

**ORDINANCE NO. 20090611-032**

**AN ORDINANCE AMENDING THE CITY CODE TO REPEAL AND REPLACE CITY CODE CHAPTER 12-3 RELATING TO PAID PARKING AT METERS AND PAY STATIONS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Code is amended to repeal and replace Chapter 12-3 to read:

**CHAPTER 12-3 METERED AND PAY STATION PARKING.**

**§ 12-3-1 DEFINITIONS.**

In this chapter,

- (1) **PAID PARKING SPACE** means a space that is delineated on a public right-of-way for which payment is required to park a vehicle.
- (2) **PAID PARKING ZONE** means a group of parking spaces, on a public right-of-way or on City property, that are delineated by a posted sign and for which payment is required to park a vehicle.
- (3) **PARKING METER** means any mechanical or electronic device that the City places or erects on City property, adjacent to a paid parking space for the purpose of managing and controlling the use of paid parking spaces and that requires payment for use.
- (4) **PARKING OCCASION** means the uninterrupted period of time that a vehicle is parked in a paid parking space or a paid parking zone while paid parking time limits are in effect.
- (5) **PARKING PAY STATION** means any electronic device, except a parking meter, that the City places or erects on City property, for the purpose of managing and controlling the use of paid parking spaces and paid parking zones and that requires payment for use.
- (6) **PAY AND DISPLAY STATION** means a parking pay station that dispenses a receipt, as proof of payment, to be displayed as required in Section 12-3-7(F) (*Fee Due for Parking Vehicle*).

- (7) **PAY BY SPACE STATION** means a parking pay station that measures the lawful parking occasion and its expiration for specific paid parking spaces without issuing a receipt for display on a vehicle.

**§ 12-3-2 PARKING METERS AND PARKING PAY STATIONS.**

- (A) The city traffic engineer may use parking meters and parking pay stations to assist in the enforcement of parking time restrictions.
- (B) A parking meter must:
- (1) be installed adjacent to the parking space it monitors or be labeled to indicate the space;
  - (2) indicate the maximum uninterrupted time a vehicle may remain parked in the space during any parking occasion; and
  - (3) display the amount of time a vehicle may remain legally parked in the space after the deposit of payment.
- (C) A parking pay station must:
- (1) be installed on the same City block or at the same City-owned or controlled parking lots or facilities as the paid parking space or paid parking zone it monitors;
  - (2) indicate the maximum uninterrupted time a vehicle may remain parked within the paid parking space or the paid parking zone during any parking occasion; and
  - (3) either:
    - (a) measure and store the amount of time a vehicle may remain legally parked after the deposit of payment; or
    - (b) issue a receipt that indicates the amount of time a vehicle may remain legally parked after the deposit of payment.
- (D) A parking meter or a parking pay station shall indicate the hours and days that paid parking time limits are in effect.
- (E) A parking meter or a parking pay station shall indicate the amount of the fee for parking a vehicle.

- (F) The city traffic engineer shall equip parking meters and parking pay stations to accept coins in denominations appropriate to pay the fee for parking a vehicle.

### **§ 12-3-3 PAID PARKING SPACES AND PAID PARKING ZONES.**

- (A) The city traffic engineer shall establish the location of paid parking spaces and paid parking zones on the streets and in City-owned or controlled parking lots or facilities where the city traffic engineer determines that the strict enforcement of parking time limits is appropriate.
- (B) The city traffic engineer may paint or mark each individual paid parking space to prevent encroachment into adjacent paid parking spaces.

### **§ 12-3-4 PARKING IN A PAID PARKING SPACE.**

- (A) A person must park a vehicle completely within the delineated parking space.
- (B) A person may not park a vehicle in a paid parking space that is legally occupied by another vehicle.

### **§ 12-3-5 TIME LIMITS ON PAID PARKING.**

- (A) Paid parking time limits are in effect from 8:00 a.m. to 5:30 p.m., Monday through Friday, unless otherwise posted.
- (B) The city traffic engineer shall establish the maximum uninterrupted time a person may continuously park a vehicle for each parking occasion.
- (C) When paid parking time limits are in effect, a person may not park a vehicle for more than the maximum parking time limit established by the city traffic engineer for each parking occasion.
- (D) A vehicle may not be moved and reparked in the same paid parking space or paid parking zone to avoid violating the maximum parking time limit for each parking occasion.
- (E) When paid parking time limits are in effect, a person may not allow a vehicle to remain parked in a paid parking space or a paid parking zone when the authorized parking time has expired.
- (F) A person parking a motorcycle or moped, exempt from fees under Section 12-3-7 (*Fee Due for Parking Vehicle*), may exceed the maximum time allowed on the parking meter or parking pay station, but may not exceed 12 hours during a parking occasion at a paid parking space or paid parking zone.

