

Date June 3, 2019

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, as heretofore amended, by amending Sections 114-361.19 and 114-361.21, relating to issuance of special parking permits",

which was considered and voted upon for the first time under Roll Call No. 19-0664 of April 22, 2019, and considered and voted upon for the second time under Roll Call No. 19- 0819 of May 6, 2019, again presented.

Moved by _____ that this ordinance do now pass.

ORDINANCE NO. _____


COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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.

_____ City Clerk

COUNCIL COMMUNICATION				
	Number:	19-218	Meeting:	May 20, 2019
	Agenda Item:	42	Roll Call:	[]
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving the Street Use Event On-Street Parking Rate Policy and related Municipal Code modifications.

SYNOPSIS:

Recommend approval of the Street Use Event On-Street Parking Rate Policy. The purpose of the policy is to provide a reduced rate for the reservation of parking meters related to street use events.

FISCAL IMPACT:

Amount: Due to significant changes in fee calculation, estimated revenue reduction will be monitored during the first year.

Funding Source: 2019-2020 Operating Budget, Page 78, Engineering Department Traffic and Transportation – Parking Meter Maintenance and Collection, EG062087.

ADDITIONAL INFORMATION:

- The City requires anyone wanting to reserve a parking meter, or meters, for their specific use to obtain a special parking permit. The cost of the permit includes an application fee and the daily cost of the meter per day based on the rate in that meter district. Meters are reserved in full-day increments only (12-hour day).
- In 2018, the City modified the parking meter hours of operation to 9:00 a.m. to 9:00 p.m. Monday through Saturday. At that time, the City notified annual event organizers that beginning in 2019, events would be charged for parking meter usage on Saturdays. Event organizers expressed concern that the additional cost for parking meter usage on Saturdays and 12-hour weekdays would present a hardship to events.
- The City Manager asked staff to prepare a policy for Council approval to address special parking permits issued in conjunction with street use events. A draft policy was presented to street use event stakeholders and revisions were made to address concerns. The proposed policy would only apply to applicants who have applied for a street use event permit. Street use event permits, as defined in Municipal Code Article XVI, are required for any event that closes the street, or a portion thereof.

- The proposed policy would require the street use event permitholder to:
 - Obtain a special parking permit for any parking meter that cannot be used by the public during the event.
 - Pay the special parking permit application fee, currently \$25.
 - Pay a daily meter fee of \$4 for every parking meter included in the permit application for each weekday (Monday through Friday) the permit application is valid.
 - Pay the parking meter hooding fee for each meter reserved on Saturdays, Sundays or holidays, currently \$2 per meter/event. There is no meter hooding fee on non-holiday weekdays.

- Saturday events who are authorized to own and maintain their own meter bags will not be charged the Friday daily meter fee if the meters are bagged by the event Friday after 5:00 p.m.

- The draft policy is attached to the roll call and will be considered at the June 3, 2019 City Council meeting.

PREVIOUS COUNCIL ACTION(S):

Date: December 18, 2017

Roll Call Number: 17-2172

Action: Amending Chapter 114 of the Municipal Code regarding rates for Saturday parking and removing special night parking rates. Moved by Hensley that this ordinance do now pass, #15,634. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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 first 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.

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 Sections 114-361.19 and 114-361.21, relating to issuance of special parking permits.

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, as heretofore amended, is hereby amended by amending Sections 114-361.19 and 114-361.21, relating to issuance of special parking permits, as follows:

Sec. 114-361.19. Special parking permit issuance.

