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CITY OF SAINT PAUL

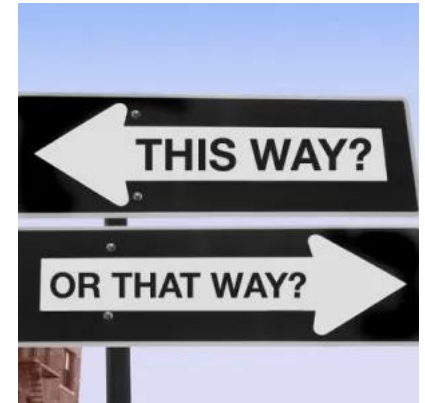
# TRUCK PARKING REVIEW



## For Discussion

### Policy Direction/Ordinances on Truck Parking

- Do we want to allow truck parking in the city?
- Where is truck parking acceptable?
- Is current ordinance consistent with desired policy direction?
- Ensuring policies (or changes) are consistent with City's work on equity





## Truck Parking Conclusions

- Current enforcement resources are limited.
- Fines do not appear to be a deterrent. No structured/increasing fine system in place.
- Challenges surrounding towing - cost, capacity, storage, and disposal.
- Some (but limited) opportunity to address with parking restrictions.
- Code is not easy to interpret, and it is unlikely that truck drivers and residents fully understand the truck parking requirements.
- Unclear if existing code is consistent with City policy direction.



# Why Are We Here?

- Growing Issue
- Becoming a Higher Profile / Higher Visibility Issue
- Resulting Problems / Complaints
- Minneapolis Truck Parking Ban
- Enforcement and Code Challenges



## **Minneapolis goes ahead and enacts sweeping truck parking restrictions**

Optimism from trucking officials that process had been slowed proved false; ban on 26,000-pound trucks citywide



# Why Are We Here?

## Potential Reasons for Increase in Truck Parking/Complaints

- More trucks in service for the shipping/freight industry (+24%)
- Lack of available parking at private businesses (or price of parking)
- Increase in waiting times to unload product upon arrival
- Drivers may be reaching/have reached limit on hours able to drive and must park and rest for specific amount of time (federally regulated)
  - Trucks passing through to other destinations reaching limit
  - Trucks with local deliveries reaching limit
- Owner/Operator lives in or near city and needs place to park his/her truck when not working























**All have different needs and responses.**



# Minneapolis Ordinance Change

- Approved July 2021
- Regular enforcement was planned to start January 2022

Minneapolis Previous Ordinance	Minneapolis New Ordinance
No restriction on overweight vehicle parking other than in residentially zoned areas	Vehicles over <b>26,000lbs</b> prohibited from parking <b>on any city street</b> unless engaged in loading/unloading or providing a service
Vehicles over <b>6000lbs</b> prohibited from parking in residential zoning districts	Vehicles over <b>10,000lbs</b> prohibited from parking in residential zoning districts
Standard parking citation fee of <b>\$45</b>	Elevated citation fee – initially <b>\$150</b> then <b>\$250</b> starting January 2023

10,000 lbs or less <i>Parking unrestricted by ordinance</i>	10,001 – 25,999 lbs <i>Parking prohibited on streets adjacent to any residential zoning district</i>	26,000 lbs and over <i>Parking prohibited on any city street unless engaged in loading/unloading or providing a service</i>
 Minivan	 Walk-In	 Box Truck
 SUV	 Bucket Truck	 Single-Axle
 Pickup Truck	 Rack Truck	 Refuse
 Full Size Pickup	 Heavy Duty Pickup	 Cement Truck
 Cargo Van	 School Bus	 Truck Tractor
 Step Van	 Furniture	 Sleeper
	 Transit Bus	 Dump Truck



# City of Saint Paul Parking Ordinances

Legislative Code, Title XV – Parking

- Chapter 157 – [General Parking Restrictions](#)
- Chapter 158 – [Commercial Vehicles \(Special Parking Permits\)](#)
- Chapter 159 – [City-Owned Parking Lots](#)
- Chapter 160 – [Parking Meter Zones](#)
- Chapter 161 – [Parking During Emergencies](#)
- Chapter 162 – [Impounding of Vehicles](#)
- Chapter 163 – [Abandoned Vehicles](#)
- Chapter 164 – [Residential Permit Parking \(Guidelines and Regulations\)](#)
- Chapter 165 – [Agricultural Vehicles \(Special Parking Permits\)](#)







# Relevant Ordinances

## Commercial Vehicles 157.11(d)

(d) *Commercial vehicles.*

(1) For the purposes of this section, "commercial" and "overweight" vehicles are defined under Legislative Code [section 151.02](#).