### **§ 12-3-6 FEE FOR USE OF PAID PARKING SPACES AND PAID PARKING ZONES.**

The fee for use of paid parking spaces and paid parking zones is set by separate ordinance.

### **§ 12-3-7 FEE DUE FOR PARKING VEHICLE.**

- (A) Except as provided in Subsection (B) and Section 12-3-8 (*Parking Exemptions*), a person parking a vehicle in a paid parking space or paid parking zone shall immediately pay the parking fee for due.
- (B) This section does not apply to a person:
  - (1) parking a vehicle defined under Chapter 541, Texas Transportation Code, as a motorcycle or moped; or
  - (2) occupying a parking space or parking zone as authorized by a film-making permit issued under Section 14-6-4 (*Temporary Street Closure for Film-Making Activity*) of the Code.
- (C) A person must deposit U.S. coins in denominations accepted by the parking meter or parking pay station or use a credit card, bank debit card, or a parking meter fee debit card to pay the parking fee.
- (D) A person may not use foreign currency in a parking meter or a parking pay station.
- (E) A person may not deposit more than the amount of payment necessary to obtain the maximum parking time limit allowed during a parking occasion.
- (F) If parking a vehicle in a space monitored by a pay and display station, a person shall immediately attach the pay station receipt to the inside of the vehicle's windshield adjacent to the curb. The receipt must be placed in a position so that it can be read from outside of the vehicle.
- (G) A person may not park at a paid parking space with an inoperable parking meter unless the person pays at the nearest pay and display station and attaches the receipt to the window as required in Subsection (F).
- (H) A person may not park in a paid parking zone monitored by a pay and display station without a receipt from the nearest operable pay and display station.
- (I) The minimum amount of parking time that may be purchased is 15 minutes.

### **§ 12-3-8 PARKING EXEMPTIONS.**

In addition to parking fee exemptions provided by state law, a vehicle owner is exempt from parking time limits and the payment of parking fees when the owner is either operating or occupying a vehicle with a special state license plate or placard documenting the owner's status as:

- (1) a former prisoner of war;
- (2) a Pearl Harbor survivor; or
- (3) a Purple Heart recipient.

### **§ 12-3-9 HOLIDAY EXEMPTIONS.**

(A) Sections 12-3-5 (*Time Limits on Paid Parking*) and 12-3-7 (*Fee Due for Parking Vehicle*) do not apply on the following days:

- (1) January 1;
- (2) July 4;
- (3) the first Monday in September;
- (4) the last Thursday in November; and
- (5) December 25.

(B) The director of the Aviation Department shall determine the holidays, if any, on which Sections 12-3-5 (*Time Limits on Paid Parking*) and 12-3-7 (*Fee Due for Parking Vehicle*) do not apply to paid parking spaces at the airport.

### **§ 12-3-10 CREDIT CARD, BANK DEBIT CARD, AND PARKING METER FEE DEBIT CARD.**

- (A) The city traffic engineer may equip a parking meter or a parking pay station to accept parking meter fee debit cards, credit cards, or bank debit cards in addition to coins.
- (B) A department director designated by the city manager may issue a parking meter fee debit card for use in a parking meter and may establish rules to administer this section.

**§ 12-3-11 PARKING METER AND PARKING PAY STATION REVENUE.**

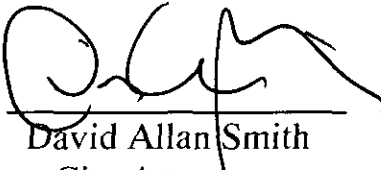
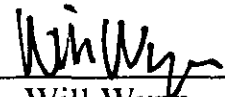
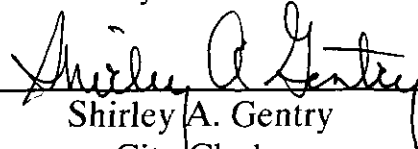
- (A) Except as otherwise provided by the Code, the director of the Financial and Administrative Services Department shall coordinate the periodic collection of money deposited in parking meters and parking pay stations.
- (B) The City may use revenue collected under this section from parking meters and parking pay stations for any lawful purpose.

**§ 12-3-12 OFFENSES AND PENALTIES.**

- (A) A person may not:
- (1) park a vehicle in a paid parking space or in a paid parking zone in violation of any posted sign or notice;
  - (2) perform an act prohibited by this chapter; or
  - (3) fail to perform a duty that is required by this chapter.
- (B) A person who violates this chapter commits a civil offense and is civilly liable to the City in an amount not to exceed \$500.

**PART 2.** This ordinance takes effect on June 22, 2009.

**PASSED AND APPROVED**

<p>_____ June 11, 2009</p> <p><b>APPROVED:</b>  David Allan Smith City Attorney</p>	<p>§ _____ § _____  Will Wynn Mayor</p> <p><b>ATTEST:</b>  Shirley A. Gentry City Clerk</p>
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