Legislation Details (With Text)

File #:	Ord 18-20 **Version:** 4		
Type:	Ordinance	**Status:**	Passed
		In control:	City Council
		Final action:	7/25/2018
Title:	Amending Chapter 164 of the Legislative Code pertaining to residential permit parking.		
Sponsors:	Amy Brendmoen		
Indexes:			
Code sections:			
Attachments:			

Date	Ver.	Action By	Action	Result
8/2/2018	4	Mayor's Office	Signed	
7/25/2018	4	City Council	Adopted As Amended	Pass
7/18/2018	3	City Council		
6/20/2018	2	City Council	Continue Public Hearing	Pass
6/13/2018	1	City Council	Laid Over to Third Reading/Public Hearing	
5/16/2018	1	City Council	Laid Over to Second Reading	

Amending Chapter 164 of the Legislative Code pertaining to residential permit parking.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

Chapter 164 of the Saint Paul Legislative Code is hereby amended to read as follows:

Chapter 164. - Residential Permit Parking-Guidelines and Regulations

Sec. 164.01. - Declaration of public policy and purpose.

The council of the city finds that there are residential areas within the city which are adjacent to or very near intense nonresidential uses which do not provide adequate off-street parking. The council further finds that persons employed by or using those nonresidential facilities frequently park their vehicles on nearby residential streets, resulting in serious residential problems. This parking ordinance regulating parking in designated residential areas is hereby established for the safety of the residents and to protect real and personal property from damage by reducing hazardous traffic conditions resulting from the heavy usage of these residential streets by nonresidents or transients; to protect those residential areas from polluted air, excessive noise, trash and refuse caused by the entry of such vehicles; to promote efficiency in the maintenance of those streets in a clean and safe condition; to preserve the character and integrity of those areas as residential districts; to protect the residents of those areas from unreasonable burdens in gaining access to their residences; and to preserve the general health, safety, and welfare of those residential areas.

Sec. 164.02. - Residential parking permit areas authorized.

The council, after following the procedures in this chapter, may by resolution establish and designate, modify and remove residential areas or parts thereof as residential permit parking areas. On-street parking may be limited or restricted in such areas to certain locations, hours, times and/or automobiles as may be further provided in this chapter. Such designations or modifications shall be for such period as the council may determine as being appropriate.

Sec. 164.03. - Minimum area requirements for residential permit parking requests.

(a) Requests for the designation of a new residential permit parking area must meet minimum requirements of at least eight (8) contiguous block faces or four thousand (4,000) lineal feet of block frontage. One (1) block face is defined as one (1) side of a street for one (1) block.

(b) Requests for the expansion of an existing residential permit parking area shall encompass a minimum of one block face which is contiguous to an existing residential permit parking area.

(c) Requests for the removal of an existing portion of permit parking shall be a minimum of one (1) block face or at the discretion of the traffic engineer.

(d) Requests for modification of the parking restrictions within a permit parking area shall encompass the entire permit parking area, unless the existing area has multiple restrictions. In that case any modification requested for a portion of the area shall be to create more uniformity in the parking restrictions for the permit parking area.

Sec. 164.04. - Requests; initial investigation.

All requests for the designation, expansion, removal or modification of a residential permit parking area shall be initiated in writing with the traffic engineer. Upon receipt of said request, the traffic engineer shall perform an initial investigation to determine:

(a) Whether the request meets the minimum area requirements of section 164.03;

(b) In the case of the designation of a new area or an expansion of an existing area, whether serious parking problems exist due to excessive parking of nonresidents in a residential area;

(c) Whether permit parking or the removal or modification thereof, would be a viable solution to the parking problem in the area;

(d) What permit parking restrictions and conditions would be appropriate for the area.

This initial investigation may include neighborhood and district council input as necessary to make the above determinations.

powered by Legistar™

Sec. 164.05 - Petition Forms.

