

**CITY of LA GRANDE
ORDINANCE NUMBER 3074
SERIES 2009**

AN ORDINANCE PROVIDING FOR THE REGULATION OF PARKING AND ISSUANCE OF PERMITS; ESTABLISHING RESIDENTIAL PARKING ZONES; PROVIDING PENALTIES; REPEALING ORDINANCE NUMBER 2890, SERIES 1996; ALL AMENDING ORDINANCES; AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EFFECTIVE DATE

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. TITLE

This Ordinance may be cited by its short title as the City of La Grande "**Parking Ordinance.**"

Section 2. DEFINITIONS

In addition to those definitions contained in the Oregon State Motor Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

- a. Alley
A street or highway primarily intended to provide access to the rear or side of lots or buildings in urban areas and not intended for through vehicular traffic.
- b. Block
The part of one side of a street lying between the two nearest cross streets.
- c. Central Business District
An area bounded by a line beginning in the center of the intersection of Fourth Street and Jefferson Avenue in La Grande, Oregon; thence along the center of Fourth Street to the center of Washington Avenue; thence along the center of Washington Avenue to the center of Island Avenue; thence along the center to the projected center of Jefferson Avenue; thence along the center of Jefferson Avenue to the point of beginning.
- d. Residential Parking Zones
Please refer to Exhibit "A," Policies and Procedures Concerning the Implementation of Residential Parking Zones, adopted by the City Council of the City of La Grande, Oregon, meeting in Regular Session on April 24, 1996, attached hereto and by this reference incorporated herein as if fully set forth.
- e. City Manager
The person appointed by the City Council in accordance with the City Charter to perform the duties of the City Manager. The City Manager may designate other persons as his/her designee, to carry out the functions and duties prescribed in this Ordinance.
- f. Crosswalk
Any portion of a roadway, at an intersection or elsewhere, which is distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway that conform in design to the standards established for crosswalks under Oregon Revised Statutes. Whenever marked crosswalks have been indicated, such crosswalks and no other shall be deemed lawful across such roadway at that intersection. Where no marked crosswalk exists, a crosswalk is that portion of the roadway described in the following:

1. Where sidewalks, shoulders, or a combination thereof exist, a crosswalk is the portion of a roadway at an intersection, not more than twenty feet (20') in width, as measured from the prolongation of the lateral line of the roadway toward the prolongation of the adjacent property line, that is included within:
 - a) the connections of the lateral lines of the sidewalks, shoulder, or a combination thereof, on opposite sides of the street or highway, measured from the curbs; or, in the absence of curbs, from the edges of the traveled roadway; or,
 - b) the prolongation of the lateral lines of a sidewalk, shoulder, or both, to the sidewalk or shoulder on the opposite side of the street, if the prolongation would meet such sidewalk or shoulder.
2. If there is neither sidewalk nor shoulder, a crosswalk is the portion of the roadway at an intersection measuring not less than six feet (6') in width that would be included within the prolongation of the lateral lines of the sidewalk, shoulder, or both, on the opposite side of the street or highway, if there were a sidewalk.

g. Fire Lane

A fire lane is anything constituted to be determined by the Fire Chief or designee to be necessary to comply with the Uniform Fire Code, as amended and adopted by the City Council of the City of La Grande, Oregon. Fire lanes will be marked and signed in accordance with the Uniform Code of Traffic Control Devices.

h. Disabled Parking for Persons with Disabilities

A sign is required for spaces reserved for disabled persons. That sign shall be posted near each parking space on public or private property, which is reserved for parking for disabled persons.

i. Municipal Court

A Municipal Court has been established by Ordinance of the City Council of the City of La Grande and shall be open for the transaction of judicial business at times specified by the City Manager or designee. The Court shall exercise original and exclusive jurisdiction of all offenses defined and made punishable by Ordinances of the City and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by Ordinances of the City. The Court shall have concurrent jurisdiction over all Oregon Vehicle Code offenses not punishable as a crime and shall have original jurisdiction over all parking violations.

j. Municipal Judge

The Municipal Judge shall be the Judicial Officer of the City and shall hold Court for the transaction of judicial business at times specified by the Council. Pro Tem judges shall be appointed by the City Council of the City of La Grande, Oregon, when necessary.

k. Holiday

"Holiday" means Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and any State-declared holidays.

