Legislation Details (With Text)

File #:	18-0232	**Version:**	1	**Name:**	2/20/18 Amendment Chapter 126 Traffic - Parking Meters
Type:	Ordinance			**Status:**	Passed
File created:	2/20/2018			**In control:**	City Council
On agenda:	3/5/2018			**Final action:**	3/5/2018
Enactment date:	2/20/2018			**Enactment #:**	ORD-18-04

Title: An Ordinance to Amend Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-04)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 18-04 Traffic Ordinance Briefed and Approved.pdf, 2. 18-04 Traffic Ordinance Briefed.pdf, 3. Parking Meter Ordinance Amendment.pdf

Date	Ver.	Action By	Action	Result
3/5/2018	1	City Council	Held and Closed	
3/5/2018	1	City Council	Adopted on Second Reading	Pass
2/20/2018	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-04)
Attached is the proposed ordinance revision of Chapter 126, Article VII, Parking Meters, of the City Code. Revision of this portion of the Code was anticipated in the amendment of the Parking Agreement between the City and the DDA.

The ordinance amendments reflect the changes in parking meter technology.and the various methods of payment available.
Prepared by: Mary Joan Fales, Senior Assistant City Attorney
Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-18-04

First Reading: February 20, 2018
Public Hearing: March 5, 2018

Approved: March 5, 2018
Published: March 8, 2018
Effective: March 18, 2018

TRAFFIC

An Ordinance to Amend Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor.
The City of Ann Arbor Ordains.

Section 1: That Section 10:69 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:69. --Definitions. Establishment of spaces.

(1) "Parking Meter" means any device which, when the recording dial thereof is set in motion by the deposit of any coin, or equivalent thereof, or by the operation of any actuating device, registers the length of time that any vehicle is parked adjacent to or in the immediate vicinity of the parking meter and displays a flag, sign, or receipt to be displayed or other electronic means indicating that the permitted or paid time has expired. Parking meters may be multi-spaced or single-spaced meters, and may require vehicle operators to display a receipt or enter vehicle identification information to permit parking adjacent to or in immediate vicinity of the parking meter.

(2) "Parking Zones" means any parking meter spaces or zone established by traffic control orders issued as provided in section 10:2 of this chapter on any street or city-operated off-street parking lot.

Spaces and zones to be known as parking meter spaces and zones may be established by traffic control orders issued as provided in section 10:2 of this chapter on any street or city-operated off-street parking lot.

Section 2: That Section 10:70 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:70. - Installation and operation.

(1) Installation: Parking mMeters installed in the pParking meter zZones shall be placed adjacent to each parking place. Each parking meter shall display by a signal that the parking space adjacent thereto is or is not legally in use. Each parking meter shall display, on deposit of a United States coin of the denomination mentioned on the meter, a signal indicating legal parking for that period of time which may be established for that area or zone of the street or lot upon which said parking meter is installed, and which is permitted for the deposit of the specific coin inserted. Upon the expiration of the time limit the parking meter shall indicate by a signal that the lawful parking period has expired, and in such cases, the right of the said motor vehicle to occupy such space shall cease and the driver, possessor, or person having control thereof, shall be subject to the penalties hereinafter provided.

(2) Operation: Parking Meters shall be operated at such dates, times and hours as may be determined from time to time by the City, based upon good engineering principles, traffic investigation and surveys made from time to time, or recommendations from the Ann Arbor Downtown Development Authority or such other body deemed appropriate by City Administrator under the authority granted him/her by section 10:2 of this chapter. Such dates, times and hours shall be indicated by signs adjacent to the Parking Meter or on the Parking Meter. Provided, however, that the City Administrator, in his/her discretion, from time to time, may prohibit all parking in any or all metered Parking Spaces in a Parking Zone during times of emergency or public need or necessity by causing the appropriate "NO PARKING" signs to be posted or "NO PARKING" meter bags to be placed on Parking Meters or for any other reason or in any other manner specified to provide adequate public notice.

Section 3: That Section 10:71 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:71. - Marking spaces.

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The City Administrator, or designee, is authorized to install parking meters in pParking meter zZones and spaces and have lines or markings painted upon the curb, street or lot surfaces controlled by each pParking mMeter to designate the parking space for which said meter is to be used. No person shall park any vehicle upon or across any such line or marking. The vehicle shall be adjacent to the parking meter and the entire vehicle, insofar as possible, shall be centered within the designated parking space.

Section 4: That Section 10:72 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:72. -- Payment; Time limits.

The following time limits payment requirements shall apply to parking spaces adjacent to pParking mMeters during the days, times and hours specified on the Parking mMeters each day except Sundays and holidays:

(1) Whenever a vehicle occupies a Parking Space is parked in the space adjacent to a parking meter, the operator of the vehicle shall immediately deposit or cause to be deposited such lawful money a coin of the United States, or the equivalent thereof as provided for by the in such pParking mMeter for the requested duration of time such vehicle will occupy the Parking Space. of a denomination specified on the parking meter except when the time on the meter has not yet expired.

(a) . He For manual Parking Meters, upon proper payment, the Parking Meter shall also be placed such meter in operation by turning or pressing any lever, handle, crank or other device provided upon such Parking mMeter. Thereupon said parking space may be lawfully occupied by such vehicle only until the meter indicates the time limit has expired.

(b) For "pay and display" Parking Meters, upon proper payment, a receipt will be printed that must be displayed on the vehicle dashboard indicating the length of time the vehicle is authorized to occupy the parking space.

Payments for metered Parking Spaces via an authorized mobile payment application will also be considered as satisfying the payment requirements of this section

Thereupon said parking space may be lawfully occupied by such vehicle only until the meter indicates the time limit has expired.

(2) No person shall leavepark, stand or stop any vehicle in a metered Parking sSpace, during a period for which a parking time limit is applicable, for longer than the maximum duration of time permitted by the Parking mMeter. Each successive period of parking longer than said maximum time period constitutes a separate offense. The limit contained in this subsection is applicable regardless of whether or not the parking meter indicates the time limit has expired.

Section 5: That Section 10:73 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:73. - Offenses.

No person shall:

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(1) Deposit or cause to be deposited in a pParking mMeter a coinmoney for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to the parking meter occupied by that vehicle or to otherwise fraudulently attempt to obtain time on a Parking Meter

(2) Deposit or cause to be deposited in any pParking mMeter any slug, token, foreign coin, device or metallic substitute for either the required lawful money of thea United States, or the equivalent thereof as provided for by the Parking Meter. coinor otherwise avoid making the required payment..

(3) Remove, deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any pParking mMeter.

Section 6: That Section 10:75 of Chapter 126 of Tile X of the Code of the City of Ann Arbor be amended to read as follows:

10:75. - Prima facie evidence; parking violators.

In any proceeding for violation of the parking provisions of this chapter, the parking, stopping or standing of any vehicle in a parking space at which the Parking Meter displays a flag, signal or sign indicating that the permitted or paid time has expired, or the “pay and display” receipt is properly displayed and indicates that the paid time has expired, or the parking enforcement software utilized by enforcement officers indicates the paid time for the vehicle has expired, or the “pay and display” receipt has not been property displayed, or the mobile application payment has been determined to have expired shall constitute a prima facia presumption that the vehicle has been parked in violation of this chapter.

The registration plate displayed on such motor vehicle shall constitute in evidence a prima facie presumption that the owner of such motor vehicle was the person who parked or placed such motor vehicle at the point where such violation occurred.

Section 7: This Ordinance shall take effect on the tenth day following legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of March 5, 2018.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk’s Webpage on March 8, 2018.

Jacqueline Beaudry, Ann Arbor City Clerk