

CITY OF MADISON, WISCONSIN

A 2nd SUBSTITUTE ORDINANCE _____

PRESENTED March 21, 2006
REFERRED Transit and Parking
Commission, DCC

Amending Sections 12.031(1) and (3), 12.761(2) and (3), 12.762, 12.138(3)(f), (5), (6), (7), (8)(a), 10(b) and (c), and 3.51(3), (9) and (10) to change references to "Parking Manager" or "Director of Transportation" to "City Traffic Engineer and Parking Manager", amending Section 12.132(522) and repealing Section 12.137(240) to accommodate new parking meter zones, amending Sections 12.142 and 12.1425 to implement rate increases for meter hoods and to update the meter hood procedure; amending Section 12.145 to clarify the expired meter parking violation, increase parking meter rates, and create a new violation of No Street Vending from a Parking Meter, amending Sections 1.08(3)(a) and 1.08(4) of the Madison General Ordinances to make an editorial correction, create a new bail deposit and authorize enforcement of the new violation, amending Sections 12.144, 12.146 and 12.147 to change references to "coins" to "payment", amending Section 12.1495 to update street locations listed in that parking meter zone, repealing Section 12.150 to eliminate obsolete language, amending Sections 12.1505, 12.151 and 12.1515 to add 25 minute parking to certain meter zones, amending various Subsections of Section 12.1515 to update street locations listed in that parking meter zone, creating Sections 12.1516, 12.1517 and 12.1518 to establish three new combination parking meter zones, and amending Section 12.152 to add new Section 12.1516, 12.1517 and 12.1518 to the list of applicable penalties.

RULES SUSPENSION _____
PUBLIC HEARING _____

Drafted by: Jaime Staffaroni
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Date: May 10, 2006

SPONSORS: Aids. Radomski and Sanborn

DRAFTER'S ANALYSIS: This 2nd substitute ordinance reflects the changes necessary to implement on-street parking meter rate increases established by the Transit and Parking Commission (TPC) on February 14, 2006, and as revised on 5/9/06. Under sec. 3.51(4), the TPC has the authority to approve parking meter rates and time limits. The rates for on-street meters are found in Sec. 12.145, therefore an ordinance amendment is required to implement what the TPC has already approved. Sec. 12.145 is also being amended to clarify the

Approved as to form:

"expired meter" parking violation and to prohibit street vending from vehicles parked at a meter during hours of meter enforcement and authorizes the Building Inspection unit to enforce the vending violation. Several amendments are also needed to create new 10-hour meter zones and to update and create other combination zones.

This ordinance also updates the procedures for meter hoods under Sec. 12.142 and 12.1425, and increases the price for half-day and all-day meter hoods, as established by the TPC. This ordinance clarifies who is eligible for a meter hood, the procedure for putting the hoods on meters, and when it must be paid for.

Throughout Chapter 12, references to "Parking Manager" and "Director of Transportation" are being replaced with the new title of "City Traffic Engineer and Parking Manager" to reflect current organization of the department and the job duties held by that position. The job duties for that position are also being corrected in parts of Section 3.51. References to payment by coins throughout the chapter are also being modified, to allow for future methods of payment at meters.

The TPC authorized the rate increases to take effect as of June 1, 2006. Therefore, the last item of this ordinance specifies that it will take effect on June 1, 2006 rather than upon publication.

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

1. Section 12.03 entitled "Traffic Engineer" of the Madison General Ordinances is amended by amending therein the following:

"12.03 CITY TRAFFIC ENGINEER AND PARKING MANAGER. In addition to the duties provided in Section 3.51, the City Traffic Engineer and Parking Manager or designee shall perform the duties provided in this section. When used in this Section or throughout this Chapter, the title "Traffic Engineer" means the City Traffic Engineer and Parking Manager, or designee."

2. Subsection (1) of Section 12.031 entitled "Time Limitations On Special Registration Plate/Special Identification Card Parking Spaces" of the Madison General Ordinances is amended to read as follows:

"(1) The City Traffic Engineer and Parking Manager may impose a three-hour or less limitation on parking of a motor vehicle used by a physically disabled person upon any portion of a street, highway or parking facility reserved for physically disabled persons by official traffic signs indicating the restriction if the following conditions are complied with:

- (a) No more than one-third of the number of spaces reserved by the city for use by a motor vehicle used by a physically disabled person are subjected to such time limitations;
- (b) No time limitations may be imposed on a reserved space in a parking facility unless an adjacent space without any such time limitation is reserved for use by a motor vehicle used by a physically disabled person;
- (c) The Parking Council on People with Disabilities shall give advice and make recommendations to the City Traffic Engineer and Parking Manager regarding the location of such time restricted reserved spaces;
- (d) The official traffic sign for such reserved spaces shall include information on the applicable time limitation for use by a motor vehicle used by a physically disabled person."

3. Subsection (3) entitled "Reports" of Section 12.031 entitled "Time Limitations On Special Registration Plate/Special Identification Card Parking Spaces" of the Madison General Ordinances is amended to read as follows:

"(3) Reports. The City Traffic Engineer and Parking Manager shall submit a report by December 31 of each odd-numbered year to the Parking Council on People with Disabilities under Sec. 46.29(1)(fm), Wis. Stats., on implementation and administration of the ordinance, including an evaluation of the effectiveness of time limitations imposed by the ordinance. With respect to spaces reserved by the city for use by a motor vehicle used by a physically disabled person upon any portion of a street, highway or parking facility, the report shall include the total number of spaces; the total number of spaces in a parking facility and the number of those spaces that are subject to a time limitation, and the duration of any such limitation; and the total number of spaces upon a street or highway and the number of those spaces that are subject to a time limitation, and the duration of any such limitation."

