabled veteran license plates will be exempt from parking fees.~~

c. ~~When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.~~

Commented [MKH3]: Moved to Chapter 126.

Commented [MKH4]: Moved to Chapter 126.

Sec. 126-1. - Definitions.

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

Holiday means any holiday which is designated as such by the city council.

Paid parking space means a space that is delineated on a public right-of-way for which payment is required to park a vehicle.

Commented [MKH5]: Moved from old Meters section to definitions.

Paid parking zone means a group of parking spaces, on a public right-of-way or on City property, that are delineated by a posted sign and for which payment is required to park a vehicle.

Parking meter means any mechanical or electronic device that the City places or erects on City property, adjacent to a paid parking space for the purpose of managing and controlling the use of paid parking spaces and that requires payment for use.

Parking occasion means the uninterrupted period of time that a vehicle is parked in a paid parking space or a paid parking zone while paid parking time limits are in effect.

Parking pay station means any electronic device, except a parking meter, that the City places or erects on City property, for the purpose of managing and controlling the use of paid parking spaces and paid parking zones and that requires payment for use.

Pay and display station means a parking pay station that dispenses a receipt, as proof of payment, to be displayed as required.

Pay by space station means a parking pay station that measures the lawful parking occasion and its expiration for specific paid parking spaces without issuing a receipt for display on a vehicle.

(Code 1961, §§ 23-1, 23-69; Ord. No. 2005-06, § 1, 1-24-05; Ord. No. 2011-59, § 1, 8-8-11)

Cross reference— Definitions generally, § 1-2.

State Law reference— Definitions, Vernon's Ann. Civ. St. art. 6701d, §§ 1 et seq., 20A.

DIVISION 4. - ~~METERS-METERED AND PAY STATION PARKING~~

Sec. 126-381. - ~~Parking meter-Paid parking space and paid parking zones established.~~

~~(a) The below-listed zones may be diminished or extended and enlarged or other paid parking spaces or paid parking zones may be created when authorized by the city council. The following described parts of streets in the city areas are hereby established as paid parking meter zones:~~

- ~~(1) That part of San Antonio Street which lies between Missouri-Pacific Railroad and Comal Street.~~
- ~~(2) That part of Seguin Street which lies between Coll Street and Bridge Street.~~
- ~~(3) That part of Castell Street which lies between Coll Street and Bridge Street.~~
- ~~(4) That part of Mill Street which lies between Missouri-Pacific Railroad and the east property line of the Comal County Courthouse Annex.~~

~~(1) *Prince Solms Park.* There shall be a parking fee charged for all parking spaces in Prince Solms Park between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$20.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$20.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$20.00 fee will be charged to park in one space.~~

~~*Exceptions.* A Resident Prince Solms Sports pass shall be made available for users of the Prince Solms Park tennis courts, basketball courts and disc golf course.~~

~~For the purpose of section 126-381, the term "resident" applies to persons who reside within the city limits. The term of the Resident Prince Solms Sports pass is May 1st through Labor Day in the same year the pass was purchased. The fee for the Resident Prince Solms Sports pass shall be \$40.00 and valid for two years. All holders of a Resident Prince Solms Sports pass shall be entitled entry into Prince Solms Park parking area at no additional charge.~~

Commented [MKH6]: All parking meters downtown were removed in 1988.

seven days a week, excluding holidays, from May 1st through Labor Day for the purpose of parking their vehicles to utilize the tennis courts, basketball courts and disc golf course in the park.

- (2) Landa Park parking lots located off Elizabeth Avenue. There shall be a parking fee charged for the 155 parking spaces located in Landa Park parking lots located off Elizabeth Avenue between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$10.00 for every parking space utilized vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$10.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$10.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.

Exceptions. The Landa Park parking lot with 43 spaces located directly in front of the park and recreation department operations buildings will be reserved for staff use from May 1 through Labor Day and will not be available for paid parking. There will be reserved parking spots in this parking lot for mini-golf patrons that will be clearly marked and signed.

- (3) East San Antonio Street. There shall be a parking fee charged for all parking spaces on the north side of East San Antonio Street between the intersection with South Liberty Avenue and the Comal River bridge between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$20.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$20.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$20.00 fee will be charged to park in one space. All fees collected from this parking location will go into the River Activities Fund.