(2) No commercial or overweight vehicle shall be parked overnight or stored on property zoned residential or occupied exclusively as residential.

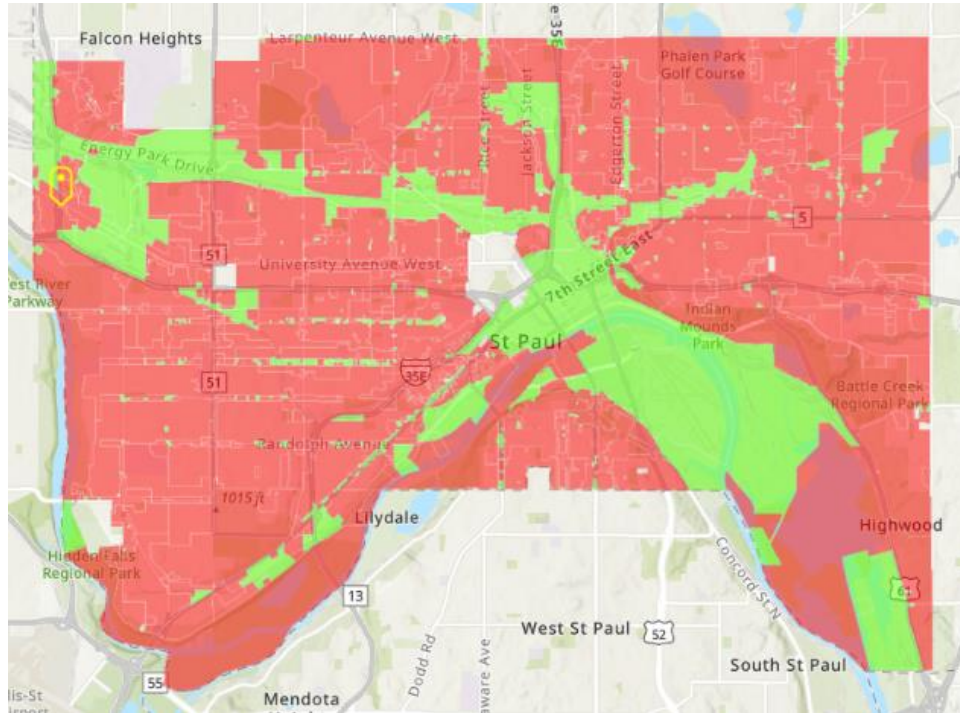
(3) **No commercial or overweight vehicle**, other than an agricultural vehicle permitted under [chapter 165](#), **shall be permitted to stop, stand, or park on any street in an R1 through R4, RT1, RT2, RM1 through RM3, T1, T2, T3 or T4 Zoning District** unless such vehicle is actually engaged in the loading or unloading of passengers or materials from the vehicle or is actually engaged in the providing of services at that location, or in compliance with official traffic-control devices, the direction of a police officer, or unless otherwise provided by law.

(5) **Tow and impound authorized.** Commercial and overweight vehicles parked in violation of this ordinance are illegally parked and unauthorized and may be immediately towed and impounded pursuant to the written report of a peace officer or parking enforcement officer.



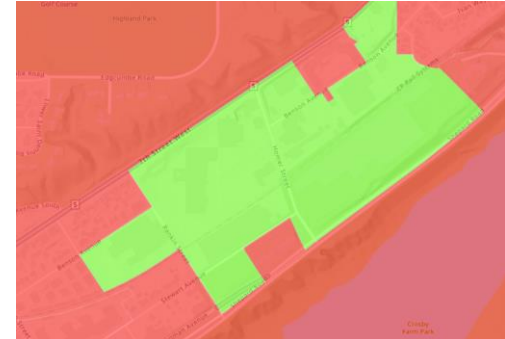


# Truck Parking Map



Green – Truck Parking Allowed  
Red – Truck Parking Prohibited

## Rankin/Stewart Area





## Relevant Ordinances

### **48 Hour General Parking Restriction 157.03(a)(20)**

- No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or other recognized emergency authority or in obedience to a traffic-control device, in any of the following places:

On any street or alley, at the same location, for more than forty-eight (48) consecutive hours;