4. Section 12.761 entitled "Abandoned Bicycles" of the Madison General Ordinances is amended to read as follows:

"12.761 ABANDONED BICYCLES.

(1) Violation. No person may leave unattended any bicycle on any public street, highway, building, place or park upon any public or private property, for such time and under such circumstances as to cause the bicycle to reasonably appear to be abandoned.

(2) Notice of Abandonment. Any bicycle in violation of sub. (1) may have a notice affixed to it which informs the owner of the bicycle, that the bicycle appears to be abandoned. Only a police officer; the City Traffic Engineer and Parking Manager or his/her designee; and the Superintendent of Parks, or his/her designee, have authority to affix such notices upon bicycles. The notice shall indicate:

(a) The date and time the notice was affixed;

(b) A phone number for the owner to call to inform the agency which affixed the notice, that the bicycle is not abandoned;

(c) The date and time after which the bicycle may be removed under sub. (3).

A bicycle shall be deemed as "not abandoned" if the owner of the bicycle, within 48 hours of the affixing of a Notice of Abandonment, notifies the agency affixing that notice, that the bicycle is not abandoned.

(3) Removal. If a bicycle remains in violation of sub. (1) more than 48 hours after the Notice of Abandonment has been affixed in compliance with sub.(2), that bicycle may be removed by any police officer; City Traffic Engineer and Parking Manager's designee; or Superintendent of Parks designee, and immediately thereafter delivered to the police property room. However, before any designated person removes a bicycle they shall first determine whether their agency has designated the bicycle as "not abandoned." A bicycle designated "not abandoned" may not be removed. A bicycle removed under this section shall remain in the custody of the police department until it is retrieved by the owner or otherwise disposed of according to law."

5. Section 12.762 entitled "Removal Of Bicycle Racks For Street Use Permits Or Emergency Removal" of the Madison General Ordinances is amended by amending therein the following:

"12.762 REMOVAL OF BICYCLE RACKS FOR STREET USE PERMITS OR EMERGENCY REMOVAL.

Upon compliance with this section, the City of Madison may remove any bicycle rack located on City-owned property within the City of Madison and may impound any bicycle parked in the rack. Only a police officer; the City Traffic Engineer and Parking Manager, or his/her designee, and the Superintendent of Parks, or his/her designee, shall have authority to remove any bicycle rack and impound any bicycle parked in the bicycle rack."

6. Subsection (522) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances is amended to read as follows:

"(522) On the south side of Railroad Street from a point ~~475~~ 220 feet west of Blount Street to a point ~~230~~ 220 feet ~~east of Blair Street.~~ west and the north side from Blount Street to Blair Street."

7. Subsection (240) of Section 12.137 entitled "Two Hour Parking 8:00 A.M. To 6:00 P.M." of the Madison General Ordinances is hereby repealed.

8. Subdivision (f) of Subsection (3) entitled "Definitions" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(f) "~~Parking Manager~~ Traffic Engineer" shall mean the City Traffic Engineer and Parking Manager of the City of Madison Department of Public Works and Transportation, or designee."

9. Subsection (5) entitled "Notice of Public Hearing" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(5) Notice of Public Hearing. In order to determine whether particular streets should be designated eligible for residential permit parking, the ~~Parking Manager or his/her designee~~ Traffic Engineer may request, upon his own initiative or upon an alderman's request, or upon a petition of a majority of the dwelling units on such streets, addressed to the ~~Parking Manager~~ Traffic Engineer or the Transit and Parking Commission, a public hearing, prior to the designation for parking permits, or prior to the withdrawal of such designation once it is

established. Such hearing shall be held by the Transit and Parking Commission only after due notice has been published in a newspaper of general circulation throughout the City. The notice shall clearly state the purpose of the hearing, the exact location of said residential streets under consideration for permit parking, and the reasons why such streets are being proposed for designation as residential permit parking streets. During such hearing, any interested person shall be entitled to appear and be heard. No hearing shall be held and no street designated if it is not found to be an impacted street under Subsection (3) of this section. Withdrawal of the designation of a street as a residential permit parking street shall not occur until at least twelve (12) months from the date of designation. A change in the election made in (4)(e) may be made only at the request of more than fifty percent (50%) of the residents of the block."

10. Subsection (6) entitled "Definitions" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(6) At said public hearing, the ~~Parking Manager or his/her designee~~ Traffic Engineer shall recommend by report to the Commission, based on the record of his investigation, whether or not to designate the street under consideration as a residential permit parking street or to retain or remove the designation in the case of an established residential permit parking street. Within sixty (60) days following the receipt of the report, the Commission shall approve or disapprove the recommendation of the ~~Parking Manager~~ Traffic Engineer and report same to the Common Council prior to action being taken on the recommendation."

11. Subsection (7) entitled "Issuance of Permit" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(7) Issuance of Permit. Following Council approval of the designation of a residential permit parking street, the ~~Parking Manager~~ Traffic Engineer shall issue appropriate permits. A permit shall be issued, upon application and payment of the applicable fee, to the owner or the operator of a motor vehicle who resides within his/her residential permit parking area. A duplicate permit shall be issued only if all or part of the original permit is produced at the time that a duplicate permit is applied for, or if proof of theft of the vehicle is demonstrated to the satisfaction of the ~~Parking Manager~~ Traffic Engineer. A residential parking permit will not be issued to the owner or operator of a motor vehicle currently having any outstanding parking citations, nor to the owner or operator of a motor vehicle who resides on any residential property which is specifically restricted by condition imposed by the City Plan Commission or by other valid use restriction prohibiting residents of said property from obtaining residential parking permits."

