

Legistar File No. 74887 Body

DRAFTER’S ANALYSIS: This ordinance will create a uniform parking policy for all City parks, eliminating the different standards that currently apply to nine specified parks and parts thereof, and those parks not currently named in the ordinance. By making a consistent three-hour parking policy for each park during park open hours and making it only enforceable when posted by the Parks Division, and by also making an express prohibition on afterhours parking, the public will have a clearer understanding of what parking laws apply within the City’s parks. Additional provisions are being created to apply general parking rules to park lands, including parking regulations applicable to persons with physical disabilities.

As a result of these changes, the Parks Division itself will be better able to enforce parking regulations within the park system, enabling Park Rangers to respond to parking-related problems within the Parks more efficiently and effectively rather than rely upon parking enforcement or the police department for assistance. Moreover, the ordinance provides the Parks Division the ability to issue permits to allow persons to exceed the three-hour limitation. This will allow for activities such as special-event parking. The ordinance also allows for the possible creation and implementation of a commuter parking program in certain parks (subject to the review and approval of the Board of Parks Commissioners). Such a permit system, if created, would allow the City to generate revenue off of the existing commuter use of unregulated Parks parking lots, while preserving parks parking spaces for actual parks users. This ordinance would also allow for the formal creation of Parks Division employee parking areas, consistent with current operations, and give the Parks Superintendent the ability to make Parks parking lots available for off-street parking during declared snow emergencies. This ordinance will continue the Parking Utility’s current operation of the Blair Parking Lot within Law Park. Finally, a general exception is being created to give the Parks Superintendent the authority to grant limited exceptions to the parks parking restrictions. This will be important to provide the Parks Division continued flexibility regarding the use of parks lands and will allow existing parking arrangements associated with unique park uses (for example with the Madison Mallards and the Mad-City Ski Team) to continue.

In light of these changes, the bond schedule for violating parks related parking restrictions will be updated and made consistent with other similar offenses. A University of Wisconsin-Madison football game day enhanced penalty will also be created and apply to parks near campus. Enforcement on those days has historically been a challenge, and a Parks ticket has been cheaper than lawfully parking elsewhere. The penalty and bond schedule for violating the disabled parking restrictions are being set consistent with state statute. Finally, enforcement authority for the Blair Lot is being officially delegated to the Transportation Director to coincide with the relocation of Parking Enforcement from the Police Department to the Parking Division of the Transportation Department.

This Substitute adds clarifying language that exempts bicycles from some of these updated parking rules if the bicycle is parked in a designated bike parking area, like a bike rack. The City’s parking rules apply generally to vehicles (which include bicycles), not just motor vehicles. As a result, some of the new parking restrictions could inadvertently apply to bike parking areas created by the Parks Division within parking lots or other areas where cars normally cannot park. The updated parking restrictions would still prohibit the overnight parking of bikes in parks.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 8.18 entitled “Parking Regulated in Certain Parks” of the Madison General Ordinances is repealed and recreated to read as follows:

“8.18 PARKING IN REGULATED PARKS.