(a) If the traffic engineer determines after the investigation that ~~T~~the requested designation, expansion, modification or removal of a residential permit parking area ~~after meeting~~ meets the above requirements ~~of sections 164.03 and 164.04, shall then have a petition form prepared by~~ the traffic engineer~~, except as provided for in sections 164.13.~~ will prepare a petition form which:

(1) Describes precisely the block faces being established or changed;

(2) States the hours, times of day, and days of the week the proposed permit parking restrictions or revisions will apply; and

(3) Provides space for the individual filling out the petition form to identify the specific parking problem, and to complete the information regarding property ownership.

~~Said petition form shall be given to the requesting party for signatures and fee collection and submitted back to the traffic engineer for validation assessment. The submitted petition shall:~~

~~(1) Describe precisely the block faces being established or changed;~~

~~(2) State the specific problems and reasons for the request which are compatible with section 164.01;~~

~~(3) State the hours, times of day, and days of the week the proposed permit parking restrictions or revisions will apply~~

(b) The party requesting designation, expansion, removal or modification of a residential permit parking area must obtain~~The petition shall include~~ petition forms signed by seventy-five (75) percent or more of the owners or occupants of all tax parcels within the proposed area, with an occupied structure located thereon. ~~Owners of tax parcels, for purposes of this section, shall mean fee ownership as recorded in the appropriate office of recording for the county of any parcel designated with a county property identification number.~~ Only one ~~One~~ (1) ~~owner~~ individual per tax parcel shall be allowed to sign the petition form. ~~In the case of multiple owners, only one (1) owner may sign on behalf of the ownership.~~ No signature shall be considered where multiple owners or occupants of a ~~structure~~ residential unit are not able to agree on whether or not the area should have residential permit parking.In the case of multi-family buildings, the petitioner may obtain either; 1) the signature of the owner of the tax parcel; or 2) signatures of fifty percent or more of the occupants of the building.

(c) Each signer shall thereon write his or her name and address. Any name appearing on the petition not conforming to the ownership or occupancy requirement at the time of the petition shall be stricken and shall not be included. Any signer may withdraw his or her name by filing a written request with the traffic engineer prior to the required public hearing. If for any reason the number of signers falls below seventy-five (75) percent prior to the public hearing, the petition shall be deemed invalid and shall not be considered.

(d) Each petition form ~~shall~~ must include a ~~signed oath, as to the authenticity of the~~ signatures~~, from the resident or person~~ of a witness who ~~obtained~~ observed the signing of the petition form ~~signatures~~.

(e) The ~~petition~~ traffic engineer shall designate a contact person who ~~shall have the responsibility of~~ will be responsible for assisting ~~the traffic engineer~~ him/her in the verification of signatures, as well as in any investigation and subsequent report to city council which may be necessary.

Sec. 164.06 - Follow-up investigation.

powered by Legistar™

Once a petition, consisting of all the completed petition forms, is received and the signatures validated, the traffic engineer may conduct additional assessments for the proposed area as needed, based on public comment and to ensure functionality of the requested changes. These assessments may include additional observations, other public input, studies, surveys and any other data gathering methods which will assist the traffic engineer in making a final recommendation to the city council.

Sec. 164.07. - Recommendation to the city council.

After analyzing the results of the more thorough investigation, and after considering any relevant material submitted by the neighborhood district council or any other person or group having an interest in the establishment or modification of a residential permit parking program for that area, the traffic engineer shall submit the results of his/her investigation and shall issue a written report recommending to the council the rejection, designation, or modification of a specific residential permit parking area. The traffic engineer's recommendation shall:

(1) Describe precisely the residential area to be included, which need not be the same area proposed in the petition;

(2) State guidelines for determining who may obtain residential parking permits and the method of obtaining these permits as provided in section 164.11;

(3) Include such other reasonable conditions in order to make the residential permit parking program fair and workable.

Sec. 164.08. - Hearing.

