ORDINANCE NO. ____ OF 2012

AN ORDINANCE TO AMEND AND REENACT PORTIONS OF CHAPTER 90 OF THE CODE OF ORDINANCES RELATIVE TO RESIDENTIAL PARKING PERMIT ZONES AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Everson

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Article VII, Division 7 of Chapter 90 of the Code of Ordinances of the City of Shreveport is hereby enacted to read as follows:

Sec. 90-390. Definitions.

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

Motor vehicle means an auto, truck, motorcycle or other motor-driven form of transportation.

Residential area means a contiguous or nearly contiguous area containing public streets and highways or parts thereof where residents dwell.

Resident motor vehicle means a registered motor vehicle owned or leased by a resident of the residential permit parking area.

Residential permit parking zones means a residential area designated as herein provided where resident motor vehicles displaying a valid permit as described herein shall be exempt from parking time restrictions.

Sec. 90-391. Penalties for violation.

Any person parking a motor vehicle not displaying a valid permit in a residential permit parking zone for a period exceeding the time limitation established shall be subjected to a penalty as set forth in Section 90-277.

Sec. 90-392. Permit parking zones authorized.

The City Council may by ordinance designate residential permit parking zones in which parking on public streets is limited to vehicles bearing a valid parking permit issued pursuant to this division.

Sec. 90-393. - Eligibility requirements.

- (a) A residential area shall be deemed eligible for designation as a residential permit parking zone if, based on objective criteria, parking therein is impacted by commuter vehicles.
- (b) In determining whether an area identified as eligible for residential permit parking shall be designated as a residential permit parking zone, the City Council shall take into consideration the following factors:
- (1) The extent of the desire and need of the residents for residential permit parking and their willingness to bear the permit fees in connection therewith.
- (2) Proximity of the neighborhood to major parking attractors including employment centers, retail stores, restaurants, universities, hospitals and tourist attractions.
- (3) Proximity of the neighborhood to transit service.
- (4) Scarcity of convenient off-street parking for residents.
- (5) The extent to which motor vehicles registered to persons residing in the residential area cannot be accommodated by the number of available off-street parking spaces.
- (6) Substantial use of neighborhood curb space by commuters and other nonresidents for parking .
- (7) Traffic, noise and safety problems caused by vehicles cruising for parking.

Sec. 90-394. - Designation procedures.

(a) In order to determine whether a particular area should be designated as a residential permit parking zone, the City Council shall conduct a public hearing prior to the designation of a parking permit zone, or prior to the withdrawal of such designation once it is established. Such hearing shall be held only after ten days' notice has been published in the city's official journal. The notice shall clearly state the purpose of the hearing, the boundaries of the residential permit parking area under consideration, the reasons why such area is being proposed for designation as a residential permit parking zone, and the proposed parking fee that would be charged. During such hearing any interested person shall be entitled to appear and be heard.

- (b) After the public hearing, the city council may by ordinance designate the area as a residential permit parking zone, specifying the times or limitations on parking within the area.
- (c) The City Council may repeal an ordinance designating a residential permit parking zone at any time.

Sec. 90-395. – Implementation.

- (a) Once a residential permit parking zone has been designated by the city council, implementation on a particular street will be contingent on the following criteria:
- (1) The street is primarily residential.
- (2) A majority of the households signed a petition seeking resident parking status for their block.
- (3) Seventy percent of the legal on-street parking spaces must be occupied during the period proposed for parking restrictions.
- (b) The traffic engineer or his designee shall install parking signs on the streets designated as residential permit parking zones. The signs shall indicate the times, locations and conditions under which parking shall be by permit only.

Sec. 90-396. Application for permit.

- (a) A permit shall be issued for a designated residential permit parking zone upon application and payment of the applicable fee by a person eligible for such permit. A person is eligible to apply for a residential parking permit if he owns or operates a motor vehicle and resides on property immediately adjacent to a street within the residential permit parking zone. Proof of residency in the residential permit parking zone on a block designated for implementation must be presented at the time application is made.
- (d) The application for a permit shall be made to the Traffic Engineer. The application shall contain the name of the owner or operator of the motor vehicle; residential address; the make, model, registration and plate numbers of the motor vehicle; and the number of the driver's license of the applicant. The motor vehicle registration and the driver's license of the applicant must be presented at the time of making such application in order to verify the contents thereof. The owner or operator of any motor vehicle applying for a residential parking permit shall have a valid state motor vehicle license and a valid motor vehicle inspection tag except when the car is titled in a company's name and assigned to the resident for personal use. A letter from the company (on company stationary) must be presented identifying the resident, residential permit parking address, make and model and license plate number of the car along with the motor vehicle registration. The resident must therewith present a driver's license which contains the residential permit parking address.

Sec. 90-397. - Permit fee.

The fee for an annual residential parking permit shall be \$15.00. Upon presentation of adequate proof, persons 65 years of age or older who otherwise qualify for the permit shall be exempt from paying the permit fee.

Sec. 90-398. - Use of permit.

