

- **Sec. 70-537. - Permit parking in certain residential areas.**

(a)

System established. There is hereby established a permit system whereby vehicles bearing a valid residential parking permit in the lower lefthand side of the rear window and issued pursuant to this section may, as provided in this division, park in excess of the posted parking restriction, except as outlined in sections [70-39](#) and [70-523](#), in certain residential permit parking areas or streets, on days and times specified. The director is authorized to make and promulgate reasonable and necessary rules and regulations to carry out provisions of this section. A copy of all such rules and regulations shall be filed in the office of the director of records.

(b)

Eligibility. The residential parking permit area boundaries, for purposes of administration and enforcement, should generally coincide with natural boundaries where feasible. A street shall be deemed eligible for designation as a residential permit parking street if it meets all of the following criteria:

(1)

At least one side or 50 percent of each street and block must be zoned residential.

(2)

Each street and block must have more dwelling units or lodging rooms in lodgings than legal off-street parking spaces. Single-family dwelling units are excluded for purposes of satisfying this requirement.

(3)

On streets that have unrestricted parking, a majority of the on-street parking spaces must be occupied by commuter vehicles a majority of the time between 7:00 a.m. and 6:00 p.m., Monday through Friday.

(4)

There must be a desire and need of more than 50 percent of the residents of the street and block to have residential permit parking and a willingness to pay the cost for the residential permit parking program.

(5)

There must be reasonable and generally acceptable alternate areas for the displaced commuter vehicles to be relocated or other modes of transportation that can be utilized so that the commuter vehicles are not merely shifted to an adjacent neighborhood residential area.

(6)

The street may not have parking meters.

(c)

Procedure for designation. Pursuant to the rules and regulations for residential permit parking areas, the director shall conduct a public hearing to receive testimony from any interested person in order to determine if a particular street should be designated eligible as a residential permit parking street. Within ten days following the public hearing, the director shall recommend, based upon the record of his investigation, whether or not to designate each street under consideration as a residential permit parking street or to remove the designation in the case of an established residential permit parking street. The director shall communicate this recommendation to the city council. Once this recommendation to the city council has been made, an ordinance may be introduced which either designates or removes an area or street as a residential permit parking area or street.

(d)

Issuance of permits; fee. Once a residential permit parking area or street has been established, an annual permit shall be issued after the applicant requesting such permit has paid unto the issuing authority \$10.00 for each permit. A temporary permit, valid for seven days, may be procured for a fee of \$2.00. An additional temporary permit, valid for the same time period, may be procured at no additional charge.

Temporary permits may not be issued for more than two different time periods per month per dwelling unit.

(e)

Transfer of permit. Only the motor vehicle listed on the residential parking permit shall be eligible to display this permit. Any transference of this permit to a vehicle other than that named on the permit shall constitute a violation of this section.

(f)

Unlawful use of permit. It shall constitute a violation of this section for any person to falsely represent herself or himself as eligible for a residential parking permit or to furnish any false information in an application to the issuing authority in order to obtain a residential parking permit. A residential parking permit is valid only while the permittee resides within the residential permit parking area or street for which it was issued. Any change of address of the permittee shall be reported to the issuing authority within seven days. Failure to so report a change of address along with continued use of the residential parking permit shall constitute a violation of this section.

(g)

Surrender of permit on revocation. Failure to surrender a revoked residential parking permit upon request shall constitute a violation of this section.

(h)

Copying or selling permit. It shall be a violation of this section for any person to copy, reproduce or resell a residential parking permit.

(i)

Failure to display permit. Failure to properly display the residential parking permit in the lower lefthand side of the rear window of the vehicle shall constitute an ordinance violation.

(Ord. No. 930608, 6-10-93)