l. Loading Zone

A space on the edge of a roadway designated by a sign for the purpose of loading passengers, materials, or freight, during specified hours of specified days.

m. Motor Vehicles

Every vehicle that is self-propelled, including tractors, forklift trucks, motorcycles, road building equipment, street-cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

n. Parking Permits

1. A parking permit allows the holder to park in a designated permit parking area in excess of the posted time restrictions. During the months of December and January, an annual permit may be purchased for the next calendar year at a reduced rate, as set forth by Resolution of the City Council of the City of La Grande, Oregon. Permits purchased for use after March of each year shall be prorated, as set forth by Resolution of the City Council of the City of La Grande, Oregon. All permits expire December 31, of each year.
2. A courtesy parking permit is a permit issued by the City Manager or designee for a specific event and a specific period of time.

o. Parking Permits, Denial

The City Manager or designee may withhold issuing any parking permits authorized by this Ordinance if the person seeking the parking permit or a vehicle owned by the person seeking the parking permit:

1. has outstanding citations for violations of this Ordinance, for which bail has not been deposited with or fines paid to the Municipal Court; or,
2. is subject to a Municipal Court Order denying the issuance thereof.

p. Person

A natural person, firm, partnership, association, or corporation.

q. Planting Strip

The area of land between the property line and the curb.

r. Restricted Time Zone

An area designated by signs or standards, to indicate the maximum period of time in which parking is allowed.

s. Roadway

The portion of a street or highway that is improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a street or highway includes two (2) or more separate roadways, the term "roadway," shall refer to any such roadway separately but not to all such roadways collectively.

t. Shoulder

The portion of a highway, whether paved or unpaved, contiguous to the roadway, which is primarily for use by pedestrians, for the accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.

u. Sidewalk

The area determined as follows:

1. On the side of a highway which has a shoulder, a sidewalk is that portion of the highway between the outside lateral line of the shoulder and the adjacent property line capable of being used by a pedestrian.
2. On the side of a highway which has no shoulder, a sidewalk is that portion of the highway between the lateral line of the shoulder and the adjacent property line capable of being used by a pedestrian.

v. Traffic Lane

That area of the roadway used for the movement of a single line of traffic.

w. Vehicle

Any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, including vehicles which are propelled or powered by any means.

Section 3. POWERS OF THE COUNCIL

All fees, fines, towing and storage costs, and bails required by this Ordinance shall be established by Resolution of the City Council of the City of La Grande, Oregon.

Section 4. DUTIES OF THE CITY MANAGER

- a. Establish and post time zones and other parking restrictions.
- b. The City Manager or designee may, with discretion, make courtesy permits available. Such permits, if properly displayed in accordance with the directions prescribed by the City Manager or designee, shall authorize the permittee to park a vehicle without regard to time limits.
- c. A person aggrieved by any decision of the City Manager or designee rendered pursuant to this Ordinance shall have the right to appeal the decision to the Municipal Court. Unless otherwise provided for in this Ordinance, the appeal shall be filed in writing at the Office of the City Manager within ten (10) days of the date of the contested decision. The Council shall decide the merits of the appeal at the next regularly scheduled meeting of the City Council. The City Council may affirm, amend, or repeal administrative decisions of the City Manager or designee.

Section 5. AUTHORITY OF POLICE, FIRE, AND ENFORCEMENT OFFICERS

- a. Police officers and enforcement officers shall have the authority to enforce the provisions of this Ordinance.
- b. In the event of a fire or other public emergency, officers of the Police and Fire departments may direct traffic as conditions require, notwithstanding the provisions of this Ordinance.

- c. To aid in the enforcement of parking regulations, a police officer or the Enforcement Officer may mark motor vehicles that are parked, standing, or stopped. Such marks shall be made by chalk upon tires of the vehicle or by some other convenient method that will not injure or damage the vehicle. Marks so placed shall not be interfered with, concealed, or obliterated or erased by any person other than a police officer or Enforcement Officer, while the vehicle remains parked, standing or stopped at the place where the vehicle is marked.

Section 6. PARKING AND/OR BLOCKING SIDEWALKS AND CURBS

A motor vehicle shall not park upon a sidewalk or curb. This Section shall not apply to motorized devices used for snow and ice removal on sidewalks.