- (1) Posted Parks. Except as provided in Subsections (5) and (6), where posted, no person shall park, stop or leave standing any vehicle upon the park drives, roadways, parking lots or other areas designated for motorized vehicles within a City park for more than three (3) hours during park open hours.
- (2) Parking After Hours. Unless permission is granted by the Parks Division, and except as provided in Subsection (6), no person shall park or leave standing any vehicle within a City park when the park is closed, as provided for in Section 8.21 or Section 8.40.
- (3) Additional Restrictions. Any person parking a vehicle in a park under this Section shall, in addition to complying with Sections 8.16 and 8.215, abide by the following restrictions:
 - (a) No vehicle longer than 22 feet may be parked within a marked parking stall so that the vehicle extends past the limits of the parking stall, or be parked in such manner so that the vehicle spans multiple stalls, unless permitted by the Parks Division.
 - (b) No vehicle shall park outside of any marked/designated parking stalls.
 - (c) No single vehicle shall use more than one parking stall, unless permitted by the Parks Division.
 - (d) In parking lots that do not have painted lines designating parking stalls, vehicles shall be parked so as not to interfere with or restrict the flow of traffic within the parking lot.
 - (e) Any vehicle parking within parking stalls specifically designated for vehicles with boat trailers in marked areas of Marshall, Olbrich, Olin, Tenney and Warner Parks must have a trailer attached at the time it is parked in such a parking stall and each vehicle must have a valid lake access permit issued under Sec. 8.215.
 - (f) It shall be unlawful for any vehicle, whether attended or unattended, to parallel park along any curb where the curb is painted yellow.
 - (g) It shall be unlawful for any vehicle to park on access roads without express authorization by the Parks Superintendent or other Parks staff. Access roads are defined as paths used by service vehicles to access parks facilities which are not intended for unauthorized vehicular traffic.
 - (h) No person shall stop or leave any vehicle standing in the following places, except temporarily for loading, unloading or receiving or discharging passengers:
 1. Within ten (10) feet of a fire hydrant;
 2. Within four (4) feet of any park road or driveway;
 3. Within fifteen (15) feet of a crosswalk; or,
 4. Upon any portion of a park drive, roadway or parking lots where parking is prohibited, limited or restricted by temporary or permanent signs.
 - (i) No person shall stop or leave any vehicle standing within fifty (50) feet of a reserved shelter or on an access drive to a shelter, except temporarily for loading, unloading or receiving or discharging passengers who are reservation attendees or other items associated with the reservation.
- (4) Parking for Vehicles Used by Persons with Physical Disabilities.
 - (a) The three-hour parking limitation set forth in Subsection (1) does not apply to vehicles displaying either special registration plates or a special identification card issued pursuant to Wis. Stat. Sec. 341.14(1), (1a), (1e), (1m) or (1q), or Sec. 343.51, provided the requirements of Sec. 346.50(2) and (2a)(a) to (m) are met.

- (b) It shall be unlawful for any person who does not meet the requirements of Sec. 346.50(3) to park, stop or leave standing any vehicle, whether attended or unattended, in roadways, parking lots or other areas designated for motorized vehicles within a City park that are reserved for persons with physical disabilities and marked with official signs.
- (5) Blair Parking Lot .
- (a) No person shall park, stop, or leave standing any vehicle in a metered stall in the parking lot commonly known as the Blair Lot in the most easterly part of Law Park, between the hours of 6:00 a.m. and 6:00 p.m. Monday through Friday, without having deposited in the meter adjacent to the parking stall, a United States coin, or coins, at the rate established by the Parking Utility. The absence or complete functional failure of a parking meter adjacent to any parking space shall exempt operators of vehicles from the provisions of this paragraph but shall not provide an exemption from any other applicable law or ordinance.
 - (b) No person shall park, stop, or leave a vehicle standing at a metered stall in the Blair lot for a longer period than the applicable time limit specified on the meter adjacent to the parking stall. The absence or complete functional failure of the parking meter adjacent to the parking stall shall exempt operators of vehicles from the provisions of this paragraph but shall not provide an exemption from any other applicable law or ordinance.
 - (c) No person shall park, stop, or leave a vehicle standing in a parking stall in the Blair Lot that has been reserved by official sign or markings, for vehicles bearing a permit issued by the Parking Utility, during the times indicated on official sign or markings, without a permit issued by the Parking Utility.
- (6) Exceptions .
- (a) Temporary Approvals . The Parks Superintendent, or designee, may allow for limited exceptions to any of the parking restrictions imposed under this Subsections (1) through (3).
 - (b) Boat Launch Parking . A vehicle parked in the Marshall, Olbrich, Olin, Tenney and Warner Parks boat launch parking lots and displaying a lake access permit issued under Sec. 8.215 may exceed the three-hour parking limit under Subsection (1).
 - (c) Parks Parking Permit . The Parks Division may issue permits allowing a person to exceed the time limitations set forth in Subsection (1). The Parks Parking Permit program and rates under this Subsection shall be reviewed and approved by the Park Facilities, Programs and Fees Subcommittee with final approval by the Board of Parks Commissioners.
 - (d) Employee Parking . The Parks Superintendent, or designee, may establish employee parking areas within City parks and rules regarding the use of such areas. Employees parking in such areas shall follow the rules applicable to the employee parking area.
 - (e) Snow Emergencies . During a declared snow emergency under Secs. 12.045 or 12.1335, the Parks Superintendent, or designee, may make certain parking areas within City parks available for off street parking purposes in excess of the restrictions set forth in Subs. (1) and (2). A person parking in such a designated area during a declared snow emergency shall comply with any restrictions imposed by the Parks Division on the use of that parking area.

