



**Roll Call Number**

**Agenda Item Number**

42

Date November 10, 2008

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,084 passed May 6, 2002, and Ordinance No. 14,244 passed June 23, 2003, and Ordinance No. 14,476 passed August 8, 2005, and Ordinance 14,533 passed January 9, 2006, and Ordinance No. 14,556 passed April 24, 2006, and Ordinance No. 14,722 passed November 19, 2007, by amending Sections 114-361.19, 114-361.21, 114-640.01, 114-640.02, 114-2815 and 114-3689 thereof, relating to traffic and vehicle regulations",

which was considered and voted upon for the first time under Roll Call No. 08- 1232 of July 14, 2008, and considered and voted upon for the second time under Roll Call No. 08- 1335 of July 28, 2008, again presented.

Moved by \_\_\_\_\_ that this ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

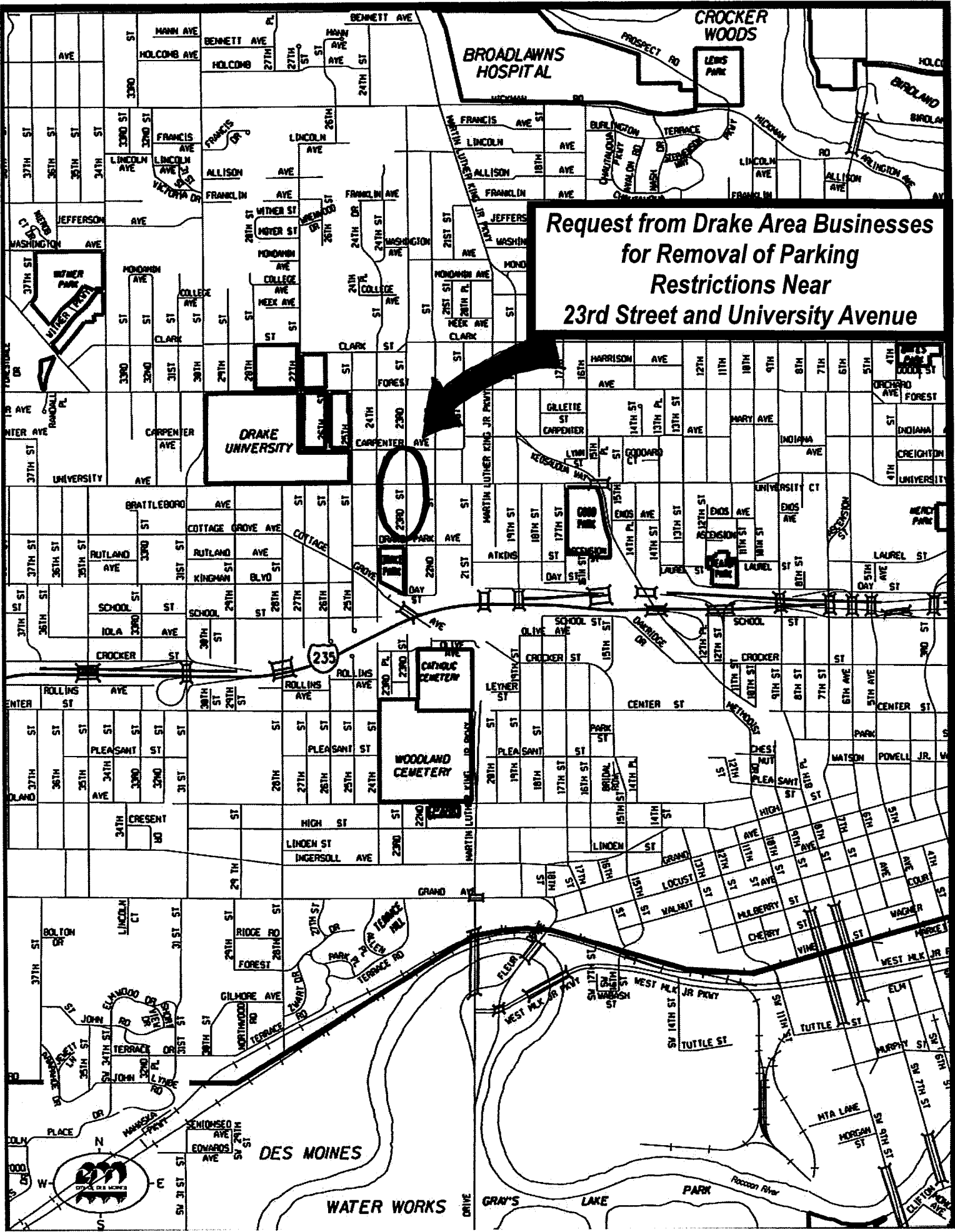
MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**Request from Drake Area Businesses  
for Removal of Parking  
Restrictions Near  
23rd Street and University Avenue**



