

Parking Permit City Ordinance

Sec. 14-185. Designation of parking permit areas.

(a) Authority of director of transportation. The director of transportation is hereby authorized to designate, by written order, roads, streets and other areas within the city in which the parking of vehicles may be restricted, in whole or in part, during certain specified times, to holders of valid parking permits issued pursuant to this section. The director of transportation shall consider the institution of a parking permit system upon receipt of a letter of interest from the residents of a given area as provided herein. The authority granted herein shall be in addition to, and may be exercised in conjunction with, any other authority the director of transportation may have to regulate the times and conditions of motor vehicle parking.

(b) Letter of interest. In order to initiate studies required for determination of a parking permit area, applicants must submit a "letter of interest" indicating the problem area, and any additional details that permit proper analysis. Except as otherwise provided, letters of interest will only be accepted from neighborhood associations, their boards, or from the official contact person, as identified in "Neighborhood Organizations" issued by the Charlotte-Mecklenburg Planning Commission. In the absence of an identifiable neighborhood organization or contact person, letters of interest will be accepted from unaffiliated persons.

(c) Studies. The designation of a parking permit area shall take into account, among other things:

- (1) The effect on the safety of residents of the area under consideration from intensive use by nonresidents for parking of vehicles.
- (2) The need of the residents of the area to obtain adequate on-street parking adjacent to or close by their place of residence.
- (3) The difficulty or inability of residents of the area to secure adequate on-street parking adjacent to or close by their places of residence because of wide spread use of available parking spaces in the area by nonresident transient motorists.
- (4) The impact of major public facilities and programs on the health, safety and welfare of the residents of the area and any unreasonable burdens placed on those residents in securing adequate on-street parking and gaining access to their places of residence by virtue of such facilities and programs.
- (5) The likelihood of alleviating, by use of a parking permit system, any problem of non-availability of residential parking spaces.
- (6) The desire of the residents in the area for the institution of a parking permit system and the willingness of those residents to bear the administrative costs incidental to the issuance of permits authorized by this section.
- (7) The fact that the residents of a contemplated parking permit area have contributed to the cost of construction and/or improvement of streets and roads in such area either by the direct assessment of costs or indirectly to the extent such costs are reflected in purchase or rental prices paid by those residents.
- (8) The need for some parking spaces to be available in the area under consideration for use by visitors and the general public.
- (9) Such other factors as the director of transportation shall deem relevant.

(d) Public hearing

- (1) Following the completion of studies to determine the fulfillment of the specified standards for residential parking permit areas, the director of transportation or his designee shall conduct, prior to the designation of parking permit area, or prior to the withdrawal of such designation once it is established, a public hearing at which time any interested person shall be entitled to appear and be heard. Such hearing shall be held only after due notice has been given by posting as appropriate notices or signs within the area of concern of the proposal.
- (2) Within 45 days following the close of the public hearing, the director of transportation shall decide, based on the record of that hearing, and studies authorized by him, whether or not to designate the area under consideration as a parking permit area or to remove the designation in the case of an established parking permit area.

(e) Petition.

(1) After designation of the parking permit zone by the director of transportation, residents within a particular district or a distinct portion of a district in which residential uses are permitted may petition the director of transportation for the establishment of an on-street permit parking district. Such petitions shall be on forms prepared and promulgated by the director of transportation, or his designee. Petitions shall be submitted to the director of transportation, or his designee, who shall determine their sufficiency. Any insufficient petition shall be remanded to the individual submitting it, with instructions for correction of deficiencies.

(2) No petition shall be deemed sufficient unless the same be signed by representatives of 75 percent of the households within the proposed parking district for implementation of restrictions.

(f) Action of petition. When a petition has been found to be sufficient by the director of transportation, or his designee, the appropriate parking restrictions will be installed.

(g) Designation of parking permit area. Following the designation of the parking permit area by the director of transportation, he shall cause to be posted parking signs in the area, indicating the times, locations and conditions under which parking shall be by permit only.

(h) Decals. The director of transportation shall have authority to promulgate regulations necessary to the administration of this program including but not limited to the issuance, display, renewal, revocation, and replacement of decals, and the establishment of reasonable fees for the users of the program.

(i) Enforcement. Government enforcement of parking regulations shall not be effective until 30 days after signs delineating the parking restrictions have been posted. Emergency and service vehicles when on a call or delivery shall be exempt. Purchase of a parking decal or display of one will not guarantee the holder of a parking place nor exempt a vehicle operator from any city code regulation governing parking on city streets.

(j) Violations and penalties. No person shall park any vehicle or use any parking permit in a manner contrary to the provisions of this section or any regulations promulgated pursuant to this section and any person parked in violation of any regulation or sign in any district shall pay a civil penalty as provided in section 14-81, and any motor vehicle so parked may be towed by or at the direction of any city personnel authorized to do so by the chief of police or director of transportation.

(Ord. No. 2152, § 1, 3-23-87)