



Roll Call Number

Agenda Item Number

62

Date December 6, 2021

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 114-636, 114-640, 114-641, 114-642, 114-643, 114-645, 114-646, 114-648, 114-652, and 114-653, relating to the use of multi-space parking meters",

(Council Communication No. 21-518)

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)



Molly Tracy
Assistant City Attorney

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

CERTIFICATE

I, P. Kay Cmelik, 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.

Mayor

City Clerk

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 114-636, 114-640, 114-641, 114-642, 114-643, 114-645, 114-646, 114-648, 114-652, and 114-653, relating to the use of multi-space parking meters.

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, by amending Sections 114-636, 114-640, 114-641, 114-642, 114-643, 114-645, 114-646, 114-648, 114-652, and 114-653, relating to the use of multi-space parking meters, as follows:

114-636. Parking meter district.

The parking meter district shall be ~~constituted~~ comprised of all the streets and avenues located within the area bounded by the north right-of-way line of West Martin Luther King Jr Parkway beginning at the west bank of the Des Moines River, thence west to the west side of Sixteenth Street, thence north along the westerly side of Sixteenth Street to the south side of Locust Street, thence west along the south side of Locust Street to ~~a point even with~~ the west side of Eighteenth Seventeenth Street, thence north ~~west~~ along the westerly side of Eighteenth-Seventeenth Street to the south side of Grand Avenue, thence west along the south side of Grand Avenue to the west side of Nineteenth Street, thence north along the west side of Nineteenth Street to the north side of Woodland Avenue, thence east along the north side of Woodland Avenue to the north extension of the west side of Twelfth Street, thence north along the north extension of the west side of Twelfth Street to a point even with the westerly extension of the north side of Chestnut Street, thence east along the west extension of the north side of Chestnut Street and along the north side of Chestnut Street to the west side of Ninth Street, thence north along the west side of Ninth Street to the south side of Keosauqua Way, thence northwest along the south side of Keosauqua Way to the west side of Tenth Street, thence north along the west side of Tenth Street and along the north extension of the west side of Tenth Street to the south right-of-way line of Interstate 235, thence east along the south right-of-way line of Interstate 235 to the west bank of the Des Moines River, thence south along the west bank of the Des Moines River to the north side of Grand Avenue, thence east along the north side of Grand Avenue to the west side of Robert D. Ray Drive to a point even with the westerly extension of the north side of Lyon Street, then east along the west extension of the north side of Lyon Street and along the north side of Lyon Street ~~to the east side of~~ to the east side of Pennsylvania Avenue; thence south along the east side of Pennsylvania Avenue to the point of intersection with the east extension of the south side of East Locust Street and said point also being the east side of East Seventh Street; thence south along the east side of East Seventh Street and Southeast Seventh Street to the north right-of way line of East Martin Luther King Jr Parkway; thence west along the north right-of-way line of East Martin Luther King

Jr Parkway and along the right-of-way line West Martin Luther King Jr Parkway to the point of beginning.

Sec. 114-640. Designation of parking spaces.

The city traffic engineer may apportion the appropriate parts of the streets in the parking meter district into individual metered parking spaces and may cause such parking spaces to be designated by meters or appropriate signage placed on the sidewalk or border area of the street. No vehicle shall be parked which is not entirely within the limits of the space adjacent to the parking meter or appropriate signage. The city traffic engineer may cause the removal of any parking meter or signage placed for any parking space. A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

Sec. 114-641. Installation, construction and maintenance of meters.

In the parking meter district the city traffic engineer shall cause parking meters or appropriate signage to be installed upon for the ~~curb or sidewalk immediately adjacent to the~~ metered parking spaces provided designated in section 114-640 of this division. The parking meters may be either multi-space parking meters or pay stations or be single space parking meters and shall be placed not more than three feet from the curb nor more than four feet devices that take payment and measure the permissible, predetermined metered time for permitted parking. Metered time is credited to an individual metered parking space for payment of the applicable parking rate and such metered time runs continuously from the time of payment until expiration ~~the front line or back line of the parking space as indicated.~~ The city traffic engineer shall be responsible for the regulation, control, operation, maintenance and use of parking meters. Each device shall be ~~so set as constructed~~ to display a signal showing record of legal permitted metered parking upon the deposit of the appropriate coin into the appropriate coin slot, lawful money of the United States of America, insertion of a valid credit card, debit card or city issued pre-paid time for the metered parking card, or application of such other space upon payment method ~~authorized and approved by the city traffic engineer for the period of time prescribed by this division.~~ Each device or display record shall be ~~so arranged that upon the expiration of the lawful time limit it will indicate when by a proper visible signal that~~ the lawful metered parking period has expired. The right of such vehicle to occupy such metered parking space shall ~~then~~ cease upon expiration of the metered parking period and the operator, owner, possessor or manager thereof shall be subject to an overtime fine the fines and penalties provided in section 114-645 ~~this chapter.~~

Sec. 114-642. Operation of meters.