235

DRAKE UNIVERSITY

BROADLAWNS HOSPITAL

CROCKER WOODS

WOODLAND CEMETERY

DES MOINES

WATER WORKS

GRAY'S LAKE

PARK

Raccoon River





April 21, 2008

Council Member Ward III  
Christine Hensley  
753 55<sup>th</sup> Street  
Des Moines, IA 50312

Dear Ms. Hensley,

The Drake Area Business Association has concerns about traffic calming and a more pedestrian friendly area along University Ave. This is a major area for the Association and the redevelopment of this area has been a positive for the area and the community.

After discussing the issue at two Board meetings of the Drake Area Business Association we would like to ask for three considerations:

1. Removal of the loading zone on the west side of 23<sup>rd</sup> St, just South of University Ave. Instead we are requesting 2 hour parking. Businesses changed so a loading zone is not necessary.
2. Removal of the No Parking Zone on the North side of University Ave, Adjacent to 2321 University Ave.
3. We would like to request that traffic and Transportation study the removing no parking from 7-9 and 4-6 on University between 23<sup>rd</sup> and 25<sup>th</sup> Streets. I235 is complete so we think commuters will be using I235 to cross town and University can become more pedestrian friendly.

If you have any questions regarding our stand on this issue please contact me at 515-255-4000.

Thanks for your support

Sincerely,

David Dixon  
President Drake Area Business Association





1

1P.O. Box 41128  
Des Moines, Iowa 50311  
President: 255-9293  
E-mail: [info@drakeneighborhood.org](mailto:info@drakeneighborhood.org)  
Web: [www.drakeneighborhood.org](http://www.drakeneighborhood.org)

April 14, 2008

Council Member Ward III  
Christine Hensley  
753 55th Street  
Des Moines, IA 50312

Regarding Parking Restrictions on University Avenue

Dear Ms. Hensley,

After having held several meetings with city staff and neighborhood residents over the past two years, discussing a possible streetscape plan, it became clear that the residents are in favor of traffic calming and for University Avenue to be more pedestrian friendly.

The business community has also expressed concerns about parking in the Dog Town area. The Drake Neighborhood Association is very proud of the redevelopment of this area and wants to support these businesses. For these reasons the Drake Neighborhood Association would like to ask for three considerations:

1. Removal of the loading zone on the west side of 23rd Street, just South of University Ave. Instead of the loading zone, we are requesting 2 hour parking. Since businesses have changed the loading zone is no longer needed.
2. Removal of the No Parking Zone on the North side of University Avenue, adjacent to 2321 University Ave.
3. We would like to request that Traffic and Transportation study removing no parking from 7-9 and 4-6 on University Ave. between 23rd and 25<sup>th</sup> Streets. Since the construction of I235 is now complete we would like to encourage cross town commuters to start using I235 again and for the streets of our neighborhood to become pedestrian friendly.

If you have any questions regarding our stand on this issue please contact me at 515-255-9293.


Thanks for your support.

Sincerely,

Martha Schmitt  
President

CC: Dolph Pullium, Drake University  
Dave Mulford, Des Moines NBSD Officer  
Gary Fox, Traffic and Transportation  
Dave Dixon, President, Drake Area Business Association

42

 <b>Council</b> <b>Communication</b> Office of the City Manager	<b>Date</b>	July 14, 2008
	<b>Agenda Item No.</b> 57 <b>Roll Call No.</b> 08- <b>Communication No.</b> 08-404 <b>Submitted by:</b> Jeb E. Brewer, P.E. City Engineer	

**AGENDA HEADING:**

Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

- A. Code Revisions Regarding Resident Permit Parking and Special Parking Permits for Special Events and Emergency Restrictions.
- B. Request from Drake Area Businesses for Removal of Parking Restrictions near 23<sup>rd</sup> Street and University Avenue.

**SYNOPSIS:**

Recommend approval of the Traffic and Transportation Division staff recommendations, including first reading of the Ordinance regarding the traffic regulation changes.