- (a) The city traffic engineer is authorized ~~by the city engineer~~ to issue a special parking permit for a vehicle, trailer or container to park or stand or for any other use on a public street where such parking, ~~or~~ standing or use is otherwise prohibited or regulated by the provisions of this chapter. Application therefor ~~may shall~~ list one or more specific vehicles, trailers, containers or uses, shall be directed to the office of the city traffic engineer, and ~~may shall~~ contain information as the city traffic engineer shall deem pertinent to the application. Such permit shall only be issued when the city traffic engineer reasonably determines that said parking, ~~or~~ standing or use is required in the performance of a public service or to satisfy a public need ~~as heretofore set forth under the guidance of section 114-361.21 of this article~~. Such permit shall grant permission for ~~vehicular~~ parking, ~~or~~ standing or other use in a specific area ~~or any of a public street or way~~ in the city.
- (b) The city traffic engineer is authorized to issue a special parking permit for the use of parking spaces or other specific areas of a public street or way in the city in conjunction with a street use permit issued under article XVI of chapter 102 of this code.
- (bc) 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.
- (ed) Except in situations of immediate emergency or in unique situations which have been ~~identified to~~ recognized and approved by the city traffic engineer, such parking shall be prohibited during specific hours in locations where signs are currently in place prohibiting parking during those hours.
- (de) The permit shall be clearly displayed in the window of the vehicle or on the trailer or container for which it is issued.
- (ef) Applicants are required to pay an application fee, ~~and~~ the daily meter rate fee and the meter hood fee of the reserved meter(s) for the time period the meters are reserved, not less than a 24-hour period, except as specified in ~~S~~ subsection 114-361.19(gh). Payment is required at the time the permit is issued ~~except as specified in Section 114-361.19(h)~~. The charges

for the application fee, daily meter rate fee, and the meter hood fee may be waived or reduced by the city traffic engineer or his or her designated representative in accordance with policy adopted by the city council by resolution. ~~at the discretion of the city traffic engineer or his or her designated representative.~~

- (fg) The application fee, ~~daily meter rate fee~~ and meter hood fee and daily meter rate fee as may be reduced in accordance with city council adopted policies ~~shall be defined~~ are set out in the Sschedule of Fees adopted by the city council by resolution. 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 rates designated in section 114-643 of this code and. ~~In all instances the daily meter fee shall~~ be calculated based upon a twelve-hour day. The daily meter ~~fee rate fee~~ shall be an additional fee only during normal days of parking meter operations as designated in Ssection 114-644 of this code. A meter hood fee will be charged for days when the daily meter rate fee is are not charged.
- (gh) Vehicles, trailers and containers owned or operated by governmental agencies, ~~shall be exempt from the permit fee requirements.~~ Vehcles and equipment working or used for work directly under contract or subcontract ~~to the City of Des Moines shall also be with the city shall be~~ exempt from ~~these permit fee requirements~~ the application fee, daily meter rate fee and meter hood fee requirements.
- (h) ~~For a permit issued for special handicap consideration for 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, the fee for the permit shall be as provided above, but any daily meter fee shall be waived.~~
- (i) 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 as ~~defined~~ set out in the Sschedule of Fees.

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


For the purposes of ~~section 114-361.19 of this article, the term the city traffic engineer issuing a special parking permit pursuant to subsection 114-361.19(a) of this article on the basis of whether proposed "parking, or standing or use is~~ required in the performance of a public service or to satisfy a public need, " is defined under authority of the city traffic engineer such required parking, standing or use. ~~This shall generically~~ may generally include but not be limited to the following use of a parking space or specific area:

- (1) Funeral vehicles during performance of funeral service.
- (2) Moving vans in actual service.
- (3) Vehicles or equipment parked to facilitate special events.
- (4) Charter buses or school buses parked for special events.
- (5) Construction vehicles while delivering materials, special equipment (e.g., concrete trucks), or mobile construction equipment in use.
- (6) Vehicles involved in utility or city construction or maintenance work in streets right of way.
- (7) Vehicles containing cable or public TV remote facilities in actual service.
- (8) Temporary moving storage containers in actual service for adjacent properties.
- (9) Dumpsters in actual service for adjacent construction activity.

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

FORM APPROVED:



Lawrence R. McDowell
Deputy City Attorney