Section 7. DISABLED PARKING

- a. A person commits the offense of unlawful parking in a space reserved for disabled persons if the person parks a vehicle that is not conspicuously displaying plates, insignia or a decal issued under Oregon Revised Statutes, as evidence of a disabled person parking permit in any parking space that is on private or public property and which is marked or signed to provide parking for disabled persons.
- b. This Section does not apply to momentarily parking a vehicle in a parking space marked or signed for disabled persons, for the purpose of allowing a disabled person to enter or leave the vehicle.
- c. Unless the police officer or Enforcement Officer issuing the citation witnesses the parking of the vehicle, a rebuttable presumption exists that a vehicle parked in violation of this Section was parked by the registered owner of the vehicle, and the citation issued for the violation may be placed upon the vehicle. If the parking of the vehicle is witnessed by the police officer or Enforcement Officer, the operator of the vehicle is in violation of this Section.
- d. The Municipal Judge may dismiss any charge for violation of this Section, if the person charged with the violation establishes:
1. that the person holds a valid special decal, identifying insignia or plates issued to the person under Oregon Revised Statutes, for use on the cited vehicle;
 2. that the decal, insignia or plates were issued at any time before the person's appearance in Court; and,
 3. that the person was eligible for the decal, insignia or plates at the time of the violation.
- e. The penalties provided by this Section are in addition to the following:
1. A vehicle parked on private property or public right-of-way in violation of this Section is subject to removal, lien, and sale under Oregon Revised Statutes.

Section 8. PARKING MOTOR VEHICLES IN A CITY PARK

A motor vehicle shall not be parked in a City Park other than in a designated parking area.

Section 9. PARKING, STORING, OR ABANDONING OF MOTOR VEHICLES ON CITY STREETS OVER FORTY-EIGHT (48) HOURS

No person shall park, store or permit to be parked or stored on a street, planting strip, or other public property, a motor vehicle or personal property for a period in excess of forty-eight (48) consecutive hours. The continuity of the time shall not be deemed broken by movement of the vehicle elsewhere on the block unless the movement removes the vehicle from the block where it was located before it returned. All vehicles shall be operable and have a current license plate and insurance.

Section 10. PARKING REGULATIONS

A motor vehicle shall not be parked, stopped, or left standing in the following areas, except where vehicles may be exempted by Oregon Revised Statutes:

- a. On the roadway side of a vehicle stopped or parked at the edge or curb of a highway (double parked);
- b. on a sidewalk;
- c. within an intersection;
- d. on a crosswalk;
- e. between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs and markings. The safety zone must be an area set apart within a roadway for the exclusive use of pedestrians and which is marked or indicated by adequate signs, so as to be plainly visible.
- f. Along side or opposite a street excavation impediment, when stopping, standing, or parking would obstruct traffic;
- g. upon a bridge or other elevated structure upon a highway;
- h. within a highway tunnel;
- i. on any railroad tracks or within seven and one-half feet (7-1/2') of the nearest rail at a time when the parking of vehicles would conflict with railroad operations or repair of the railroad tracks;
- j. in the area between roadways of a divided highway, including crossovers;
- k. at any place where official signs prohibit stopping; or,
- l. curb side that is red in color;
- m. curb side that is yellow in color, except when vehicle is stopped or standing momentarily for the purpose of and while actually engaged in loading or unloading property or passengers;
- n. parking in violation of any restricted time zones or Residential Parking Zone, if appropriate signs or markings are posted, giving notice of any regulations, restrictions, or prohibitions on the parking, stopping or standing of vehicles on any roadway. Disabled parking permits issued by the Department of Motor Vehicles are exempt, per Oregon Revised Statutes.
- o. In front of a public or private driveway;
- p. within ten feet (10') of a fire hydrant;