Upon receipt of the recommendation of the traffic engineer as provided in section 164.07, the council shall set a time and place for a public hearing on the petition. At least thirty (30) days prior to the hearing, written notice shall be mailed to the affected property owners or occupants including businesses and institutions within the petitioned area, property owners and occupants within three hundred fifty (350) feet of the petitioned area, affected neighborhood district council(s), affected business associations and the city council office. At least ten (10) days prior to the hearing, notice shall also be published in the official newspaper. At the hearing, the council shall hear all interested persons and shall receive and consider all materials relevant to the merits of the petition.

Sec. 164.09. - Finding of necessity.

If the council approves the residential permit parking request, the resolution authorized by section 164.02 ~~shall~~ must fully state the basis for the creation or modification of the residential permit parking area which supports the existence of the following or other serious problems caused by nonresidential parking:

(a) The area is detrimentally impacted by parking of commuter vehicles during the proposed hours of restriction and that this detrimental impact creates an unreasonable increase in hazardous traffic conditions; or

(b) The area does not have sufficient parking to accommodate the convenient parking of automobiles by residents thereof in the vicinity of their homes; or

(c) Street cleaning, snow removal and other cleanup operations are greatly hampered by the present unregulated parking; or

(d) The restriction of on-street parking available to commuters will reduce vehicle noise, pollution, congestion and other adverse environmental effects of automobile commuting and will thus encourage reliance on car pools and mass transit; or

(e) The health, safety, and welfare of the residents, and the attractiveness, livability, and integrity of the neighborhood will be better protected by a system of permit parking under this chapter.

Sec. 164.10 - Parking permit guidelines.

The city council resolution establishing, or modifying a residental permit parking area shall provide for the issuance of annual parking permits to residents of such area subject to the following guidelines:

(a) Said resolution shall identify the designated location, hours and number of streets to be regulated within the residential parking permit area as provided herein.

(b) An application for any one (1) or more of the permits provided in Section 164.11(a) shall be on a form recommended by the traffic engineer and, where appropriate, shall contain the name and address of the applicant, make, model and license number of the vehicle and any additional information which will aid in the enforcement of the provisions of this chapter. Persons who lease a vehicle pursuant to a lease agreement with an authorized dealer shall provide a copy of the lease with the application, which lease must be current and not in default in order to qualify the vehicle as one owned by and registered to a resident in the restricted area. Persons who are provided use of a vehicle registered to their employer shall provide a notarized statement from the employer regarding the person's authorization to use the vehicle for their own personal use and of any use restrictions that may apply, in order to qualify the vehicle as one owned by and registered to a resident in the restricted area. Persons who are provided use of a vehicle by a parent or guardian shall provide a notarized statement from the parent or guardian regarding permission from the owner to use the vehicle. ~~Persons who are currently registered as students at a Saint Paul college or university may apply for a permit registered in the name of a parent by providing proof of parental ownership; notarized permission from the owner to use the vehicle; proof of address; and proof of student registration.~~ No person shall furnish false information in an application for a vehicle permit. A false application shall be grounds for denial or revocation of the permit and is punishable as a petty misdemeanor.

(c) A non-refundable fee shall be charged for each permit, in accordance with the fee schedule established by city council resolution. The fees established for residential parking permits are to cover costs incurred as a result of the implementation of a residential permit parking plan.

(d) In order for a residential parking permit to be considered valid, it shall be displayed so that the entire permit is visible to the enforcement personnel and as described below or by procedure identified by the traffic engineer:

(1) Vehicle stickers shall be permanently affixed to the ~~outside of the~~ vehicle on the driver's side in the lower rear corner of the window closest to the rear of the vehicle.

powered by Legistar™

(2) Visitor ~~and special event~~ placards shall be placed on the driver's side dashboard, so the entire permit is clearly visible through the windshield.

(3) Hang tags shall be placed over the post holding the rear view mirror to the windshield so the permit area, address, date and permit number are clearly visible to enforcement officers through the windshield of the vehicle.

Sec. 164.11 - Issuance of permits.