12. Subdivision (a) of Subsection (8) entitled "Application" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(a) The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number, and the number of the applicant's operator's permit. The motor vehicle's registration and the operator's driver license shall be required to be presented to the ~~Parking Manager or his/her designee~~ Traffic Engineer at the time of making said application. In order to verify that the applicant legally resides at the address for which the permit is requested, the motor vehicle's registration and the operator's driver license shall show the address of the dwelling unit in the area for which the permit is sought. If the applicant for a residential parking permit is the owner of the vehicle sought to be registered and his/her permanent residence is at the address for which the permit is sought, then said vehicle shall be registered at the permanent address and shall have valid State of Wisconsin motor vehicle plates. If the applicant for a residential parking permit has his/her permanent residence at the address for which the permit is sought but the vehicle under his/her control indicates another address of residence for the owner of said vehicle, the applicant shall be required to attest that said vehicle is kept by the applicant and only at the address for which the permit is requested and that it will not be kept at any other location for the duration of the permit's validity. The applicant shall also provide an executed lease or other reasonable proof showing residence for the dwelling unit within the area for which the permit is sought. The permit shall be renewed annually upon such conditions and procedures as the ~~Parking Manager~~ Traffic Engineer shall specify. The permit shall display the motor vehicle's license and expiration date."

13. Subsection (10) entitled "Transferability" of Section 12.138 entitled "Residential Daytime Parking Privileges For "Commuter Parking Impacted" Street " of the Madison General Ordinances is amended to read as follows:

"(10) Transferability.

(a) Only the registered motor vehicle named on the residential parking permit shall be eligible to display this permit. Any transference of this permit to a vehicle other than that named on the permit shall constitute a violation of this ordinance.

(b) It shall constitute a violation of this ordinance for any person to falsely represent herself/himself as eligible for a residential parking permit or to furnish any false information in an application to the ~~Parking Manager~~ Traffic Engineer in order to obtain a residential parking permit. A residential parking permit is valid only while the permittee resides within the area for which it was issued. Any change of address of the permittee shall be reported to the Parking Division within seven (7) days. Failure to so report a change of address shall constitute a violation of this ordinance.

(c) The ~~Parking Manager~~ Traffic Engineer is authorized and directed to revoke the residential parking permit of any permittee found to be in violation of this ordinance and, upon written notification thereof, the permittee shall surrender such permit to the ~~Parking Manager~~ Traffic Engineer. Failure to surrender a residential parking permit so revoked, shall constitute a violation of this ordinance. When a Residential Parking Permit is so revoked no other permit shall be granted to such person or vehicle registered to such person within twelve (12) months of the date of its revocation nor shall any part of the money paid for any permit so revoked be refunded. Any revocation imposed by the ~~Parking Manager~~ Traffic Engineer may be appealed within ten (10) days of such notice of revocation to a subcommittee of the Transit and Parking Commission by filing a Notice of Appeal with the City Clerk. The Notice of Appeal shall state the basis or bases upon which the licensee seeks review of the ~~Parking Manager's~~ Traffic Engineer's determination. Said subcommittee shall consist of the chair of the Transportation Commission or designee, one (1) Alderperson and one (1) citizen who are members of the Transit and Parking Commission appointed by the Chair of the Transit and Parking Commission. At such hearing the licensee shall have an opportunity to cross examine witnesses, may call witnesses on her/his own behalf and may be represented by legal counsel. After holding a hearing, the subcommittee of the Commission shall by majority vote make findings of facts and conclusions of law and may by majority vote modify or reverse the revocation imposed by the ~~Parking Manager~~ Traffic Engineer."

14. Section 12.142 entitled "Temporary Restricted Parking" of the Madison General Ordinances is amended to read as follows:

"12.142 TEMPORARY RESTRICTED PARKING - ON-STREET METERS.

(1) Purpose. The purpose of this ordinance is to establish a procedure for the City Traffic Engineer and Parking Manager to create "Temporary Restricted Parking Areas" within on-street metered parking areas. When used in this Section, the title "Traffic Engineer" means the "City Traffic Engineer and Parking Manager." Under this procedure, provide a means for operators of motor vehicles are permitted to cover certain metered on-street parking stalls meters with Temporary Restricted Parking Zone Hoods, for the following purposes:

(a) to provide temporary parking for contractors or other vehicle operators to loading and unloading equipment and supplies necessary to and in the vicinity of their work, while actively engaged in performing construction or repair work in the immediate vicinity of the restricted parking area, where the vehicle is necessary for loading, unloading or storing tools or supplies used in servicing buildings in the vicinity, and where the vehicle is not owned or operated by the owner of the premises or an employee of a business operated on the premises adjacent to the parking area. For purposes of this section, "equipment and supplies necessary" is ~~intended to~~ means that the operator is using the vehicle for storage of materials or tools needed on the job or as a work space necessary to the job, such as, to hold vices, air compressor, self-contained cleaning equipment, etc.

(b) to provide temporary parking for a Large Motor Truck, as defined in sec. 12.915, a Motor Bus as defined in Wis. Stats. sec. 340.01(31) (2003-2004,) or a School bus as defined in Wis. Stats. 340.01(56) (2003-2004), for loading and unloading of passengers, freight, or other equipment and for temporary parking, when in the opinion of the Traffic Engineer, there is no reasonable alternative for on-street parking in the vicinity of the vehicle's destination that will accommodate the size of the vehicle.

(c) to create a temporary parking space for motor vehicles used by a person with a physical disability at an on-street metered parking stall, when a permanent parking space reserved for motor vehicles used by a person with a physical disability has been temporarily removed for construction or other reasons. The person, firm, or

event sponsor responsible for the removal of the permanent parking space, shall apply for and pay the fee for the meter hood to create the temporary relocated parking space, at the rates herein.