## Relevant Ordinances

### Parking Management Authority 152.09(a)

- *"No parking" areas.* The traffic engineer is hereby authorized to establish "No Parking" areas, either full-time or during certain hours and days, upon any public street or alley, or part or portion of such streets or alleys, where, in the judgment of said traffic engineer, **the elimination of parking may facilitate the movement of traffic, reduce traffic hazards or eliminate a hindrance to traffic.** Upon the establishment of such "No Parking" areas, the traffic engineer shall erect and thereafter maintain signs indicating that no parking is permitted as such signs may prescribe. Whenever possible, consistent with the purpose for the establishment of the "No Parking" area, **the prohibition on parking shall be the least restrictive possible for conditions while permitting effective traffic law enforcement.**



# Engineering Strategies

- No historic practice of prohibiting trucks where they are permitted by code
- No Commercial Vehicle Parking Signs
  - Utilized to reinforce code in areas where zoning might be misinterpreted (Defer to Police input; not used if Police believe land use designation is clear)
- No Parking Signs
  - Limited applicability as it restricts all parking
- Adjacent Property Owner Request / Petition
  - In certain instances, can work with adjacent properties to enact a parking restriction they support





# Truck Parking on City Owned Property?

- Need multiple locations with geographical distribution?
- Each site would need to be of decent size?
- Could attract truck parking from adjacent communities?
- Would a truck parking facility be consistent with our land development goals and/or supported by adjacent residents and property owners
- Would it be financially feasible?
- Real Estate doesn't anticipate much if any available city property for this purpose
- Might be more potential opportunities with private property however same questions exist





# Homeless Assistance Response Team (HART/DSI)

- People Experiencing Homelessness Expertise
- 3.0 FTE
  - Includes Housing Counselor position
  - Identifies an individual's specific unsheltered needs and coordinate an individualized response
- DSI commitment to investigate incidents where people are living in semis and/or RVs
  - Available to deploy upon request
  - Align shelter needs where possible
- DSI does not have authority to remove vehicles from the public right of way
  - Handled on case-by-case basis by City Attorney's Office
  - SPPD Code Enforcement & Parking Enforcement may play a role



# SPPD Parking Enforcement & Resources

The **Parking Enforcement Unit** is the primary parking enforcement authority for the police department. Parking Enforcement Officers (PEOs) provide the vast majority of the police department's enforcement effort in regard to all parking regulations and help facilitate the safe movement of traffic.

## **What they do:**

- They respond to calls for service and complaints.
- They conduct proactive patrol to enforce meters, permit zones, and timed parking in business districts.
- Issue citations to vehicles for violation of parking regulations.
- They assist in tag/tow operations for Public Works.
- They assist SPPD with administrative needs during Civil Unrest and/or emergencies, courtesy tows/moving cars.

**There are currently 11 parking enforcement officers\*, working 7 days a week from 7 a.m. - 11 p.m. No Holidays.**

*\* Authorized strength is 12; additional hires are in process to meet authorized strength*





# SPPD Parking Enforcement & Resources

## Issuance of Parking Citations

- PEOs and sworn police officers can issue citations under Minnesota Statute (usually 169.34) **or** under Saint Paul Legislative Code (generally 157-165).
  - Per City Attorney's Office, most citations are under city ordinance
    - With this, enforcement of parking regulations can be more susceptible to changes in city policy



# Towing Authority

## *SPPD Policy 445.051 - Towing Authority*

The department must have some legitimate interest in impounding a vehicle that outweighs the defendant's Fourth Amendment right to be free from unreasonable searches or seizures. The general premise is if the vehicle is parked in a safe location not obstructing traffic, there is not sufficient reason to order a tow.

### **Towing Reasons:**

The reason for towing must be clearly documented in a report. The most common reasons for towing are:

- Evidence in a crime
- Traffic hazard
- Parking violations with four-hour waiting period
- Forfeiture (General Order 439.17: Property Seized for Administrative Forfeiture)
- Health tow

Officers shall be familiar with the laws and ordinances and ensure any vehicles towed are in compliance with existing state statutes. Minnesota statutes [168B.035](#) and [168B.04](#) and Saint Paul Legislative Code [157](#) and [162](#) define the reasons why a vehicle may be towed.

### **Additional Considerations:**

- There is no statutory provision for towing a vehicle where the driver is cited and released, not arrested, or just because the officer suspects the suspect may drive again after the officer leaves.
- A vehicle may be impounded for safekeeping if the driver, operator, or person in physical control of the vehicle is taken into custody and the driver is unable to make arrangements for the vehicle, and there is not another responsible person.