- (4) Hinman Island Drive. There shall be a parking fee charged for all parking spaces on Hinman Island Drive between the hours of 8:00 a.m. and 7:00 p.m. daily from May 1 through Labor Day. Such parking fee shall be paid by the operator of each vehicle at the designated locations and shall be charged \$30.00 for every parking space utilized by a vehicle of any size. If city personnel determine that a vehicle is using more than one parking space, then an additional \$30.00 fee will be charged. Once paid by the operator, the space is not transferable to another vehicle. If a vehicle leaves and then returns later in the same day when the fee is applicable, a new \$30.00 fee will be charged to park in one space. All fees collected from this parking lot will go into the River Activities Fund.

(b) General Exceptions.

- (1) Vehicles with disabled veteran license plates will be exempt from parking fees.
- (2) When it has been determined by the city manager or his designated representative that weather or other conditions do not warrant charging such a fee, it may be temporarily suspended.
- (3) A Resident Parking Pass shall be made available for users of the paid parking spaces and paid parking zones in section 126-381 (b), (c), and (d).

For the purpose of section 126-381, the term "resident" applies to persons who reside within the city limits. There is no fee for the Resident Parking Pass and it shall be valid for three years. All holders of a Resident Parking Pass shall be entitled entry into Elizabeth Street parking area, East San Antonio Street on street parking, and Hinman Island Drive on street parking at no additional charge, daily, excluding holidays, from May 1st through Labor Day for the purpose of parking their vehicles.

Commented [MKH7]: From Sec. 86-7.

Commented [MKH8]: Consolidated exceptions from all paid parking areas to avoid repetition and potential mistakes when areas are revised in the future.

~~All frontages on the streets designated as parking meter zones are included in this section. The above-described zones may be diminished or extended and enlarged or other parking meter zones may be created when authorized by the city council.~~

(Code 1961, § 23-141)

Sec. 126-382. - Installation and maintenance; authority of chief of police.

The chief of police is hereby authorized to provide for the installation, regulation, maintenance, control, operation and use of ~~paid parking spaces and parking zones~~~~parking meters~~ on any street or part of a street where parking is limited as to time by this article and where, in his opinion, the use of such parking meters would tend to reduce overparking in violation of this article. The chief of police is further authorized to maintain such parking ~~meters spaces and zones~~~~in good workable condition.~~

(Code 1961, § 23-143)

Sec. 126-383. - Location~~;~~~~signals.~~

~~(a) The chief of police or the parks and recreation director for paid parking within parks may use parking meters and parking pay stations to assist in the enforcement of parking time restrictions.~~

~~(b) A parking meter must:~~

- ~~(1) be installed adjacent to the parking space it monitors or be labeled to indicate the space;~~
- ~~(2) indicate the maximum uninterrupted time a vehicle may remain parked in the space during any parking occasion; and~~
- ~~(3) display the amount of time a vehicle may remain legally parked in the space after the deposit of payment.~~

~~(c) A parking pay station must:~~

- ~~(1) be installed on the same City block or at the same City-owned or controlled parking lots or facilities as the paid parking space or paid parking zone it monitors;~~
- ~~(2) indicate the maximum uninterrupted time a vehicle may remain parked within the paid parking space or the paid parking zone during any parking occasion; and~~
- ~~(3) either:~~
 - ~~(a) measure and store the amount of time a vehicle may remain legally parked after the deposit of payment; or~~
 - ~~(b) issue a receipt that indicates the amount of time a vehicle may remain legally parked after the deposit of payment.~~

~~(d) A parking meter or a parking pay station shall indicate the hours and days that paid parking time limits are in effect.~~

~~(e) A parking meter or a parking pay station shall indicate the amount of the fee for parking a vehicle.~~

~~(f) The chief of police or the parks and recreation director for paid parking within parks shall equip parking meters and parking pay stations to accept coins in denominations appropriate to pay the fee for parking a vehicle.~~

The parking meters shall be installed upon the curb next to individual parking spaces and shall be at all times maintained so that such meters shall display a signal showing legal parking upon deposit therein of a proper coin of the United States in conformity with the requirements of this article, such signal to remain in evidence until expiration of such parking period, at which time it will indicate by automatic operation of a visible signal that the lawful parking period has expired. The legal signal shall be white and fully cover the dial glass window. The illegal sign shall be red and fully cover the dial glass window.