**FISCAL IMPACT:**

Amount: Minor costs.

Funding Source: 2008-2009 Operating Budget, Page 131, Engineering Department Traffic & Transportation—Sign Installation and Maintenance, ENG100413.

**ADDITIONAL INFORMATION:**

- A. Traffic and Transportation staff reviewed the sections of the city code dealing with Resident Permit Parking and have determined that several issues related to special event and emergency restrictions of these resident permit parking areas need clarification. During some recent special events, the meters designated for resident permit parking have been hooded to prohibit parking, which eliminates the area for residents to park. It is proposed that the City would issue a special parking permit when resident permit parking is restricted for a special event to allow them to park at a nearby street location. However, if the temporary restriction is related to an emergency condition, including snow removal, the City would not issue a special parking permit to provide alternate parking. In addition, the section requiring permanent placement of the resident parking permit on the inside of the windshield is recommended to be modified to allow other more temporary options.

Special parking permits are usually paid for when they are obtained, but some are faxed or emailed, and the permit is an invoice for payment. It is recommended that a late payment/handling fee of 10% of the total cost of the permit be charged if the permit must be invoiced a second time when the permit is twenty or more days past due. The cost of procuring and handling parking meter bags in conjunction with special parking permits has also increased and should be increased from the current

42

fee of \$1.00 per bag to \$2.00 per meter bag.

The following requested modification of the City Code will accomplish the above changes.

Sec. 114-640.01. Resident parking permits.

- a. The city traffic engineer is authorized to issue a resident parking permit for residents living within the parking meter and resident parking permit districts, as defined by Sec. 114-636, 114-637 and 114-638. Resident parking permits may be issued on an annual or monthly basis. The fee for a Type A permit shall be \$50.00 per month, while the fee for a Type B permit shall be \$25.00 per month. Fees may be prorated on a monthly basis from the start of the effective period of the permit for permits issued after the start of the effective period. Resident parking permits will be of a color and design, as determined by the city traffic engineer, and this color and design will change as needed for enforcement purposes.
- b. The city traffic engineer is authorized to issue a special parking permit at no charge to any current holder of a resident parking permit, when meters have been hooded for a special event or other authorized activity and the hooded meters restrict the holder of a resident parking permit from being able to use the adjacent parking area designated for resident permit parking.
- c. A special parking permit will not be issued when the reason for restricted parking is related to emergency snow removal operations or any other emergency conditions beyond the reasonable control of the city.

Sec. 114-640.02. Resident parking permit placement.

Residents issued residential parking permits are required to display the permit on the vehicle in compliance with placement and visibility requirements established by the city traffic engineer. ~~The resident parking permit will be of such a design that it must be applied to the inside of the windshield of the vehicle in a permanent manner consistent with the type of parking permit issued.~~

Sec. 114-361.19. Special parking permit issuance.

- (f) The city traffic engineer may either collect a fee of \$25.00 per vehicle for a period of 30 days or less in advance or direct the applicant to consider the permit as an invoice with payment due immediately upon receipt by mail or facsimile. Permits not paid for within 20 days after the date of issuance shall incur an additional handling/late fee of 10 percent of the total fee for the permit. At such time as parking meter spaces are hooded or removed for special permit purposes, the permittee shall also be responsible for a daily rate of the metered use. If parking meters are hooded specifically for a special event after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, the only charges shall be the \$25.00 permit fee and ~~\$1.00~~ \$2.00 for each meter hooded. The charges for the fee and the hooding of parking meters for a non-recurring special event, after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, may be waived at the discretion of the city traffic engineer or his or her designated representative.

Sec. 114-361.21. Standards for issuance of special parking permits.

- (16) Residents within the parking meter districts who are holders of a valid resident parking permit shall be eligible for issuance of a special parking permit, at no charge, if their designated resident parking is displaced by an authorized special event. A special parking permit will not be issued when parking within the resident permit parking areas is restricted



because of an emergency condition beyond the reasonable control of the city. A special parking permit shall not supersede emergency parking restrictions imposed by an authorized city official.

- B. Drake Area Businesses have requested removal of some parking restrictions that are no longer needed in the vicinity of 23rd Street and University Avenue. Traffic and Transportation Division staff have reviewed this request and concur that parking could be allowed in these areas without causing safety or traffic concerns.