(d) to provide temporary parking for election workers adjacent to polling places on election days (no meter hood fee shall be required.)

(2) The Director of Transportation Traffic Engineer is authorized to establish Temporary Restricted Parking Areas at metered stalls on streets in the City of Madison.

A "Temporary restricted parking area" is defined as an area on a street in the City of Madison designated for meter parking which is restricted by the Director of Transportation Traffic Engineer to for the use of vehicles meeting the purposes listed in sub. (1) and which has been so designated by placing a meter hood, meter bag or other official device to notify vehicle operators of the restriction. vehicles actively engaged in performing construction or repair work in the immediate vicinity of the restricted parking area and where the vehicle is necessary for loading, unloading or storing tools or supplies used in servicing buildings in the vicinity and where the vehicle is not owned or operated by the owner of the premises or an employee of a business operated on the premises.

Hoods may be issued free of charge to nonprofit tax exempt organizations not to exceed five total days per year while a vehicle is involved in providing a free service to the public.

(3) Application and Fees:

(a) Application for a temporary restricted parking area must be shall made to the Traffic Engineer, by the person or firm a firm or individual desiring the requesting the restricted parking area. to be established. The application shall be in writing and on a form designated by the Traffic Engineer. At a minimum, the application form shall require the applicant to and on the form the applicant shall demonstrate a need for a temporary restricted area, to be established, which is consistent with the purposes of this ordinance stated in sub. (1), and shall include any other information required by the Traffic Engineer. The application shall list all vehicles which will be parked in the restricted parking area.

(b) Fees: Meter hoods shall be issued for a full day or half-day. The fee for a full-day meter shall be thirteen dollars (\$13.00) plus a one-dollar hood rental fee, and the fee for a half-day meter shall be seven dollars (\$7.00) plus a one-dollar hood rental fee. The fee for streets with peak hour parking restrictions will be adjusted by the Traffic Engineer. The replacement fee for lost or stolen hoods shall be one dollar (\$1.00) per hood. Election-day meter hoods under sub. (1)(d) shall be exempt from any fees.

(4) No person may park a vehicle in a temporary restricted parking area unless an application for the temporary restricted area shall be granted has been approved by the Traffic Engineer/designee Director of Transportation and the vehicle is listed on the application. If the Traffic Engineer Director of Transportation establishes a Temporary Restricted Parking Area he/she will issue the number of parking meter hoods to the applicant which corresponds to the number of parking stalls to be included in the restricted parking area. The Traffic Engineer Director of Transportation may limit the number of hoods to be issued in any one area. No person may park a vehicle in a Temporary Restricted Parking Area unless an application for the temporary restricted area has been approved by the Traffic Engineer, and only vehicles associated with the applicant may park in the Temporary Restricted Parking Area. The applicant must pay a fee equal to the current parking meter rate times nine (9) hours for each day for which the hood is valid plus fifty cents (\$.50) per hood. The fee for streets with peak hour parking restrictions will be adjusted by the Director of Transportation Lost or stolen hoods will be replaced at fifty cents (\$.50) per hood.

(5) Procedure for Meter Bags/Hoods. Hoods shall be clearly marked with the applicable parking restrictions, dates and times. will be marked "No Parking Restricted Area". The applicant shall place and remove the hoods from the parking meter. The hood shall be placed on the meter no later than the beginning of the last full cycle of the posted time limit of the meter in question, prior to the start of the restricted parking. Hoods may be placed only on a meter at an unoccupied space and no earlier than one hour before the metered space becomes legally usable. Only metered spaces with a thirty (30) minute or longer time limit are eligible to be restricted and

No parking meter may be restricted during any hour when parking is not permitted. Loading Zones between 7:00 A.M. and 11:00 A.M. are also ineligible for restricted parking during the Loading Zone hours. Each Hoods shall be removed at the end of its effective period. by 6:00 P.M. daily. Any vehicle parked in a stall which bears a hood shall be clearly identified with the name and address of the company employing the operator or the operator of the vehicle. No vehicle shall be parked in a temporary restricted parking area unless it has been listed with the Director of Transportation.

(6) Hoods are valid only for the dates, times and locations indicated on the hood at the time of issue. No person may alter or tamper with a parking meter hood, or use a hood with an altered location or expiration date, or place a hood on a meter for which it was not issued.

- (7) Use of a parking meter hood for other than the use specified in the application shall be grounds for revocation of the temporary restricted parking area permit and, in addition, any person or firm who violates any part of this ordinance ~~the person or firm~~ shall be subject to a forfeiture of not more than two hundred dollars (\$200) for each day or fraction thereof during which the violation occurs. ~~parking meter hood is improperly used.~~
- (8) ~~This ordinance shall not apply until January 1, 1983, to hoods which have been issued prior to the effective date of this ordinance and the use of the hoods is continuous and uninterrupted from the date of issue."~~

15. Section 12.1425 entitled "Temporary "No Parking Zones" of the Madison General Ordinances is amended to read as follows:

"12.1425 TEMPORARY "NO PARKING" ZONES - ON-STREET METERS.