(Code 1961, § 23-144)

Sec. 126-384. - Marking spaces; method of parking.

- (a) *Marking spaces.* Individual parking spaces within an on-street parking meter zone are designated by the individual meter poles. Individual parking spaces for off-street parking facilities are designated by lines or numbers or both. The city need not designate individual spaces in the on-street pay-station zones, but pay-station zones should have signs at both ends of the zone. ~~The chief of police shall cause lines or marks to be painted on the streets or curbs about or alongside of the parking meters or upon any city maintained street, parking area or curb to designate the parking space for which such meter is to be used or to designate the parking space to be used upon such city maintained street or parking area.~~
- (b) *Method of parking in paid parking spaces.* ~~Every vehicle being parked alongside of or next to any parking meter or upon a city maintained street or parking area shall be parked within the lines so marked or established. It shall be unlawful to park any vehicle across any such lines or marks or to park such vehicle in such way that the vehicle shall not be within the area so designated by such lines or markings, unless such vehicle is too large to be confined in one such space.~~
- (1) A person must park a vehicle completely within the delineated parking space.
- (2) A person may not park a vehicle in a paid parking space that is legally occupied by another vehicle.
- (c) Method of parking in paid parking zones. A person must park a vehicle completely within posted signs for the zone.

(Code 1961, § 23-145)

Sec. 126-385. - ~~Operation; hours and days required; exceptions.~~ Reserved.

- (a) ~~When required.~~ Except in a period of emergency determined by an officer of a fire company or of the police department, or except in compliance with the directions of a police officer or traffic control signal, when any vehicle shall be parked in a space regulated by a parking meter between the hours of 8:00 a.m. and 3:00 p.m. on any day except Sundays and legal holidays, the owner, operator, or driver of such vehicle shall deposit the necessary number and denomination of coins of the United States of America as provided in section 126-387 in the parking meter regulating such space and placed in front or alongside thereof.
- (b) ~~Legal holidays.~~ The term "legal holiday" as used in this section means any holiday which is designated as such by the city council.
- (c) ~~Jury duty.~~ Those persons selected for jury duty in county court or in district court may be issued free parking privilege cards for that period they are required to perform jury duty.
- (1) Jury duty free parking privilege cards shall be made available and under the control of the Comal County sheriff.
- a. Each jury duty free parking privilege card shall be three inches wide and eight inches in length, and shall have a red-colored background with the words, printed in easy-to-read white letters, "Free Parking Privilege, Jury Duty, Comal County."
- b. Each card shall have the Comal County sheriff's signature affixed on the lower righthand corner thereon.
- c. Each card shall be numbered in the top righthand corner and have the date such free parking privilege, jury duty card was issued, stamped across the front and back of the card in numerals of not less than one inch in height.

Commented [MKH9]: This is in Sec. 126-381.

~~d. — Each person selected for jury duty shall be advised to place the free parking privilege, jury duty card on the ledge above the instrument panel of his vehicle directly behind the windshield on the driver's side of the vehicle so as to be visible at all times.~~

~~(2) — Free parking privilege, jury duty cards shall be honored by the police department during those periods persons are required to perform jury duty.~~

~~(3) — Those persons issued free parking privilege, jury duty cards shall park their vehicles off the area adjacent to the Comal County Courthouse (city plaza area) and on the east side of Seguin Street. No vehicle shall park in a designated loading zone or a designated no parking zone, or on sidewalks, or so as to block driveways or fire lanes.~~

(Code 1961, § 23-146)

Sec. 126-386. - ~~Payment excused while loading or unloading~~Reserved.

~~The placing of coins in parking meters shall not be required of the owner or operator of any vehicle while actually engaged in the loading or unloading of persons therefrom, provided the parking for such purpose is restricted to such length of time as is absolutely necessary therefor, nor in the case of commercial trucks loading or unloading merchandise; provided, however, such loading and unloading of merchandise is restricted to such lengths of time as is absolutely necessary therefor, and to places of business where it is not possible to so load, unload, receive or deliver merchandise at a rear entrance.~~

(Code 1961, § 23-147)

Sec. 126-387. - ~~Deposit of coins~~Fee due for parking vehicle; oversized vehicles.