The following revisions to the Municipal Code are proposed:

Sec. 114-2815. Twenty-third Street—Ingersoll Avenue to Holcomb Avenue.

~~Twenty-third Street, on the west side, from a point 30 feet south of University Avenue to a point 50 feet south thereof, commercial loading zone.~~

Sec. 114-3689. University Avenue—Twenty-third Street to Twenty-fifth Street.

University Avenue, on the north side, from a point 75 feet west of Twenty-third Street to ~~a point 200 feet east of~~ Twenty-fourth Street, two-hour parking 9:00 a.m. to 4:00 p.m.

University Avenue, on the north side, from a point 75 feet west of Twenty-third Street to ~~a point 200 feet east of~~ Twenty-fourth Street, no parking 4:00 p.m. to 6:00 p.m.

~~University Avenue, on the north side, from Twenty-fourth Street to a point 200 feet east thereof, no parking any time.~~

**PREVIOUS COUNCIL ACTION(S): NONE**

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Second and third readings of Ordinance.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).

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SUMMARY OF ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Chapter 114 Traffic & Vehicle Regulations as summarized below. The complete text of the ordinance is available in the City of Des Moines City Clerk's Office, 400 Robert D. Ray Drive, Des Moines, Iowa, or on the City of Des Moines' website at www.dmgov.org.

**DES MOINES TRAFFIC REGULATION CHANGES**

Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

- A. Code Revisions Regarding Resident Permit Parking and Special Parking Permits for Special Events and Emergency Restrictions.
- B. Request from Drake Area Businesses for Removal of Parking Restrictions Near 23<sup>rd</sup> Street and University Avenue.

FORM APPROVED:

Katharine Massier, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a summary of Ordinance No. \_\_\_\_\_, passed by the City Council of said City on \_\_\_\_\_, signed by the Mayor on \_\_\_\_\_, and published as provided by law in the Business Record on \_\_\_\_\_. Authorized by Publication Order No. \_\_\_\_\_.

Diane Rauh, City Clerk

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,084 passed May 6, 2002, and Ordinance No. 14,244 passed June 23, 2003, and Ordinance No. 14,476 passed August 8, 2005, and Ordinance 14,533 passed January 9, 2006, and Ordinance No. 14,556 passed April 24, 2006, and Ordinance No. 14,722 passed November 19, 2007, by amending Sections 114-361.19, 114-361.21, 114-640.01, 114-640.02, 114-2815 and 114-3689 thereof, relating to traffic and vehicle regulations.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000,

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and amended by Ordinance No. 14,084 passed May 6, 2002, and Ordinance No. 14,244 passed June 23, 2003, and Ordinance No. 14,476 passed August 8, 2005, and Ordinance 14,533 passed January 9, 2006, and Ordinance No. 14,556 passed April 24, 2006, and Ordinance No. 14,722 passed November 19, 2007 is hereby amended by amending Sections 114-361.19, 114-361.21, 114-640.01, 114-640.02, 114-2815 and 114-3689 thereof, relating to traffic and vehicle regulations, as follows:

**Sec. 114-361.19. Special parking permit issuance.**

- (a) The city traffic engineer is authorized to issue a public service parking permit for a vehicle to park or stand on a public street where such parking or standing is otherwise prohibited or regulated by the provisions of this chapter. Application therefor may list one or more specific vehicles, shall be directed to the office of the city traffic engineer, and may contain such information, including vehicle characteristics and license, as the city traffic engineer shall deem pertinent to the application. Such permit shall only be issued when said parking or standing is required in the performance of a public service or to satisfy a public need as heretofore set forth. Such permit shall grant

5742  
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permission for:

- (1) Vehicular parking or standing in a specific area which may be designated as "point or points of service"; or
  - (2) Vehicular parking or standing in any public way in the city which, by the nature of the service, becomes a point of service.
- (b) The effective period of the permit may be a set number of days, not to exceed one year, and the inclusive dates of the permit shall be clearly displayed thereon. The permit may also specify the time or times of day when such parking is authorized as well as the days of the week to which it is limited.
- (c) Except in situations of immediate emergency or in unique situations which have been identified to and approved by the city traffic engineer, such parking shall be prohibited on arterial and collector streets during the hours from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. where signs are currently in place prohibiting parking during these hours.
- (d) The permit so issued for the specific vehicle or a clearly legible copy thereof shall be placed conspicuously in the window of the vehicle for which issued in a manner which clearly displays the restrictions contained in the permit.
- (e) The phrases "point of service" and "point or points of service" shall not include parking of a vehicle while the owner or operator awaits call or service. Vehicles in such status or condition shall be subject to the remaining provisions of this chapter regulating the parking, standing, and stopping of vehicles.
- (f) The city traffic engineer may either collect a fee of \$25.00 per vehicle for a period of 30 days or less in advance or direct the applicant to consider the permit as an invoice with payment due immediately upon receipt by mail or facsimile. Permits not paid within twenty (20) days after the date of issuance shall incur an additional handling/late fee of ten (10%) percent of the total fee for the permit. At such time as parking meter spaces are hooded or removed for special permit purposes the permittee shall also be responsible for a daily rate of the metered use. If parking meters are hooded specifically for a special event after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, the only charges shall be the \$25.00 permit fee and ~~\$1.00~~ 2.00 for each meter hooded. The charges for the fee and the hooding of parking meters for a non-recurring special event, after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, may be waived at the discretion of the city traffic engineer or his or her designated representative.

The daily meter rate charged for hooding parking meters shall be calculated using the specific parking meter district location of the meter(s) to be hooded and the daily meter

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rates designated in section 114-643 of this code. In all instances the daily meter fee shall be calculated based upon a ten-hour day. The daily meter fee shall be an additional fee only during normal hours of parking meter operations.

Vehicles owned or operated by governmental agencies, shall be exempt from the permit fee requirements. Vehicles and equipment working directly under contract to the City of Des Moines shall also be exempt from these permit fee requirements. Subcontractors are not exempt.

For a permit issued for special handicap consideration under section 114-361.21(15), the fee for the permit shall be as provided above, but any daily meter fee shall be waived.

- (g) A person who parks a vehicle in violation of any provision of this section or of the terms of the special parking permit shall pay a fine of \$15.00.

**Sec. 114-361.21. Standards for issuance of special parking permits.**

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For the purposes of section 114-361.19 of this article, the term "parking or standing required in the performance of a public service or to satisfy a public need" is defined by means of illustration to be such parking or standing of vehicles as shall generically include but not be limited to the following:

- (1) Funeral vehicles during performance of funeral service.
- (2) Moving vans at points of service.
- (3) Vehicles or equipment parked to facilitate special events, which shall be limited to the period immediately before, during and after such events.
- (4) Charter buses or school buses parked for special events, which shall be limited to the period immediately before, during and after such events.
- (5) Sidewalk replacement vehicles.
- (6) Construction vehicles while delivering materials or special equipment (e.g., concrete trucks).
- (7) Mobile construction equipment during times of actual use.
- (8) Armored vehicles in actual service.
- (9) Local ambulances in actual service.
- (10) Community blood bank vehicles in actual service.
- (11) Mobile library vehicles in actual service.
- (12) Vehicles involved in utility or city construction or maintenance work in streets.
- (13) Vehicles containing cable or public TV remote facilities in actual service.
- (14) Vehicles transporting governmental dignitaries visiting this city.
- (15) Persons who possess a permanent state of Iowa handicap placard or state of Iowa handicapped license plates, and a physician's certificate that substantiates a significant degree of disability related to coin handling dexterity.

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(16) Residents within the parking meter and resident permit parking districts I, II or III who are holders of a valid Resident Parking Permit shall be eligible for issuance of a Special Parking Permit, at no charge, if displaced by an authorized special event. A Special Parking Permit shall not be issued at no charge when parking within the resident permit parking areas is because of an emergency situation beyond the control of the city. No Special Parking Permit shall supersede emergency parking restrictions imposed by an authorized city official.