- (1) Purpose. The purpose of this ordinance is to establish procedure for the City Traffic Engineer and Parking Manager to establish Temporary No Parking Zones at on-street metered parking stalls, when the street must be cleared of vehicles for a parade or special event, or other purposes described herein. ~~provide guidelines~~ This ordinance establishes the procedure for the issuance, use and fees for of "No Parking" meter hoods. When used in this Section, the title "Traffic Engineer" means the "City Traffic Engineer and Parking Manager." ~~and to provide a method to equitably assess the use of the metered on-street parking for events which require "no parking" areas in metered parking areas."~~
- (2) Applications. ~~The Director of Transportation~~ Traffic Engineer or designee may establish a temporary "no parking" zone on streets in the City of Madison where parking meters have been installed. Applications for establishing a no parking zone area shall be made on a form designated by the ~~Director of Transportation~~ Traffic Engineer and shall include a description of the purpose for which the permit is sought, the number of hours and the number of metered stalls ~~which are to be restricted.~~
- (3) ~~Upon granting the request, the Director of Transportation shall issue to the applicant the number of hoods required to post each meter included in the restricted area "No Parking". The hoods shall bear an expiration date. Placing and removing the hoods shall be the responsibility of the applicant. Hoods shall not be placed on meters more than two (2) hours before the event is scheduled unless specific authority to do so is granted by the Director of Transportation. All hoods shall be removed immediately after the event is ended and if the street has been closed, the hoods shall be removed before the street is reopened. Hoods may not be transferred to other dates or locations nor may the dates and location specified on the hoods be altered.~~
- (4)(3)
- (a) "No Parking" Hoods may be issued for the following purposes:
- To Prohibit on-street parking to facilitate construction on property adjacent to the street right-of-way.
 - To Prohibit parking for events granted a Street Use Permit pursuant to Sec. 10.056 of the Madison General Ordinances, or Parade Permits under Sec. 12.87, on street(s) or portions of street(s) within the perimeter of the Street Use Permit or on the parade route, whether or not such streets are closed to all traffic.
 - ~~and~~ To prohibit parking for weddings and funerals.
- (b) Fees per hood will shall be as follows:
- "No Parking" Hood Fees: The existing on-street hourly meter rate times the number of hours of proposed use plus fifty cents (\$.50) per hood. A four (4) hour minimum rate shall apply and nine (9) hour maximum rate on days shall apply. Meter hoods shall be issued for a full day or half-day. The fee for a full-day meter shall be thirteen dollars (\$13.00) plus a one-dollar hood rental fee, and the fee for a half-day meter shall be seven dollars (\$7.00) plus a one-dollar hood rental fee.
 - Street Use Permits or Parade Permits (sec. 12.1425(4)(a)2.): No fee shall be charged for hoods issued for those purposes enumerated in 12.1425(4)(a)2. of this ordinance. \$1.00 per hood for meters on streets that are closed to traffic, and the regular price in sub. (3)(b)1. above for meters on streets that are not completely closed to traffic.
 - Lost and stolen hoods. \$1.00 per hood replacement cost. will be replaced at fifty cents (\$.50) per hood.
 - Street or Utility work in Right of Way: There shall be
- (5) ~~No charge for hoods will be made to prohibit parking to facilitate any street or utility work when all or a portion of such work is within the street right-of-way, or~~
5. City of Madison Public Works Contracts: There shall be no charge for meter hoods to prohibit parking for any work under a City of Madison Public Works contract. or to prohibit parking to provide for the uninterrupted flow of traffic around construction within the street right-of-way.
6. Weddings and Funerals: There shall be no charge for meter hoods issued for weddings and funerals under this section.
- (4) Placement of Meter Hoods. Hoods (meter bags) or other suitable means of notification shall be used to post the "no parking" areas. The hood shall be clearly marked "No Parking" and shall bear an expiration date.

Upon granting the request, the Traffic Engineer shall issue to the applicant the number of hoods required to post each meter included in the restricted area. Placing and removing the hoods shall be the responsibility of the applicant. The hood shall be placed on the meter no later than the beginning of the last full cycle of the posted time limit of the meter in question, prior to the start of the temporary No Parking zone. All hoods shall be removed immediately after the event has ended or upon the expiration date on the hood, whichever is sooner. If the street has been closed, the hoods shall be removed before the street is reopened. Hoods may not be transferred to other dates or locations nor may the dates and location specified on the hoods be altered.

~~(6)(5)~~ Any person who uses or permits the use of a parking meter hood which is not authorized by the ~~Director of Transportation~~ City Traffic Engineer and Parking Manager, or who shall fail to comply with the requirements of this ordinance shall be subject to a forfeiture of not more than two hundred dollars (\$200), plus applicable court costs and fees.

~~(7)(6)~~ No provision of this ordinance is intended to limit the authority of the Traffic Engineer under Sec. 12.03 of the Madison General Ordinances."

16. Section 12.144 entitled "Operation of Parking Meters" of the Madison General Ordinances is amended to read as follows:

"12.144 OPERATION OF PARKING METERS.

(1) Upon the deposit, by the operator of a vehicle, of the coin or coins or other form of payment required by this chapter, each parking meter shall continuously indicate the length of time during which such vehicle may be allowed to remain parked in the parking space adjacent to such meter under the provisions of this chapter, and upon the expiration of the time limit applicable to such vehicle shall, by appropriate signal, indicate the expiration of the time limit.

(2) There shall be attached to each parking meter a sign indicating the length of time vehicles may be parked in the parking space adjacent to the meter under the provisions of this chapter, the days and times during which such time limit is applicable and the ~~coin or coins~~ amount and method of payment required to be deposited in the meter."

17. Section 12.145 entitled "Parking at Parking Meters" of the Madison General Ordinances is amended to read as follows:

"12.145 PARKING AT PARKING METERS AND METER RATES.