~~(a) — Unless exempted by a provision in this section, a person parking a vehicle in a paid parking space or paid parking zone shall immediately pay the parking fee due.~~

~~(b) — A person must deposit U.S. coins in denominations accepted by the parking meter or parking pay station or use a credit card or bank debit card to pay the parking fee.~~

~~(c) — A person may not use foreign currency in a parking meter or a parking pay station.~~

~~(d) — A person may not deposit more than the amount of payment necessary to obtain the maximum parking time limit allowed during a parking occasion.~~

~~(e) — If parking a vehicle in a space monitored by a pay and display station, a person shall immediately attach the pay station receipt to the inside of the vehicle's windshield adjacent to the curb. The receipt must be placed in a position so that it can be read from outside of the vehicle.~~

~~(f) — A person may not park at a paid parking space with an inoperable parking meter unless the person pays at the nearest pay and display station and attaches the receipt to the window as required in subsection (e).~~

~~(g) — A person may not park in a paid parking zone monitored by a pay and display station without a receipt from the nearest operable pay and display station.~~

~~(h) — Where a meter or a parking zone accepts digital payment and a printed receipt is not provided, display of a printed receipt on the dashboard for digital payments is not required.~~

~~(a) — Deposit of coins. Whenever any vehicle shall be parked next to a parking meter on any day, except on Sundays and holidays, between the hours of 8:00 a.m. and 3:00 p.m., the owner or operator of such vehicle shall park within the area designated by the curb and street marking lines as indicated for parallel or diagonal parking, and upon entering such parking space shall immediately deposit in such parking meter a five-cent coin or a one-cent coin of the United States, depending upon the length of time such vehicle shall be parked, and shall put the meter into operation; provided, however, that such owner or operator may use the unexpired time remaining on the meter from its previous use without depositing a coin therein; and, provided further, that no vehicle shall be parked for longer than the period prescribed for that zone by this article.~~

~~(b) — Oversized vehicles. When a vehicle is too large to be confined in a single space, only the meter nearest the hood or front end of such vehicle need be operated.~~

(Code 1961, § 23-148)

Sec. 126-388. - ~~Extending time prohibited~~Time limits on paid parking.

~~(a) Paid parking time limits for parking spaces are established in section 126-381.~~

~~(b) The city council shall establish the maximum uninterrupted time a person may continuously park a vehicle for each parking occasion.~~

~~(c) When paid parking time limits are in effect, a person may not park a vehicle for more than the maximum parking time limit established by the city council for each parking occasion.~~

~~(d) A vehicle may not be moved and reparked in the same paid parking space or paid parking zone to avoid violating the maximum parking time limit for each parking occasion.~~

~~(e) When paid parking time limits are in effect, a person may not allow a vehicle to remain parked in a paid parking space or a paid parking zone when the authorized parking time has expired.~~

~~It shall be unlawful for any person to deposit or cause to be deposited in any parking meter any coin for the purpose of obtaining an extension of indicated parking time beyond the maximum limit prescribed by this article for parking of vehicles alongside of such meter.~~

(Code 1961, § 23-149)

Sec. 126-389. - Use of slugs prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or parking pay station any slug, device or other substitutes for coins of the United States.

(Code 1961, § 23-150)

Sec. 126-390. - Damaging or tampering with meters.

It shall be unlawful for any person to deface, injure, tamper with, open, break or destroy any parking meter or parking pay station, installed under the authority of this article, or otherwise to willfully impair its usefulness.

(Code 1961, § 23-151)

State Law reference— Criminal mischief, V.T.C.A., Penal Code § 28.03.

Sec. 126-391. - ~~Collection procedures; disposition of coins~~Reserved.

~~It shall be the duty of the chief of police to designate two members of the department to make regular collections of the money deposited in parking meters. It shall be the duty of such persons so designated to collect the coins on a weekly basis. The coins shall be collected in a portable device as approved by the chief of police. Such device shall be so constructed as to be moveable from meter to meter for collection purposes. It shall be so designed as to be under lock and key during the times the coins are being collected. The collected coins shall be brought to the police department and separated and counted by a mechanical device as approved by the chief of police. The collected coins shall be deposited into the trust and agency fund until such time as the applicable state sales tax has been paid quarterly, and the remaining balance will then be immediately deposited into the general fund.~~

(Code 1961, § 23-152)

Commented [MKH10]: None of the other cities I researched allowed this, nor does the existing text from 86-7 allow this.