(a) The following permits, which shall be purchased at a location as determined by the traffic engineer, shall be made available to persons entitled to receive them under this chapter, in such form and for such duration as determined by the traffic engineer:

(1) The number of vehicle permits and transferable visitor permits allowed per residence or multidwelling unit ~~shall~~ must be included in the resolution approved by city council ~~for each~~ establishing residential permit parking areas. Vehicle permits shall be made available only on the basis of vehicles owned by and registered to the residents who reside in the restricted area, including those vehicles determined to be qualified as such under Sec. 164.10(b).

(2) Residents within a residential permit parking area may apply to the traffic engineer for special event permits for events consistent with the residential character of the neighborhood and other provisions of the law. The traffic engineer shall have the authority to determine the number of special event permits to be issued, and the dates and hours they are in effect, upon determination that their issuance would not duly impair traffic safety nor create serious parking problems during the effective period of the permits.

(3) The traffic engineer shall have the authority to issue transferable ~~special event or~~ visitor permits to churches and other non-profit institutions within the permit parking areas upon determination that their issuance would not duly impair traffic safety nor create serious parking problems during the effective period of the permits. Such permits shall not be required upon advance notice to the enforcement agency for extraordinary events such as funerals, memorial services, weddings, festivals or bazaars, where issuance of such permits would be impractical.

(4) Persons who perform services, maintenance, repairs or emergency assistance for any residence at or very near any particular area in which parking is so restricted are exempt from restrictions imposed by this chapter; provided, their vehicle is marked as a commercial vehicle according to city and/or state regulations, and that their exemption terminates immediately upon the completion of services or assistance as herein provided. Nothing in this section is intended to prohibit a resident owner of these vehicles from obtaining residential parking permits for same in accordance with the provisions of this chapter.

(b) In the event any of the permits issued under this chapter are lost, duplicates shall be obtained from the traffic engineer at a cost established by city council resolution. No such duplicate shall be issued unless and until the applicant has furnished to the traffic engineer a written statement under oath and properly notarized that he or she has lost the original permit. No person shall apply for a duplicate permit unless the original permit has, in fact, been lost.

(c) No permits issued under this chapter shall guarantee or reserve to the holder a particular parking space within the designated area but shall provide general parking in said area during the time specified by the resolution and so posted as required in section 164.12. Nor does said permit exempt the holder from abiding by any and all other parking regulations.

(d) Nothing herein shall nullify the scope of parking privileges granted the physically disabled as defined by statute of the state.

(e) Special exceptions to the above guidelines in the issuance of residential parking permits shall be at the discretion of the traffic engineer. The traffic engineer shall have the authority to revoke any permits issued if he or she determines that the permits are being misused or their use is creating serious parking problems.

Sec. 164.12. - Posting of signs.

The traffic engineer shall cause appropriate signs to be posted in the restricted area so as to inform the motoring public of the existence of the rules and regulations imposed by the restrictions.

Sec. 164.13. - Modification or removal initiated by traffic engineer.

The traffic engineer ~~shall have~~ has the authority to initiate the modification of conditions of a residential permit parking area, the splitting, merging or alteration of the area of a residential permit parking area, and the removal of a residential permit parking area, or any portion thereof. To initiate said changes ~~the traffic engineer shall request the affected neighborhood district council schedule a public meeting to inform the neighborhood and discuss the reasons for the proposed modification or removal of the residential permit parking area.~~ ~~T~~the traffic engineer shall submit his/her recommendation(s) and reason(s) for the proposed modification(s) or removal of the residential permit parking area to the city council. The council shall hold a public hearing with notification pursuant to section 164.08. After hearing from any affected party and considering the recommendation(s) of the traffic engineer ~~and the neighborhood district council~~, the city council shall approve, modify or reject a resolution adopting the recommendation of the traffic engineer. Minor changes to a residential parking permit area, such as the addition or removal of not more than five addresses or properties due to zoning or other changes, may be approved by council by resolution without a public hearing.

SECTION 2

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication

powered by Legistar™