- (f) Bicycles. The restrictions of subsections (1), (3)(b), (f) (g), (h) and (i) do not apply to bicycles parked in areas designated or set aside by the Parks Division for bicycle parking.
- (7) Penalty.
 - (a) Except as provided for in Subsections (b) and (c), any person violating the provisions of this ordinance shall be subject to a forfeiture of not less than twenty dollars (\$20) nor more than forty dollars (\$40) for the first offense, and not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for the second or subsequent convictions within a year.
 - (b) Any person violating Subsection (1) at Brittingham, James Madison, Olin, Olive Jones or Vilas on the day of a University of Wisconsin-Madison football home game, shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for the first offense, and not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) for the second or subsequent convictions within a year.
 - (c) Any person violating Subsection (4)(b) shall be subject to a forfeiture of not less than one hundred and fifty dollars (\$150) nor more than three hundred dollars (\$300)."

2. Table within Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violation so of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended as follows:

<u>"Offense</u>	<u>Ord. No./Adopted Statute No.</u> **	<u>Deposit</u> *
Parking in Law Park outside designated area.	8.18(1)(a)	\$25
Three hour parking in parks.	8.18(1)	\$30
Three hour parking in football game day parks.	8.18(1) & (8)(b)	\$60, 1st \$100, 2nd+
Parking after hours in parks	8.18(2)	\$30
Violating parks parking restrictions	8.18(3)	\$30
Disabled parking violation in parks	8.18(4)(b)	\$150
Expired meter in Law Park	8.18(1)(c)1.(5)(a)	\$45 \$25
Overtime parking in Law Park	8.18(1)(c)2.(5)(b)	\$25
No parking, Permit only, Law Park.	8.18(1)(c)3.(5)(c)	\$25
Parking at Brittingham Park.	8.18(2)	\$30
Parking at Olbrich Bathhouse regulated.	8.18(3)	\$30
Parking at the Gates of Heaven Synagogue regulated (3 hrs.)	8.18(4)(a)	\$30
No parking at the Gates of Heaven Synagogue, 10 p.m. - 4 a.m.	8.18(4)(b)	\$30
Parking at Henry Vilas Park regulated.	8.18(5)	\$30
Parking at Henry Vilas Park regulated.	8.18(6)	\$25
Parking in Olin-Turville Park regulated.	8.18(7)	\$25
Lake access parking lot permit display.	8.215(2)	\$55, 1st \$100, 2nd+

EDITOR'S NOTE – New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved.

3. Subsection (4) entitled "Issuance of Citations" of Section 1.08 entitled "Issuance of Citations for Violation so of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended as follows:

<u>"Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
Director of Transportation	Section 8.18(5), Blair Parking Lot Regulations; Section 12.138(10), Transferability - Residential or her/his designee. Parking Permits; Section 11.08, Adoption by Reference: State Code; Section 11.09, Payment of Taxicab and Motor Bus Fare Required; Section 11.06, Licensing and Regulating Para-Transit Services; Section 11.20, Penalty; Section 12.96(1) and (3), When Lighted Lamps Required; Section 12.99(1)(a), Head Lamps on Motor Vehicles; Section 12.103(1)-(4), Tail Lamps and Registration Plate Lamps; Section 12.104(1) and (2), Stop Lamps; Section 12.105(1) and (2), Direction Signal Lamps or Devices; Section 12.108(1)-(4), Mounting and Visibility of Lamps and Reflectors; Section 12.111(4) and (5), Restrictions on Certain Optional Lighting Equipment; Section 12.114(1) and (5)(a)-(c), Brakes; Wis. Stat. § 347.38, 347.39, 347.40, 347.41, 347.42 and 347.45, Other Required Equipment; Section 31.075(2), Banners. The Revised Uniform State Traffic Deposit Schedule, as amended, shall apply for Chapter 12 violations."