Sec. 126-392. - ~~Purposes of levy~~Reserved.

~~The coins required to be deposited in parking meters are hereby levied as a police regulation and inspection fee to cover the cost of providing parking spaces, parking meters and installation and maintenance thereof; the cost of regulation, inspection, operation, control and use of the parking meter spaces and zones created in this article; for the regulation and control of traffic moving in and out of, and parking in, such parking spaces and zones so created; and for the cost of any resultant traffic administration expense.~~

(Code 1961, § 23-153)

Sec. 126-393. - Violations—Report; notice.

~~(a3) a. Penalties.~~ Any person who shall violate any provision of this section or fail to comply with any of the provisions herein, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding \$200.00. Each day any violation of this section continues shall constitute a separate and distinct offense.

~~(b). Towing of vehicles.~~ In addition to being cited for violations of this section, such vehicles can be towed at the discretion of the city manager, the chief of police, or the parks and recreation director for vehicles towed within city parks, or their designated representatives. All towing costs incurred shall be the responsibility of the vehicle owner or operator. The installation and erection of appropriate signs is hereby authorized.

~~(c) It is the duty of the police department, through its parking enforcement section, or of such other city employees as may be designated by the city manager, to enforce the provisions of this article and prosecute offenders. Parking violation notices should contain the number of the parking meter or pay station at which the vehicle is parked, the name of the state and number of the vehicle's license plate; the nature of the violation, and any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~(a) Contents.~~ It shall be the duty of the meter officers of the city, acting in accordance with instructions issued by the chief of police, to report:

- ~~(1) The number of each parking meter which indicates the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this article;~~
- ~~(2) The state license number and the licensing state of such vehicle;~~
- ~~(3) The time during which the vehicle is parked in violation of any of the provisions of this article;~~
- ~~(4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~(b) Notice.~~ Each meter officer shall attach to the illegally parked vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this article and instructing such owner or operator to report as provided in section 126-479.

(Code 1961, § 23-154)

Sec. 126-394. - ~~Same—Overtime parking~~Reserved.

~~If a vehicle shall remain parked in any parking space for longer than the time prescribed by this article or for such length of time that the parking meter shall display a signal indicating illegal parking, then in that event such vehicle shall be considered as parked overtime.~~

(Code 1961, § 23-155)

Sec. 126-395. - ~~Same—Overtime parking prohibited; p~~presumptive evidence.

Commented [MKH11]: From 86-7 under the Elizabeth lots.

Commented [MKH12]: Addressed in 126-388(a).

~~(a) — Cause of illegal sign immaterial. It shall be unlawful during the hours from 8:00 a.m. to 3:00 p.m., except Sundays and holidays, to permit a vehicle to remain parked in a designated parking space while the parking meter for such space indicates that such vehicle is illegally parked, whether such indication is the result of the failure to deposit a coin and operate a level or other actuating device of the meter, or the result of the automatic operation of the meter following the expiration of the authorized parking time subsequent to depositing of a coin therein at the time such vehicle was parked.~~

~~(b) — Presumptive evidence. The presence of a vehicle in a paid parking zone (a) when the paid-for time shown on adjacent parking meter is expired, (b) when the paid-for time shown on the relevant pay-by-space station has expired, or (c) when the paid-for time shown on the pay-and-display station receipt has expired is prima facie evidence (x) that the vehicle has been parked beyond the legal period of time fixed by this article or (y) that the operator did not deposit proper payment. The fact that a vehicle is parked in a metered parking space, during the hours of limited parking, without the meter time signal showing permitted parking, shall be prima facie evidence that the vehicle has been parked at such space longer than the lawfully permitted parking period. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.~~

(Code 1961, § 23-156)

~~Sec. 126-396. - Same — Fine; "Traf-O-Teria" payments Reserved.~~

~~Each violation of this division shall be punished by a fine of \$1.00; except, however, where the operator of the vehicle parked in violation of this division makes use of the "Traf-O-Teria" system by depositing \$0.50 enclosed in the envelope provided for that purpose, in any of the receptacles located within the city for the receipt of such envelopes, within 24 hours of the time indicated on the notice required in section 126-479 as having been the time of violation of this section.~~

(Code 1961, § 23-157)

Secs. 126-397—126-415. - Reserved.