- (a) Except in a period of emergency determined by an officer of the fire or police department or in compliance with the directions of a police officer or traffic control sign or signal, ~~when any~~ no vehicle shall be parked ~~in any~~ within a designated metered parking space ~~alongside or next except pursuant to which at the terms and conditions regulating parking meter is located, its operator shall, upon entering the parking meter space, immediately deposit or cause to be deposited in the proper coin slot of the meter only those United States coins designated for use in the meter, immediately insert or cause to be inserted a valid credit card, debit card or city issued pre-paid parking card, or immediately apply such other~~

payment method authorized and approved by the city traffic engineer in accordance with the directions affixed by the manufacturer to the meter. Failure to do so shall constitute a violation of this division. Upon making payment so required, theas indicated on installed signs or parking meters.

- (b) Upon a vehicle entering a metered parking space, meter payment shall immediately be made in a single space meter serving that parking space may be lawfully occupied by the vehicle during the time prescribed for the part of the street in which theor, if the parking space is located. Any person placing a vehicle in anot served by a single space meter, at any functioning multi-space parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant shall not be required to make additional payment so long as the occupancy of that space does not exceed the indicated unused parking time. If the vehicle shall or pay station, and no vehicle shall continue to be parked or remain parked in any suchthe parking space beyond the parking time limit and if the meter shall indicate illegal parking, the vehicle shall be considered as parking overtime and beyond theexpiration of the period of legal parking time prescribed by the meter serving the. Such parking space.
- (c) No vehicle shall be deemed a violation of this division. If any motorcycle shall remain parked in any such a metered parking space where a person has made payment for the purpose of extending the beyond the parking time for that vehicle beyond the maximum parking time limit for that parking space as established in section 114-643.
- (d) No vehicle shall be parked in a metered limit set for such parking space and if the meter shall indicate such illegal parking, any and all such motorcycles so remaining shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this division served by a single space meter that is out of order.
- (e) A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

Sec. 114-643. Parking meter rates and time zones.

- (a) Three parking meter rate and time zones within the parking meter district designated as zone I, zone II and zone III shall be established and may subsequently be amended by resolution adopted by the city council. The parking meter rate and time zones may be comprised of contiguous or non-contiguous area. Zone ~~I~~ shall designate a peak pricing area and all zones shall designate the locations of thirty minute meter parking spaces and the locations of handicapped meter parking spaces. The resolution establishing the parking meter rate and time zones together with all appended zone maps and descriptions incorporated therein shall be filed in the office of the city clerk. The following parking rates, peak pricing parking rates and maximum parking time limits for each zone are as follows:

<u>Zone</u>	<u>Parking Rate per hour</u>	<u>Peak Pricing Parking Rate per hour</u>	<u>Maximum Parking Time Limit</u>
<u>I</u>	<u>\$1.25</u>	<u>\$1.75</u>	<u>4 hours</u>
<u>II</u>	<u>\$0.75</u>	<u>None</u>	<u>None</u>