(1) Restrictions. In all parking meter zones established by Sections 12.1495, ~~12.150~~, 12.1505, 12.151, ~~and 12.1515, 12.1516, 12.1517 and 12.1518~~ or at any other on-street parking meter space established under the authority of the City Traffic Engineer and Parking Manager, no person shall park, stop or leave standing any vehicle, whether attended or unattended, unless the following provisions are strictly complied with:

(a) Immediately upon stopping such vehicle the operator shall deposit, or cause to be deposited, in the parking meter adjacent to the parking space, a United States coin, or coins, at the rate of one dollar (\$1.00) per hour in parking meter zones established by Section 12.1495, Section 12.1505 and Section 12.1515; thirty-five cents (35 ¢) per hour in a meter zones established by Section 12.150 and Section 12.151. The operator of every vehicle, upon stopping, standing or parking the vehicle at a parking meter space adjacent to which a parking meter is located, shall deposit in such parking meter the proper payment as required by the directions on the meter and remove the vehicle therefrom prior to the expiration of the time limit indicated on the meter.

(b) No such vehicle shall be parked, stopped or left standing for a longer period than the applicable time limit specified in Section 12.1495, ~~12.150~~, 12.1505, 12.151, ~~or 12.1515, 12.1516, 12.1517, or 12.1518.~~

(c) The operator of such vehicle shall comply with all other provisions of this chapter relating to the parking, stopping or leaving a vehicle standing, except those provisions which by their very nature would have no application.

(d) No person shall stop, park or leave standing any vehicle at a parking space adjacent to a parking meter for the purpose of conducting street vending directly from the vehicle, during the hours in which that meter is enforced. "Street vending" shall have the meaning established in Section 9.13. This prohibition shall apply to all on-street parking meter zones established by this Chapter, during the hours of enforcement established herein."

(2) Exceptions.

(a) Hours of Enforcement. The provisions of subsections (1)(a), ~~and (b)~~ and (d) apply only during the following times and days:

1. 8:00 a.m. to 6:00 p.m., on all days except Sundays and holidays. ~~between 8:00 a.m. and 6:00 p.m.~~

(b) The absence or complete functional failure of a parking meter adjacent to any parking space shall exempt operators of vehicles from the provisions of Subsections (1)(a), but shall not exempt them from any other provision of this chapter.

(c) With the exception of ~~one two twelve (12) fifteen (15) minute metered parking spaces, on each side of the entrance to the City-County Building,~~ the east side of South Carroll Street extending from West Doty Street to West Wilson Street shall be restricted to the parking only of Madison Police Department vehicles, ~~from 7:00 a.m. to 6:00 p.m. daily.~~

(3) Rates. The rate of payment for on-street parking meters shall be:

(a) Parking meter zones established by Sections 12.1495, 12.1505, 12.1515, 12.1516, 12.1517 and 12.1518: fifty cents (50¢) per hour for the ten-hour meters, and one dollar and twenty-five cents (\$1.25) per hour for all other meters.

(b) Parking meter zones established by Section 12.151: fifty cents (50¢) per hour for all meters.

(c) The rate for any other on-street parking meter installed under the authority of the City Traffic Engineer and Parking Manager, but not included in the zones listed above shall be either one dollar and twenty-five cents (\$1.25) per hour, or fifty cents (50¢) per hour, as determined by the City Traffic Engineer and Parking Manager."

18. Section 12.146 entitled "Deposit of Excess Coins" of the Madison General Ordinances is amended to read as follows:

"12.146 DEPOSIT OF EXCESS COINS PAYMENT.

No person shall deposit or cause to be deposited in any parking meter a coin or coins or other form of payment so as to prevent such meter from indicating the expiration of the time limit imposed by this chapter upon the parking of a vehicle in the parking space adjacent to such meter."

19. Section 12.147 entitled "Misuse of Parking Meters" of the Madison General Ordinances is amended to read as follows:

"12.147 MISUSE OF PARKING METERS.

(1) No person shall intentionally, by physical or mechanical force or by the use of any instrument or device, damage, deface, tamper with, open or impair the effective operation of a parking meter installed pursuant to ordinance.

(2) No person shall place, insert or deposit or cause to be deposited in a parking meter installed pursuant to ordinance, anything other than the form of payment specified on the meter, and when coins are permitted, shall not deposit any coins other than lawfully minted coins of the United States.

20. Section 12.1495 entitled "Thirty Minute Parking Meter Zones" of the Madison General Ordinances is amended to read as follows:

"12.1495 THIRTY MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be thirty (30) minute parking zones, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of thirty (30) minutes, except in compliance with the provisions of Section 12.145.

(1) ~~On the west side of Carroll Street from Mifflin Street to Main Street.~~

(2) ~~(R. by Ord. 4631, 7-1-74)~~

(3) ~~(R. by Ord. 9483, Adopted 5-3-88)~~

(4) ~~(R. by Ord. 6934, 3-20-80)~~

(5) ~~(R. by Ord. 6933, 3-20-80)~~

(6) ~~(R. by Ord. 9483, Adopted 5-3-88)~~

(7) ~~On both sides of Wilson Street from Carroll Street to Martin Luther King, Jr. Boulevard.~~

(8) ~~On the west side of Lake Street from Langdon Street to State Street."~~

21. Section 12.150 entitled "Combination One Hour, 30 Minute and 12 Minute Parking Meter Zones" of the Madison General Ordinances is hereby repealed.

22. Section 12.1505 entitled "Combination One Hour, 30 Minute and 15 Minute Parking Meter Zones" of the Madison General Ordinances is amended by amending therein the following:

"12.1505 COMBINATION ONE HOUR, 30 MINUTE, 25 MINUTE AND 15 MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be combination one hour, thirty (30) minute, twenty-five (25) minute, and fifteen (15) minute parking meter zones, consisting of not less than fifty-one percent (51%) one hour meters in any one block within said zone, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meters, nor in any case except in compliance with the provisions of Sec. 12.145."