- q. at any place where official signs prohibit parking;
- r. within twenty feet (20') of a crosswalk at an intersection;
- s. within fifty feet (50') upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway, if the standing or parking of a vehicle will obstruct from view any traffic control device located at the side of the roadway;
- t. within fifteen feet (15') of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station, within seventy-five feet (75') of the entrance;
- u. within fifty feet (50') of the nearest rail of a railroad crossing, when on a roadway.
- v. A vehicle shall not be parked in an alley, other than for the expeditious loading or unloading of persons or materials and in no case for a period in excess of thirty (30) consecutive minutes. A vehicle loading or unloading must allow sufficient room for traffic to safely pass in an alley.
- w. A motor truck, as defined by Oregon Revised Statutes, shall not have the motor or auxiliary motors on the truck or trailer continuously running when parked on a public street or private property between the hours of 9:00 p.m. to 7:00 a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel, or other sleeping accommodations.
- x. No motor vehicle shall be parked upon a street or public right-of-way for the principal purpose of:
 - 1. displaying the vehicle for sale;
 - 2. repairing or servicing the vehicle, except repairs necessitated by an emergency; or,
- y. No person shall park a vehicle for any purpose other than for the expeditious loading or unloading of materials, freight, or passengers in a place designated as a loading zone, within the hours posted for that loading zone.
- z. Where maximum parking time limits are designated by sign, movement of a vehicle within the same block shall not extend the time limits for parking.
- a.1. No person shall park a vehicle for any purpose other than for the expeditious loading or unloading of passengers in a place designated as a fire lane.
- b.1. The provisions of this Ordinance regulating the parking of vehicles shall not apply to a vehicle of the City, County, State, or public utility, while necessarily in use for construction or repair work on a street.

Section 11. PLANTING STRIPS

Vehicles may be parked on the planting strip, under the following conditions:

- a. the planting strip is not located in an area zoned commercial;
- b. the vehicle does not drive nor park over water meters or within ten feet (10') of any fire hydrant and does not block visibility of the house number from the street;
- c. the vehicle parked in the planting strip must belong to the resident of that location; and,
- d. Sections 6 – 9, and 10, shall apply to vehicles parked in the planting strips, when applicable.

Section 12. POSITION OF VEHICLE WHEN PARALLEL PARKED

A motor vehicle shall not stop nor park on a highway where parallel parking is permitted and the vehicle is not parked in accordance with the following:

- a. Upon a two-way highway, the vehicle shall be positioned so that the right-hand wheels are parallel to and within twelve inches (12") of the right curb; or, if none, as close as possible to the right edge of the right shoulder.
- b. On a one-way highway where parallel parking is permitted on either side, a vehicle parked or stopped on the right side shall be positioned in accordance with the requirements of Paragraph a. of this Subsection; and a vehicle parked or stopped on the left side shall be positioned so that the left-hand wheels are parallel to and within twelve inches (12") of the left curb; or, if none, as close as possible to the left edge of the left shoulder.
- c. Where marked parking spaces are provided, a vehicle shall be positioned so that it faces in the direction in which vehicles in the adjacent lane of the roadway are required to travel and so that the wheels are within the parking space markings which are parallel to the curb, or, if none, to the edge of the shoulder.

Section 13. CITATIONS ON ILLEGALLY PARKED VEHICLES

Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this Ordinance or State law, the officer finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify the owner and shall conspicuously affix to the vehicle a parking citation with the following information or blanks in which such information shall be entered:

- a. the license number and make of car;
- b. the violation for which the person and/or vehicle and place at which the violation occurred; i.e., is charged, together with the date, time, and place the violation occurred;
- c. the date on which the citation for the violation was issued and the name of the officer issuing the citation; and,
- d. the fine/bail fixed for the violation.

Section 14. IMPOUNDMENT AND DETENTION OF VEHICLES

- a. Whenever a vehicle is placed in a manner or location that constitutes an obstruction to traffic or a hazard to public safety, a police officer or Enforcement Officer shall order the owner or operator of the vehicle to remove said vehicle. If the vehicle is unattended, the officer or Enforcement Officer may cause the vehicle to be towed and stored at the owner's expense. The owner shall be liable for the costs of towing and storing, notwithstanding that the vehicle was parked by another or that the vehicle was initially parked in a safe manner but subsequently became an obstruction or hazard.
- b. The procedures for disposition of a vehicle towed and stored under authority of this Section shall be in accordance with the provisions of the Ordinances of the City of La Grande, Oregon, relating to impoundment and disposition of abandoned vehicles.