**Sec. 114-640.01. Resident parking permits.**

- (a) The city traffic engineer is authorized to issue a resident parking permit for residents living within the parking meter and resident parking permit districts, as defined by Sec. 114-636, 114-637 and 114-638. Resident parking permits be issued on an annual or monthly basis. The fee for a Type A permit shall be \$50.00 per month, while the fee for a Type B shall be \$25.00 per month. Fees may be prorated on a monthly basis from the start of the effective period of the permit for permits issued after the start of the effective period. Resident parking permits will be of a color and design, as determined by the city traffic engineer, and this color and design will change as needed for enforcement purposes.
- (b) The city traffic engineer is authorized to issue, at no charge, a Special Parking Permit to any current holder of a Resident Parking Permit, when it is determined that an authorized activity within the Resident Parking Permit District precludes the holder of a Resident Parking Permit from being able to use the adjacent parking area designated for Resident Permit Parking.
- (c) A Special Parking Permit shall not be issued at no charge to a holder of a Resident Parking Permit when the reason for a parking restriction is related to a valid emergency restriction of normal parking due to snow removal or any other act of God beyond the reasonable control of the city. The holder of a valid Resident Parking Permit may apply and would be eligible for issuance of a Special Parking Permit under Sec. 114-361.21, with the permit fee waived, but would still be responsible for paying the daily cost of any parking meter, as computed under Sec. 114-361.19(2)(f), at any parking metered space not temporarily restricted. The issuance of a Special Parking Permit will not supersede any emergency parking restrictions imposed by an authorized city official.

**Sec. 114-640.02. Resident parking permit placement.**

Residents issued residential parking permits are required to display the permit on the vehicle in compliance with placement and

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visibility requirements established by the city traffic engineer. The resident parking permit will be of such a design that ~~it~~ must annual permits may be applied to the inside of the windshield of the vehicle in a permanent manner consistent with the type of parking permit issued or monthly permits may be hung from the rear view mirror. Both types of permits must be clearly visible for enforcement purposes.

**Sec. 114-2815. Twenty-third Street--Ingersoll Avenue to Holcomb Avenue.**

Twenty-third Street, on the west side, from Ingersoll Avenue to High Street, no parking any time.

Twenty-third Street, on the east side, from Ingersoll Avenue to Woodland Avenue, no parking any time.

Twenty-third Street, on the east side, from a point 250 feet south of Rollins Avenue to a point 160 feet north of Olive Avenue, no parking any time.

~~Twenty-third Street, on the west side, from Cottage Grove Avenue to Drake Park Avenue, no parking any time.~~

Twenty-third Street, on the east side, from Cottage Grove Avenue to a point 295 feet north thereof, no parking any time.

Twenty-third Street, on the east side, from 50 feet south of Drake Park Avenue to Drake Park Avenue, no parking any time.

~~Twenty-third Street, on the west side, from a point 30 feet south of University Avenue to a point 50 feet south thereof, commercial loading zone.~~

Twenty-third Street, on the west side, from University Avenue to a point 75 feet north thereof, no parking any time.

Twenty-third Street, on the east side, from University Avenue to Forest Avenue, no parking any time.

Twenty-third Street, on the west side, from Forest Avenue to Hickman Road, no parking any time.

Twenty-third Street, on the west side, from Forest Avenue to a point 50 feet south thereof, no parking any time.

Twenty-third Street, on the east side, from a point 130 feet south of Clark Street to a point 50 feet north of Clark Street, no parking any time.

Twenty-third Street, on the east side, from Hickman Road to a point 120 feet south thereof, no parking any time.

**Sec. 114-3689. University Avenue--Twenty-third Street to Twenty-fifth Street.**

University Avenue, on both sides, from Twenty-third Street to a point 75 feet west thereof, no parking any time.

University Avenue, on the south side, from a point 75 feet west of Twenty-third Street to Twenty-fifth Street, no parking 7:00 a.m. to 9:00 a.m.

University Avenue, on the south side, from a point 75 feet

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west of Twenty-third Street to Twenty-fifth Street, two-hour parking 9:00 a.m. to 4:00 p.m.

University Avenue, on the north side, from a point 75 feet west of Twenty-third Street to a point 200 feet east of Twenty-fourth Street, two-hour parking 9:00 a.m. to 4:00 p.m.

University Avenue, on the north side, from a point 75 feet west of Twenty-third Street to a point 200 feet east of Twenty-fourth Street, no parking 4:00 p.m. to 6:00 p.m.

~~University Avenue, on the north side, from Twenty-fourth Street to a point 200 feet east thereof, no parking any time.~~

University Avenue, on the north side, from Twenty-fourth Street to a point 50 feet west thereof, no parking any time.

University Avenue, on the north side, from a point 50 feet west of Twenty-fourth Street to Twenty-fifth Street, two-hour parking 9:00 a.m. to 4:00 p.m.

University Avenue, on the north side, from a point 50 feet west of Twenty-fourth Street to Twenty-fifth Street, no parking 4:00 p.m. to 6:00 p.m.

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Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

K. Massier  
Katharine Massier  
Assistant City Attorney