23. Section 12.151 entitled "Combination Two Hour, 30 Minute And 12 Minute Parking Meter Zones" of the Madison General Ordinances is amended by amending therein the following:

"12.151 COMBINATION TWO HOUR, 30 MINUTE, 25 MINUTE AND ~~12~~ 15 MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be combination two hour, thirty (30) minute, twenty-five (25) minute and ~~twelve (12)~~ fifteen (15) minute parking zones, consisting of not less than fifty-one percent (51%) two hour meters in any one block within said zone, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meter, nor in any case, except in compliance with the provisions of Section 12.145."

24. Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" of the Madison General Ordinances is amended by amending therein the following:

"12.1515 COMBINATION TWO HOUR, 30 MINUTE, 25 MINUTE AND 15 MINUTE PARKING METER ZONES.

The following streets and parts of streets ~~are declared to be combination~~ may include meters of any of the following combinations of time limits: two hour, thirty (30) minute, twenty-five (25) minute ~~and or~~ fifteen (15) minutes parking meter zones, consisting of not less than fifty-one percent (51%) two hour meters in any one block within said zone, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meters, nor in any case except in compliance with the provisions of Section 12.145."

25. Subsection (3) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(3) On the west side of Butler Street from a point 220 feet north of King Street to Main Street, and on the west side of Butler Street from East Washington Avenue to Mifflin Street, and on the east side from Wilson Street to a point 165 feet south of Washington Avenue."

26. Subsection (4) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" of the Madison General Ordinances is hereby repealed.

27. Subsection (13) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(13) On both sides of Lake Street from Dayton Street to Johnson Street and on the east side from State Street to Langdon Street ~~and on the west side from Langdon Street to Lake Mendota.~~"

28. Subsection (14) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(14) On the north side of Langdon Street from Wisconsin Avenue to a point 50 feet east of Howard Place ~~and from a point 220 feet west of Howard Place to a point 300 feet east of Park Street~~, and on the south side from Lake Street to a point 300 feet east of Park Street."

29. Subsection (15) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(15) On the north side of Main Street from Fairchild Street to Henry Street, and from Webster Street to Franklin Street, on the south side from Henry Street to a point 150 feet west of Fairchild Street, and

Pinckney Street to ~~Webster~~ Butler Street, and ~~on both sides from Webster~~ Hancock Street to Franklin Street."

30. Subsection (20) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is repealed.

31. Subsection (22) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(22) On ~~both sides~~ the south side of Washington Avenue from Henry Street to Broom Street."

32. Subsection (23) of Section 12.1515 entitled "Combination Two Hour, 30 Minute And 15 Minute Parking Meter Zones" is amended to read as follows:

"(23) On the north side of Wilson Street from Hamilton Street to Carroll Street and from a point 198 feet east of Pinckney Street to Blair Street, and on the south side from Henry Street to Carroll Street, and from ~~Pinckney~~ Butler Street to Franklin Street."

33. Section 12.1516 entitled "Combination 10 Hour, 2 Hour, 30 Minute, 25 Minute and 15 Minute Parking Meter Zones" of the Madison General Ordinances is created to read as follows:

"12.1516COMBINATION 10 HOUR, 2 HOUR, 30 MINUTE, 25 MINUTE, AND 15 MINUTE PARKING METER ZONES.

The following streets and parts of streets ~~are declared to be combination~~ may include meters of any of the following combinations of time limits: ten (10) hour, two (2) hour, thirty (30) minute, and twenty-five (25) minute parking zones consisting of not less than fifty-one percent (51%) ten hour meters in any one block within said zone, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meters, nor in any case except in compliance with the provisions of Section 12.145:

(1) Railroad Street from Blair Street to Blount Street."

34. Section 12.1517 entitled "Combination 2 Hour And 25 Minute Parking Meter Zones" of the Madison General Ordinances is created to read as follows:

"12.1517COMBINATION 2 HOUR AND 25 MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be combination two (2) hour and twenty-five (25) minute parking zones, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meters, nor in any case except in compliance with the provisions of Section 12.145:

- (1) On the west side of Butler Street from Main Street to East Washington Avenue.
- (2) On the west side of Carroll Street from Main Street to Mifflin Street.
- (3) On the west side of Frances Street from Dayton Street to a point 525 feet south therefrom.
- (4) On the west side of Lake Street from Langdon Street to a point 350 feet north therefrom.
- (5) On the north side of Langdon Street from Lake Street to a point 300 feet east of Park Street.
- (6) On the south side of Main Street from Martin Luther King Jr. Boulevard to Pinckney Street.
- (7) On the south side of Main Street from Butler Street to Hancock Street.
- (8) On the north side of Mifflin Street from Carroll Street to Wisconsin Avenue.
- (9) On the north side of West Washington Avenue from Broom Street to Henry Street.
- (10) On the south side of Wilson Street from Butler Street to Pinckney Street.
- (11) On both sides of Pinckney Street from Doty Street to Wilson Street and on the east side from East Washington Avenue to East Mifflin Street "

35. Section 12.1518 entitled "Combination 30 Minute and 25 Minute Parking Meter Zones" of the Madison General Ordinances is created to read as follows:

"12.1518COMBINATION 30 MINUTE AND 25 MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be combination thirty (30) and twenty-five (25) minute parking zones, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified in the adjacent parking meters, nor in any case except in compliance with the provisions of Section 12.145:

- (1) On the south side of Wilson Street from Carroll Street to Martin Luther King, Jr. Boulevard."

36. Section 12.152 entitled "Penalties For Violating Sections 12.144 Through 12.1515" of the Madison General Ordinances is amended to read as follows:

"12.152 PENALTIES FOR VIOLATING SECTIONS 12.144 THROUGH 12.145-1518.