- c. The towing of a vehicle will not preclude the issuance of a citation for violation of a provision of this Ordinance.
- d. Stolen vehicles may be towed from public or private property and stored at the expense of the vehicle owner.
- e. If the vehicle has any unpaid parking violations and thirty (30) days have lapsed from the date of issuance of the original citation, the vehicle may be detained by a mechanical device so as to render the vehicle immobile. A vehicle so detained shall not be released until all outstanding fines and charges have been paid. If a vehicle is detained by the mechanical device for a period longer than twenty-four (24) hours without the owner appearing to pay the fines outstanding, the vehicle shall be stored. Vehicles stored under authority of this Subsection shall be disposed of in the same manner as is provided in Subsection b. of this Section.
 - 1. No person other than an officer of the City may remove or attempt to remove the device or move or attempt to move the vehicle, before it is released by the Police Department or the Clerk of the Municipal Court in accordance with this Section. If the device has been removed or the vehicle has been moved in violation of this Subsection, in addition to the issuance of a citation for the violation, an Enforcement Officer or police officer of the City may order the impoundment of the vehicle. After the vehicle has been impounded, the City shall give notice as provided in this Ordinance and the administrative rules adopted under this Ordinance.
 - 2. A vehicle shall be released and the temporary immobilization device removed when the owner, operator or person in charge of the vehicle:
 - a. posts bail and pays all fines and bail for parking citations issued against the vehicle, its operator or owner; or,
 - b. presents title of bill of sale to the Municipal Court Clerk, verifying ownership of the vehicle at said time the parking citation was issued or verification that the fines have been paid prior to the vehicle being immobilized.
 - 3. The Municipal Court Clerk may for good cause extend the time limit the temporary immobilization device is left attached to a vehicle before it is towed and stored, provided the owner, in writing, assumes all risk of damage to the vehicle while it remains immobilized. The extension of time limit shall not exceed an additional twenty-four (24) hours, excluding Sundays and holidays.

Section 15. FINES

- a. The registered owner of a vehicle cited for a violation of this Ordinance is responsible for payment of any bail/fine fixed for the violation.
- b. Fines or bail must be posted in the Finance Department at City Hall, 1000 Adams Avenue, La Grande, Oregon, or may be deposited in the collection slot on the east side of City Hall.
- c. Anyone wishing to contest a citation must post bail within thirty (30) days of the date the citation was issued. At the time bail is posted, a Hearing date and time will be set by Municipal Court staff.

Section 16. APPEALS

Appeals from Hearings conducted in the Municipal Court for violations of this Ordinance shall be made to the District Court within thirty (30) days.

Section 17. REPEAL OF CONFLICTING ORDINANCES

Ordinance Number 2890, Series 1996; all amending Ordinances; and all other Ordinances or parts of Ordinances in conflict herewith shall be and hereby are repealed.

Section 18. SEVERABILITY

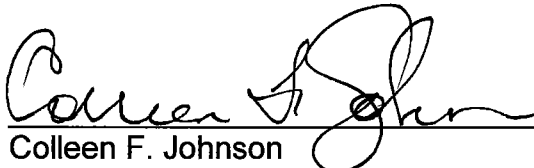
Invalidity of a Section or part of a Section of this Ordinance shall not affect the validity of the remaining Sections or parts of Sections.

Section 19. EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, February 13, 2009.


ADOPTED this Fourteenth (14th) day of January, 2009, by
six (6) of six (6) Councilors present and voting in the affirmative.

APPROVED this Fourteenth (14th) day of January, 2009

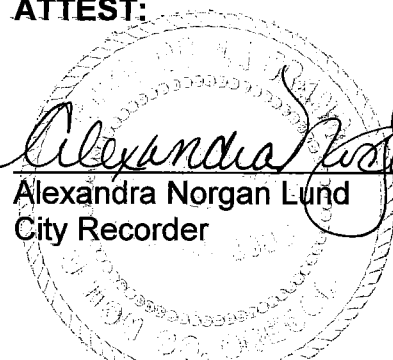


Colleen F. Johnson
Mayor

ATTEST:



Alexandra Norgan Lund
City Recorder



APPROVED AS TO FORM AND CONTENT:



Jonel K. Ricker
Legal Counsel for the City of La Grande

CITY OF LA GRANDE

Policies and Procedures Concerning the Implementation of Residential Parking Zones

Developed by the La Grande Parking and Traffic Safety Advisory Commission

Introduction

The Advisory Commission recommends the establishment of Residential Parking Zones (hereinafter referred to as *RPZ*) in accordance with this model. An *RPZ* is established to discourage non-resident, and particularly all-day, commuter parking in residential areas. This is done by posting parking time limits or parking prohibitions from which local residents are exempt if a valid permit is displayed in their vehicle. This program is appropriate in those areas where residents have difficulty parking near their own residences due to parking congestion caused by non-residents' vehicles or when congestion creates safety hazards for the residents. Such parking congestion might be near a business district with limited parking and/or parking generated by a hospital, school, or factory.