*Revised September 29, 2016*



# SPPD Parking Enforcement & Resources

## *To Tow or Not to Tow...*

We can immediately tow vehicles being a roadway hazard/obstruction, for violations of snow emergency rules and other violations under the following ordinances and department policy:

**157.02 – Removal of Illegally Stopped Vehicles**

**161 – Parking During Emergencies**

**445.051 – Towing Authority (*SPPD Policy*)**



# SPPD Parking Enforcement & Resources

## *To Tow or Not to Tow...*

**Though not generally permitted by department policy\*, we can also tow vehicles that have amassed a certain number of unpaid parking citations via city ordinance and/or state statute.**

### **162 – Impounding of Vehicles**

#### **162.01 Authority to Remove**

(c) A motor vehicle shall be removed and impounded if the motor vehicle or its owner has three (3) or more parking or traffic citations which have gone into warrant or are over sixty (60) days old. This shall not be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. [Section 162.06](#) shall not apply to this section.

#### **168B.035 Subd. 3 (b) (13)**

(b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

(13) a law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses;

*\*Department Policy - Vehicles in violation of scofflaw status will no longer be automatically towed unless the vehicle creates a safety hazard, is impeding traffic, or threatening public safety and convenience. If an officer is going to tow a scofflaw vehicle, the officer must provide specific details documenting the reason for the tow. The term "scofflaw status" will no longer be used.*

*Revised November 24, 2015*



# SPPD Parking Enforcement & Resources

## *To Tow or Not to Tow...*

### 48 Hours / Abandoned Vehicles

#### Ordinance

**157.03(a)(20) - 48 Hour General Parking Restriction**

#### State Statute

##### **168B.011 Subd. 2 – Abandoned Vehicle**

- (a) "Abandoned vehicle" means a motor vehicle, as defined in section [169.011](#), that:
- (1) has remained illegally:
- (i) for a period of more than 48 hours on any property owned or controlled by a unit of government, or more than four hours on that property when it is properly posted;

#### SPPD Process –

- Upon receipt of complaint of a vehicle parking over 48 hours or of an abandoned vehicle, PEO will chalk the tire and check again 48 hours later to verify no movement. If no movement, a citation is issued. If the vehicle has not moved after another 4 hours, the vehicle can be towed.



# SPPD Parking Enforcement & Resources

## *To Tow or Not to Tow... towing not guaranteed*

### Considerations...

- Many people are working from home and do not move their vehicle every other day. Does the car register to a nearby home, business, etc?
  - Can still issue citation
- We need to ensure its abandoned. Does it look clean/drivable? Discretion and an overall review is always part of the process.
- Vehicle owners (commercial vehicles in particular) are savvy about the 48-hour rule and move their vehicles frequently, however often only moving ½ block or less

### When Towing is Prohibited...

- A towing authority may not tow a vehicle from public property unless a peace officer or parking enforcement officer has prepared a written citation and a written report describing the vehicle and the reason for the towing.



# SPPD Parking Enforcement & Resources

## *Commercial Vehicle Complaints*

- In 2021, there were over 17,000 parking enforcement-related calls dispatched to PEO's
  - 400 were related to commercial vehicles (i.e., semi-trucks)
    - Low percentage (approximately 2%)
    - Usually in the same areas (pockets) of the city
    - Many were repeat callers





# SPPD Parking Enforcement & Resources

## *Towing of Commercial Vehicles*

Towing a commercial vehicle is not a regular/typical occurrence as they are considered “unusual” tows and come with the following concerns:

- **Cost to Tow**
  - Cost depends on size/type of vehicle
  - Can cost \$500+ an hour (e.g., semi-truck)
- **Tow Company Capability**
  - Needs specialized equipment
  - Current vendor can accommodate, however time associated with tow is increased due to wait time to have one of the specialized rigs respond
- **Storage**
  - Our tow lot is at capacity much of the year
  - Difficult to accommodate these large vehicles



# Truck Parking Conclusions

- Current enforcement resources are limited.
  - Authorized strength of PEOs is less than years prior
  - Coverage is not 24/7
  - Number of PEOs and call load can affect ability to be proactive
  - Parking Enforcement Officers Comparison: St Paul = 12; Minneapolis = 33
- Fines do not appear to be a deterrent. No structured/increasing fine system in place.
  - This can only be changed at city level with admin/council support; state is fixed



## Truck Parking Conclusions *continued...*

- Challenges surrounding towing - cost, capacity, storage, and disposal.
- Some (but limited) opportunity to address with parking restrictions.
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- Unclear if existing code is consistent with City policy direction.



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## Next Steps

Utilizing policy direction received cross departmental team will work on options, including potential ordinance changes, for policy makers to consider





## Questions and Discussion