EDITOR'S NOTE: Section 8.18 entitled "Parking Regulated in Certain Parks" of the Madison General Ordinances currently reads as follows:

"8.18 PARKING REGULATED IN CERTAIN PARKS

(1) Parking Regulated at Law Park.

- (a) It shall be unlawful for the operator of any motor vehicle to park such vehicle upon the roadways in or upon any part of Law Park, except where designated and set aside for vehicle parking and only within the limits of a designated parking stall, and according to the other parking regulations found elsewhere in this section.
- (b) One or more temporary parking areas, designated by sign and delineated by roping off the periphery of the area, may be established by the City or by a person or entity who has obtained written permission from the Parks Commission, to serve the needs of patrons of special events in Law Park which have been approved by the Parks Commission.
- (c) Blair Parking Lot.
 - 1. No person shall park, stop, or leave standing any vehicle in a metered stall in the parking lot commonly known as the Blair Lot in the most easterly part of Law Park, between the hours of 6:00 a.m. and 6:00 p.m. Monday through Friday, without having deposited in the meter adjacent to the parking stall, a United States coin, or coins, at the rate established by the Parking Utility and approved by the Park Commission. The absence or complete functional failure of a parking meter adjacent to any parking space shall exempt operators of vehicles from the provisions of this

paragraph but shall not provide an exemption from any other applicable law or ordinance.

2. No person shall park, stop, or leave a vehicle standing at a metered stall in the Blair lot for a longer period than the applicable time limit specified on the meter adjacent to the parking stall. The absence or complete functional failure of the parking meter adjacent to the parking stall shall exempt operators of vehicles from the provisions of this paragraph but shall not provide an exemption from any other applicable law or ordinance.
3. No person shall park, stop, or leave a vehicle standing in a parking stall in the Blair Lot that has been reserved by official sign or markings, for vehicles bearing a permit issued by the Parking Utility, during the times indicated on official sign or markings, without a permit issued by the Parking Utility.

(2) Parking Regulated at Brittingham Park .

No person shall park, stop or leave standing any vehicle, whether attended or unattended, in the Brittingham Park parking lots for more than three (3) hours or when the park is closed, except with the prior approval of the Superintendent of Parks.

(3) Parking Regulated at Olbrich Bathhouse .

No person shall park, stop or leave standing any vehicle at the Olbrich Bathhouse parking lot whether attended or unattended between the hours of 7:00 p.m. and 4:00 a.m.

(4) Parking Regulated at Gates Of Heaven Synagogue .

(a) No person shall park, stop or leave standing any vehicle within the Gates of Heaven Synagogue parking lot, whether attended or unattended, for more than three (3) hours between 4:00 a.m. and 10:00 p.m.

(b) No person shall park, stop or leave standing any vehicle within the Gates of Heaven Synagogue parking lot, whether attended or unattended, between the hours of 10:00 p.m. and 4:00 a.m.

(5) Parking Regulated at Henry Vilas Park .

No person shall park, stop or leave standing any vehicle, whether attended or unattended, in any of the roadways, parking lots, or other areas designated for motorized vehicles within Henry Vilas Park for more than three (3) hours or when the park is closed, except with the prior approval of the Superintendent of Parks.

(6) Parking Regulated at Quarry Park .

(a) No person shall park, stop or leave standing any vehicle along any roadway within Quarry Park, whether attended or unattended, for more than three (3) hours between 8:00 a.m. and 5 p.m., Monday through Friday.

(b) No person shall park, stop or leave standing any vehicle along any roadway within Quarry Park, whether attended or unattended, between the hours of 10:00 p.m. and 4:00 a.m.

(7) Parking Regulated at Olin-Turville Park . No person shall park, stop or leave standing any vehicle in the lower or southern parking lot of Olin-Turville Park, whether attended or unattended, for more than three (3) hours.

(8) Penalty. Any person violating the provisions of this ordinance shall be subject to a forfeiture of not less than twenty dollars (\$20) nor more than forty dollars (\$40) for the first offense and not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for the second or subsequent convictions within a year.”