PURPOSE

The purpose for the *RPZs* is to enable residents to feel safe in their homes and neighborhood and to allow them and their guests to have parking readily available. The following are findings caused by a heavy concentration of vehicles which are parked all day by nonresidents:

1. The presence of these vehicles causes vehicular congestion, impedes the movement of traffic, and unduly restricts entry of residents to their homes.
2. Such vehicular congestion creates polluted air, excessive noise, and litter.
3. The establishment of Residential Permit Parking districts helps preserve the character of these areas as residential areas.
4. Residential Permit Parking districts are necessary to promote the health, safety, and welfare of the inhabitants of the City.

PROCESS OF INSTALLING RESIDENTIAL PARKING ZONES

1. Residential Request

Residents calling the City Staff with an *RPZ* request will be sent an *RPZ* brochure. The resident will be asked to send a letter to the Advisory Commission with the endorsement of the neighborhood, describing the parking problem and delineating the boundary. The letter must be signed by sixty percent (60%) of the affected residences, equally representing at least three (3) contiguous blocks (six [6] block faces).

Upon receipt of the written *RPZ* request, the City Manager or designee will investigate the area to determine the appropriateness of an *RPZ* for the parking problem. An area is appropriate for an *RPZ* based on the following guidelines:

- There is a significant safety issue in the area, or it appears that sixty percent (60%) or more of the parking spaces are being used by non-residents;
- there is an identifiable parking generator;
- the parking problem exists on at least three (3) contiguous blocks (six [6] block faces).

If an *RPZ* is not appropriate for the area, then other recommendations may be made to the citizen. The guidelines may be modified, if needed, in response to special parking conditions. Requests for *RPZs* will be studied in the order written requests are received by the City Manager.

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2. Applying for RPZ Parking Study

- a. Submit application to Advisory Commission with a non-refundable application fee of \$25.00.
- b. If application meets all requirements, the Advisory Commission will request a study and then schedule a Hearing to present its findings.
- c. The Advisory Commission will, at the Hearing, approve/disapprove the application.
- d. The Advisory Commission's recommendation will then be forwarded to the City Council.

Before commencing a parking study, the Advisory Commission will define the study area, using input from the affected residents, as well as inspect the area. After determining the area to be studied, City Staff will survey the supply of on-street parking spaces available in the study areas. This information, including the initial report and costs, including sign placement, will be forwarded to the Advisory Commission for action.

Because RPZs could effectively solve parking problems that do not strictly meet the criteria, the Advisory Commission may use some discretion when deciding the appropriateness of an RPZ. For example, the Advisory Commission may recommend an RPZ in an area that has a parking problem for less than eight (8) hours or in an area that has an extremely high percentage of cars belonging to non-residents.

If the area does not result in a positive recommendation by the Advisory Commission, then no further action will be taken on that RPZ, and the applicant or business association will be notified. No new request may be considered by the Advisory Commission for at least twelve (12) months, unless a new situation develops. When the area next applies for an RPZ, it will be placed on the bottom of the priority list.

3. The Advisory Commission's decision can be appealed to the City Council within fifteen (15) days. An appeal can be made by residents, business owners, or employees in the proposed RPZ. Grounds for appeal may include the following:

- . The stringency of the parking restrictions
- . The boundaries of the RPZ
- . Violations of the policies or procedures in this document.

Appeal hearings are open hearings at which time any party can testify on the proposed RPZ. The decision made by the City Council concerning the RPZ is final.

4. Implementation of RPZ

It is anticipated that installation of the RPZ may begin within two (2) months after the City Council has given its approval on the design and funding. However, if the final design of the RPZ is appealed to the City Council, then installation of the RPZ will begin two (2) months after the final decision, if the RPZ is approved.

5. Expansion of RPZ

Expansion of existing zones may be approved on a contiguous block-by-block basis, with signatures from sixty percent (60%) of the residents on the additional blocks and a determining check made by the Advisory Commission Staff that the parking space on that block is at least sixty percent (60%) full or that a significant safety issue exists.

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6. Review of RPZ

An RPZ should be reviewed within six (6) months after implementation and adjustments made to the design, if needed, so that the parking needs of the community are met. The Advisory Commission may increase the stringency of the parking restrictions if the block meets the criteria and the majority of the residents support the increase by signing a petition. Any changes during the six (6) month review period will be discussed with the community. At any time, upon request, RPZs can be reviewed on a block-by-block basis or for the entire area.

