

Attachment 2

Permit Parking Provisions

9-12 PERMIT PARKING.

9-12.1 Intent, Purpose and Authority.

This section sets forth procedures pursuant to Vehicle Code Section 22507 for the establishment of permit parking areas in order to alleviate, in certain areas and neighborhoods, more vehicle congestion caused by long-term parking by nonresidents of those areas and neighborhoods. In order to protect the health, safety and welfare of residents and merchants of areas and neighborhoods affected by long-term parking and to protect and promote the integrity of these areas and neighborhoods, it is necessary to establish the procedures herein. (Ord. #84-02; 1958 Code §20.82-1)

9-12.2 Establishment of Permit Parking Zones.

a. *Designation by Resolution.* The City Council may designate by resolution certain residential streets, or any portions thereof, as permit parking zones for residents adjacent thereto in which zoned vehicles displaying a permit or other authorized indicia may be exempt from parking prohibitions or restrictions otherwise posted, marked or noticed. This resolution shall state the applicable time limitation(s) and the period(s) of the day(s) of the week for its application.

b. *Evaluation Criteria.* In determining whether an area may be designated as a permit parking area, the following criteria shall be included in the review and consideration:

1. The extent of the desire and need of the residents for permit parking and their willingness to bear the costs associated therewith.

2. The extent to which legal on-street parking spaces are occupied by motor vehicles during the period(s) proposed for parking restrictions.

3. The extent to which vehicles parking in the area during the period(s) proposed for parking restriction are vehicles belonging to nonresidents rather than residents.

4. The extent to which motor vehicles registered to residents in the area cannot be accommodated by the number of available off-street parking spaces.

5. The location and number of spaces available as alternative parking locations for vehicles of nonresidents which are to be displaced in the proposed permit -parking area.

c. *Administrative Procedure.* The Traffic Engineer shall coordinate the preparation of administrative procedures by the City departments to implement this section.

d. *Findings.* Each permit parking zone shall be designated only upon findings which may include: such zone is required to enhance or protect the quality of life in the area of the proposed zone

threatened by noise, traffic hazards, environmental pollution, or devaluation of real property resulting from the vehicles of commuters or those whose final destination is not within the zone; that such zone is necessary to provide reasonable, available and convenient parking for the benefit of the residents within the zone; that the proposed zone is desirable to encourage the use of car pooling and mass transit; that other alternatives do not exist or are not feasible; that the proposed zone creates no significant adverse effects on other parking needs.

In adopting a resolution establishing a permit parking zone, the Council shall include specific findings incorporating any of the above general findings as well as others which may be applicable. Notwithstanding the above criteria and findings, the decision to establish a permit parking zone is the prerogative of the Council.

(Ord. #84-02; 1958 Code §20.82-2)

9-12.3 Designating Process.

a. *Application.* Any resident of Albany may request consideration of a permit parking zone by submitting an application to the City Council including the following elements:

1. A letter describing the parking problem, its cause and worst time periods.
2. A map describing the proposed zone boundaries.
3. A petition signed by residents of not less than fifty (50%) percent of the dwelling units in the proposed zone. The petition signatures shall be on a form supplied by the Traffic Engineer which shall disclose to residents the nature of a permit parking zone and the cost of resident and guest permits.

b. *Evaluation.* Upon receipt of an application, the City Council shall forward it to the appropriate City departments for review and recommendation. Evaluation shall include at least the following elements:

1. Occupancy rate of on-street parking at a "peak parking period" mutually agreed upon by staff and the applicant shall be calculated, and must exceed seventy-five (75%) percent for the zone in order for the application to be further considered.
2. Evaluation as to whether a substantial number of vehicles parked in the zone belong to nonresidents.
3. Evaluation of appropriate zone boundaries, based on parking study findings and addresses on signed petitions.
4. Evaluation of the cause of the parking problem and alternative solutions.
5. Referral of the application and staff evaluation to the Traffic and Safety Commission for discussion and recommendation to the City Council.