(1) Any person violating any provision of Sections 12.144, 12.145, 12.146 or 12.1495 to 12.1515-1518 inclusive, may be fined not less than five dollars (\$5) nor more than sixty dollars (\$60) for the first offense and not more than one hundred dollars (\$100) for the second or subsequent conviction within a year.

(2) Any person violating any provision of Section 12.147 ~~may be fined~~ shall forfeit not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50) for the first offense and not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for the second or subsequent offense within a year."

37. Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by adding or amending therein the following:

<u>"Offense</u>	<u>Ord. No.</u>	<u>Deposit</u>
<u>No Street Vending from a Parking Meter</u>	<u>12.145(1)(d)</u>	<u>\$30</u>
Misuse of parking hoods, restricted parking or temporary parking, etc.	12.142(7) and 12.1425(6)	\$150, 1st \$200, 2nd"

38. Subsection (4) entitled "Issuance of Citations" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

<u>" Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
Director of the Inspection Unit of the Department of Planning and Development or designee	Sections 9.13, License for selling on public streets, Section 12.128(14), Off-Driveway Parking, <u>Section 12.145(1)(d), No Street Vending from Parking Meter</u> ; Section 36.30, Cable TV Connections; Chapter 22, Consumer Protection and Weights and Measures; Chapters 18, 19, 27, 28, 29, 30 31, and 37."

39. Subsection (3) entitled "Director of Transportation" of Section 3.51 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

"(3) Director of Transportation. The Department of Transportation shall be managed and directed by a Director of Transportation. Effective March 1, 1989, the positions of Director of Transportation, and the City Traffic Engineer and Parking Manager, as they become vacant shall be filled according to Sec. 3.38(6)(f) of these ordinances. The incumbent of the position as of the above date may enter into an employment contract as described in such section at his or her option. The Director of Transportation is authorized, and is responsible for performing all duties as may be delegated by ordinance or resolution of the Common Council, and shall carry out all directives as may be issued by the Common Council or assigned by the Mayor.

The Director of the Department of Transportation shall be the chief administrative officer and executive secretary of the Transportation Commission and may be a member of such other boards, committees or commissions as may be determined by the Mayor or Common Council. The Director of Transportation shall be

charged with the responsibility of preparing and presenting the annual budgets of the department. The Director of Transportation shall have authority to establish policies, technical standards, methods and procedures for the department, and is further authorized and directed to do any and all of the following:"

40. Subsection (9) entitled "Traffic Engineering Division" of Section 3.51 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

"(9) Traffic Engineering Division.

(a) The Traffic Engineering Division shall be supervised by the City Traffic Engineer and Parking Manager. Effective March 1, 1989, the position of City Traffic Engineer and Parking Manager, as it becomes vacant shall be filled according to Sec. 3.38(6)(f) of these ordinances. The incumbent of the position as of the above date may enter into an employment contract as described in such section at his or her option.

(b) Traffic Engineering Duties of the City Traffic Engineer and Parking Manager. In addition to the duties described in Chapter 12, the City Traffic Engineer and Parking Manager shall have supervision of all personnel engaged in traffic planning and design, street marking and traffic sign construction, alteration and repair, as well as installation, maintenance and operation of traffic signals, the police and fire alarm system, the street lighting systems and those engaged in the installation, repair and maintenance of the radio communications systems and warning sirens and other such other activities, as shall be assigned to him/her by the Director of Transportation. The City Traffic Engineer and Parking Manager or his/her designee shall be an advisory member without vote of the City-County Telecommunications Commission and is the appointed City Highway Safety Coordinator as prescribed by the rules of the State of Wisconsin Office for Highway Safety."

41. Subsection (9) entitled "Traffic Engineering Division" of Section 3.51 entitled "" of the Madison General Ordinances is amended to read as follows:

"(10) Parking Division.

(a) The Parking Division shall be supervised by the City Traffic Engineer and Parking Manager. Effective March 1, 1989, the position of Parking Manager as it becomes vacant shall be filled according to Sec. 3.38(6)(f) of these ordinances. The incumbent of the position as of the above date may enter into an employment contract as described in such section at his or her option.

(b) Duties of the City Traffic Engineer and Parking Manager with respect to Parking: In addition to the duties described in Chapter 12, The City Traffic Engineer and Parking Manager shall manage all Parking Utility facilities and shall have supervision of all personnel engaged in the installation, operation and maintenance of parking meters, lots and ramps and the collection of fees therefrom for all municipal parking utility operations and other such other activities, as shall be assigned to him/her by the Director of Transportation."

42. This ordinance shall take effect on June 1, 2006.

EDITOR'S NOTE:

1. Sections 12.137 (240), 12.150, 12.1515(4) and 12.1515(20), which are being repealed by this ordinance, currently read as follows:

"(240) On the south side of Railroad Street from a point 100 feet east of Blair Street to a point 145 feet east therefrom, except Saturdays."

"12.150 COMBINATION ONE HOUR, 30 MINUTE AND 12 MINUTE PARKING METER ZONES.

The following streets and parts of streets are declared to be combination one hour, thirty (30) minute and twelve (12) minute parking zones, consisting of not less than fifty-one percent (51%) one hour meters in any one block within said zone, and no person shall park, stop or leave standing any vehicle in any parking space within such zones in excess of the applicable time limit specified on the adjacent parking meter, nor in any case, except in compliance with the provisions of Section 12.145:

RESERVED FOR FUTURE USE"

- "(4) On the east side of Carroll Street from Johnson Street to Dayton Street and on the west side from Mifflin Street to Main Street."
- "(20) On both sides of Pinckney Street from Doty Street to Wilson Street and on the east side from East Washington Avenue to East Mifflin Street."
- 2. The new bail deposit created in Item 37 has been approved by the Municipal Judge.