7. RPZ Permits

a. No person, other than a person who resides on property located on the same block as an on-street parking space within an RPZ, shall park a motor vehicle in such on-street parking space between specified hours on weekdays, excepting holidays.

b. The City Council may, by Resolution, prescribe areas within the City as RPZs and also prescribe requirements for issuing residential parking permits for display on motor vehicles if it decides such permits are necessary in order to enforce the provision of this section.

c. The provisions of this section shall not apply to motor vehicles being used for the delivery of goods or services to property within an RPZ.

d. Persons violating the provisions of this section shall be subject to the penalty and provision set forth in the Parking Enforcement Ordinance.

8. RPZ Permit Fees

No permit fees recommended.

RPZ Regulations

1. The City Manager shall cause Residential Parking District signs to be erected, to designate the location of each district.

2. A permit shall be issued upon application only to the owner or the operator of a motor vehicle who resides on property within that residential parking district, not to exceed three (3) per dwelling unit, except for multiple family residential units. Only one (1) permit may be issued per registered vehicle owned or operated by a person residing within the permit zone.

3. Permits shall be valid from the date of issuance until December 31, of that year.

4. No fee recommended.

5. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, motor vehicle's make, model, registration number, and the applicant's drivers license number. The permit shall display the permit number and expiration date.

6. The permit shall be nontransferable. If the holder of a valid permit disposes of a vehicle for which the permit has been issued, a new permit will be issued upon the surrender of the valid permit and filing of application for a permit for another vehicle owned or operated by the holder of the surrendered permit. The new permit shall be valid for the same period of time of the surrendered permit and shall be issued at no additional charge to the permit holder.

7. The City Manager or designee is authorized to issue temporary parking permits to bona fide visitors of residents in residential parking districts, or the City Manager may issue visitor permits to residential permit holders in an RPZ.

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8. Notwithstanding anything herein to the contrary, the following special provisions apply to businesses located in the RPZ, with the exception of the Central Business Zone:

- a. Permits may be issued to the proprietor of a business based on number of employees and parking conditions, for use by the proprietor or employees of the business;
- b. The permit may be used only for parking while the proprietor or employee is at her or his place of employment;
- c. A permit held by a person in violation of these provisions may be revoked, and future permits may be denied or restricted;
- d. To the extent applicable, all other provisions herein shall apply.

Parking Regulations

1. The Residential Parking Permit shall be displayed so as to be visible on the left side of the rear bumper of the vehicle.
2. The holder of a Residential Parking Permit which is properly displayed on the left side of the rear bumper shall be permitted to park a motor vehicle in the specified Residential Parking District in excess of posted District time limits but in no instance shall be in violation of any other City Ordinance.
3. A Residential Parking Permit does not guarantee nor reserve to the holder a parking space within the designated Residential Parking Permit District.
4. A Residential Parking Permit shall not authorize the holder thereof to park a motor vehicle in a parking meter zone or in such places or during such times as the stopping or parking of motor vehicles is prohibited or set aside for specified types of vehicles, nor exempt the holder from the observance of any traffic regulation.
5. The installation and maintenance of a sign or signs within a block shall be prima facie evidence that said block is within a Residential Parking Permit District and that said block has been regulated by City Council in the manner designated on said sign.
6. A Residential Parking Permit designated for a specific District does not permit the holder to park in another, but different, Residential Parking Permit District.

Parking Permit Violations

It shall be a violation of this Ordinance to:

1. Represent that he/she is entitled to a Residential Parking Permit when that person is not so entitled;
2. fail to surrender a permit to which the holder is no longer entitled; or,
3. park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.

Revocation of Permit

The City Manager or designee is authorized to revoke the Residential Parking Permit of any permittee found to be in violation of the Chapter; and upon written notification thereof, the permittee shall surrender such permit to the City Manager or designee. Failure to do so shall constitute a violation of this section.

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Penalty

Any person who violated any provision herein shall be punished by a fine established by City Resolution. It shall not be a defense to any violation herein that the permit had been issued but was not properly displayed.

**Revised by the Parking and Traffic Safety Advisory Commission April 16, 1996
Adopted by the City Council April 24, 1996**