6. Adverse impacts on other parking needs.

c. *City Council Consideration.* The City Council shall set the matter for a public hearing with public notification by mailing notices to the affected property addresses within the zone, by publication in a local newspaper, and by such other notification as the City Council directs. Following the public hearing, Council may enact a resolution establishing a permit parking zone, or may reject the application. If a permit parking zone is to be established, the resolution shall incorporate specific findings, zone boundaries, regulations, time restrictions and other particulars relevant to the establishment of the zone.

d. *Number of Zones.* There is no limit to the number of permit parking zones which may be established under this section. However, in order for the City to properly evaluate the impacts and effectiveness of a zone established pursuant to the section, Council may not adopt a second zone in the City until one (1) year after adoption of the resolution establishing the first permit parking zone.

e. *Annual Evaluation.* Permit parking zones shall be evaluated after six (6) months and, thereafter, annually as to effectiveness of the designated parking requirements and analysis of the relationship between program cost and revenue.

f. *Modification or Revocation.* The City Council may, by resolution, modify the boundaries, regulations or other aspects of a permit parking zone, or may eliminate a zone completely. Either action may be taken only after thorough evaluation by the City Council.

g. *Signs.* No permit parking zone established by resolution shall apply until signs or other markings giving adequate notice thereof have been placed.
(Ord. #84-02; 1958 Code §20.82-3)

9-12.4 Resident Parking Permits.

a. *Issuance.* The Treasurer's Office is responsible for issuing parking permits for specific vehicles to residents of a zone established pursuant to this section. An applicant shall provide proof of residence within the zone, proof of current vehicle registration, and proof of ownership or primary use of the vehicle for which a permit is issued. There is no limit to the number of permits which may be issued. Permits may not be issued for inoperative vehicles or trailers. A permit is valid for the calendar year for which it is issued, and is not transferable.

b. *Fee.* The annual permit fee shall be established by a resolution of the City Council.

c. *Records.* The Treasurer's office shall maintain a record of the number of parking permits issued to each location, the names of permit holders, the license numbers of vehicles for which a permit has been issued, the preprinted number of the permit, and a notation of the documents checked to establish residence and vehicle ownership.

d. *Display.* Permits issued by the Treasurer's office shall be affixed to the left rear bumper of the vehicle for which it was issued.

e. *Revocation.* Individual parking permits remain the property of the City and remain valid only as long as the conditions of its issuance remain satisfied. The Treasurer's office may revoke permits for due cause in accordance with the administrative procedures.
(Ord. #84-02; 1958 Code §20.82-4)

9-12.5 Guest Parking Permits.

a. *Issuance.* Guest parking permits shall be issued by the Treasurer's office during working hours and by the Police Department during other hours. Five (5) free guest permits will be issued with each annual resident vehicle permit. Thereafter, additional permits in unlimited quantities may be purchased in sheets of five (5) at a cost established by Council resolution. Purchasers must prove residence in the permit parking zone.

b. *Use.* Although issued to the resident rather than to a specific vehicle, each guest permit may be used only once. When used, a guest permit shall be placed on the driver's side dash and shall show in indelible ink the date used and vehicle's license plate number.
(Ord. #84-02; 1958 Code §20.82-5)

9-12.6 Violations.

a. *Parking.* No person shall park a motor vehicle on a street within the permit parking zone during the effective times and days established by Council resolution without a valid permit properly displayed.

b. *False Information.* No person shall falsely represent himself as eligible for a parking permit, or shall furnish false information in an application for a permit.

c. *Wrong Vehicle.* No person shall use or display, or allow the use or display of, a valid resident parking permit on a motor vehicle other than that for which the permit was issued.

d. *False Copy.* No person shall knowingly use or display a facsimile or counterfeit parking permit.

e. *False Display.* No person shall knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in the permit parking area.

f. *Sold Vehicle.* No person shall sell or otherwise dispose of a vehicle with a parking permit without destroying that permit, and no subsequent owner of the vehicle shall use a permit issued to a previous owner.

g. *Other.* No person shall knowingly commit any act prohibited by this Chapter, or aid or abet another to do so.
(Ord. #84-02; 1958 Code §20.82-6)

9-12.7 Exemptions.

Emergency vehicles, utility company vehicles, and vehicles on City or official Government business are exempt from these permit requirements.
(Ord. #84-02; 1958 Code §20.82-7)