<u>III</u>	<u>\$0.25</u>	<u>None</u>	<u>None</u>
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- (b) ~~Four-hour meters are utilized in parking meter rate and time zone I at the rate of \$1.25 per hour. Within the peak pricing area the rate is \$1.75 per hour after 5:00 p.m. Thirty-minute meters are utilized in zone I at designated locations at the rate after the initial fifteen minutes of free parking of \$1.25 per hour. No vehicle shall be parked in a four-hour meter parking space in zone I beyond four hours. No vehicle shall be parked in a thirty-minute parking space in zone I beyond thirty minutes. No vehicle shall be parked in a metered parking space in Zone I beyond the maximum parking time limit.~~
- (c) ~~Twelve-hour meters are utilized in parking meter rate and time zone II at the rate of \$0.75 per hour. Thirty-minute meters are utilized in zone II at designated locations at the rate after the initial fifteen minutes of free parking of \$0.75 per hour. No vehicle shall be parked in a thirty-minute parking space in zone II beyond thirty minutes.~~
- (d) ~~Twelve-hour meters are utilized in parking meter rate and time zone III at the rate of \$0.25 per hour. Thirty-minute meters are utilized in zone III at designated locations at the rate after the initial fifteen minutes of free parking of \$0.25 per hour. No vehicle shall be parked in a thirty-minute parking space in zone III beyond thirty minutes.~~
- (ce) At the direction of the city traffic engineer, temporary reduced parking meter rates may be charged during all or any designated times of meter operation for any parking spaces for up to six months, as an incentive to attract additional parking customers during times when unused spaces are available. Such temporary reduced rates shall be charged only when a preliminary analysis has indicated that total parking revenues will increase at the parking spaces where such reduced rates are proposed. The implementation of temporary reduced rates shall be subject to the prior review and approval of the city manager and city attorney to ensure compliance with any financial obligations of the parking facilities system. Any time that temporary reduced rates are charged, the city traffic engineer shall conduct an analysis to determine the impact on actual revenues and shall terminate the temporary reduced rates if such rates have an adverse impact on actual revenues to the parking facilities system.
- (d) ~~A person who violates any provision of this section shall pay a fine as set forth in section 114-645.~~

Sec. 114-645. ~~Overtime P~~parking related fines.

A person who violates any provision of sections 114-640, 114-642, 114-643, 114-646 or 114-648 shall pay a fine of \$15.00.

- (a) ~~No person shall cause or allow any vehicle registered in the name of or operated by such person to be parked in a metered parking space beyond the period of legal parking time for such parking space established in accordance with section 114-643, or to make payment at any parking meter for the purpose of parking beyond the maximum legal parking time for such parking space established in accordance with section 114-643.~~
- (b) ~~No person shall permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.~~

~~(e) — A person who violates any provision of this section shall pay a fine of \$15.00.~~

Sec. 114-646. Use of parking spaces wholly within marked lines.

- (a) ~~No part of a vehicle~~ No person shall be parked in a metered parking space parallel to the curb in a manner that infringes upon another metered parking space. No part of a vehicle shall be parked outside the area designated by lines or markings for an angled metered parking space. Payment shall be made for the total number of parking spaces occupied by a vehicle, with or without a trailer, that is too large to be confined to a single traffic control signing or the placement of one or more parking meter posts adjacent to the metered parking space and such vehicle shall be parked in a manner that occupies the least number of required metered parking spaces.
- (b) No motorcycle shall be parked in a metered parking space unless each motorcycle is parked with its rear wheel no further than 18 inches from the curb and the front of each motorcycle faces away from the curb. No motorcycle shall be parked in a metered parking space that is also occupied by a vehicle that exceeds two wheels. No part of a motorcycle shall extend outside the metered parking space.
- (c) ~~A person who violates any provision of this section shall pay a fine of \$15.00 as set forth in section 114-645.~~

Sec. 114-648. False or unapproved payment prohibited.

~~No vehicle may be parked in a metered parking space where a person shall have deposited or caused to be deposited in any parking meter any coins not authorized as set out in section 114-642 of this division for use in the meter or any slug, device or metal substance or unapproved form of payment other substitute for lawful coins. A person who violates any provision of this section shall pay a fine as set forth in section 114-645.~~

Sec. 114-652. Manner of collecting moneyies from meters.

All moneyies shall be collected from parking meters under the direction and control of the city traffic engineer. All moneyies so collected shall be deposited by the city treasurer. The maintenance and operation shall be under the supervision, direction and control of the city traffic engineer.

Sec. 114-653. Designation of collectors; disposition of moneyies collected.

The city traffic engineer shall designate a city ~~employee or employees~~ or contracted persons under its ~~direct~~ supervision to make regular collections of the money deposited in parking meters. The person so designated shall remove from the parking meters the coin box contained therein, placing it in a locked coin-collection cart provided for collection purposes and shall deliver such locked coin-collection cart to the counting room or bank designated by the city treasurer, where the coin-collection cart will be unlocked, the coins contained therein counted, and deposited in the special parking meter fund.

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

FORM APPROVED:

Molly Tracy
Assistant City Attorney