- (a) The holder of a residential parking permit shall be permitted to stand or park a motor vehicle for which a permit has been issued in the residential permit parking zone designated on the permit without being subject to the limitations imposed on vehicles lacking the permit, provided however that parking is permitted. While a vehicle for which a residential parking permit has been issued is so parked, such permit shall be displayed so as to be clearly visible through the windshield of the vehicle.
- (b) A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in such places or during such times as the stopping, standing, or parking of motor vehicles is prohibited or set aside for specified types of vehicles, and shall not exempt the holder from the observance of any traffic regulation other than the parking limit.
- (c) A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.

Sec. 90-399. - Exemption.

Service vehicles parked in residential parking zones while making service calls to residential dwellings within the zone shall be exempt from holding a residential parking zone permit and exempt from the posted time limits. Such service vehicles shall display in the windshield on the passenger side of the vehicle a work slip showing the name and address of the residence being serviced.

Sec. 90-400. - Eligibility of temporary residents.

- (a) *Temporary residents*. Temporary residents of a residential permit parking zone whose motor vehicles are registered in another state may apply for a temporary visitor's permit valid for the duration of the 30-day reciprocity period allowed under state law. Applicants must present a valid driver's license and motor vehicle registration from their home state, as well as a rental or lease agreement, utility bill receipt, or some other adequate proof of residence in the designated residential permit parking zone. The fee for issuance of such permit shall be \$15.00 and may be, within 30 days, applied towards a resident sticker valid for the balance of a twelve-month period from the date of issuance when the registration of the vehicle is matched to the local address in the residential parking zone.
- (b) *Student residents*. Students of local universities who temporarily reside, semester-by-semester, on a block designated as part a residential permit parking zone shall be allowed to

apply for a semester-long residential parking permit for each semester attended. Such permit shall be issued only after such individual presents a valid student identification card, current vehicle registration, license plate number and operator's license as well as a rental agreement or utility bill showing the applicant as a bona fide resident of the address in question for the semester. The fee for such application shall be \$15.00 for each permit issued.

Sec. 90-401. - Visitor's permits.

- (a) In a residential permit parking zone where parking spaces for visitors are not set aside onstreet, the holder of a permanent valid residential parking permit may apply for a portable visitor's permit which shall be valid for one year from the date of issuance and which shall not be transferable. The permit shall identify the resident, his address within the residential permit parking zone, the resident's permanent permit number and zone, and shall be signed by the permit-holder host attesting that the temporary permit shall be used by a bona fide visitor. If lost or stolen the permit holder shall be issued no more than one additional permit during the permit year.
- (b) Any resident of a residential permit parking zone who does not own a motor vehicle but who is otherwise eligible to receive a residential parking permit, or who has received a student permit, may apply for a temporary visitor's permit. Such permit shall be valid for ten days, and may be issued no more than five times in a 12-month period. Such permit shall be issued at a cost of \$6.00 for each permit issued.
- (c) The holder of a valid residential parking permit or any resident of a residential permit parking zone who does not own a motor vehicle, as attested to by a notarized statement, who regularly utilizes the services of a doctor, nurse, therapist, or other health care professional at his residence shall be entitled to apply for a medical visitor's permit. Such permit shall be issued only after the applicant has provided a physician's letter, on official letterhead and signed by the physician, stating a need for such in-home care on a regular basis. Further, such letter shall state the resident's name and address within the residential permit parking zone. A medical visitor's permit shall be issued only after the applicant provides the name and position of the medical attendant as well as the make, model, current registration, and current operator's license of same. A medical visitor's permit shall be valid for a period of 12 months from the date of issuance, and shall be issued at a cost of \$20.00 for each permit issued.

Sec. 90-402. - Misrepresentation by applicant; illegal use of transfer of permit.

- (a) It shall constitute a violation of this division for any person to falsely represent himself as eligible for a residential parking permit or to furnish any false information in an application to the Traffic Engineer in order to obtain a residential parking permit.
- (b) No person other than the permittee named thereon shall use a residential parking permit or display it on a vehicle operated or parked, and any such use or display by a person other than the permittee shall constitute a violation of this section by the permittee and by the person who so used or displayed such parking permit.

Sec. 90-403. - Penalties for misrepresentation, illegal use.

(a) The Traffic Engineer is authorized to revoke the residential parking permit of any permittee found to be in violation of section 90-403 and upon written notification thereof the permittee shall surrender such permit to the Traffic Engineer.

(b) Any person who shall violate any provision of section 90-403 shall, upon conviction, be subject to punishment by a fine of not more than \$100.00 or imprisonment of not more than 90 days or both.

Sec. 90-404. - Parking penalties.

Any person parking a motor vehicle not displaying a valid residential parking permit that has been issued in accordance with the provisions of this article, and who parks such vehicle in a residential permit parking zone where signs are erected giving notice thereof for more than a maximum of two hours cumulatively anywhere within the boundaries of the zone and at any time during the posted hours of operation of the zone, shall be subject to receipt of a parking infraction citation, in accordance with the provisions of this chapter. Any vehicle parked in a residential permit parking zone in violation of any provision of this chapter requiring immediate removal and impoundment, or which is found to be causing a severe hazard to traffic or public safety, shall be subject to such action without regard to display of valid residential parking zone permit.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:	
City Attorney's Office	