

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: March 18, 2009

TO: Mayor Cieslewicz and Members of the Common Council

FROM: Al Schumacher, Street Superintendent

SUBJECT: **Legislative File #12413 – Repeal of the Alternate Side Parking Ordinance**

Introduction

I was requested by the Board of Estimates to provide a memo discussing some options to improving the current Alternate Side Parking Ordinance (MGO 12.1335). A staff team comprised of Chris Kelley and George Dreckmann from the Streets Division, Sgt. Dave Jugovich and Stefanie Niesen from the Madison Police Department Parking Enforcement Division, Fire Chief Debra Amesqua, City Engineer Larry Nelson, Ray Harmon from the Mayors Office and myself met to discuss and assisted in crafting this memo.

History of Alternate Side Parking Ordinance

The Alternate Side Parking Ordinance (ASPO) began in the City of Madison in 1980 and included the entire City. City of Madison Police beat officers enforced the ordinance. Very few citations were written and very poor compliance was found throughout the winter seasons.

A citywide staff team was formed in 1992 to study Parking in the City and it's effects on snow and ice control and street cleaning. The team recommended that the ASPO be modified to establish the Snow Emergency Zone (SEZ). At that time, hourly Parking Enforcement Officers were hired to patrol the ASPO areas of the City when a Snow Emergency wasn't in effect and to focus on the Snow Emergency area when a Snow Emergency was declared.

The practice today remains very similar to what was developed in the mid 90's with the following changes:

- Towing cars in violation of the Snow Emergency became a practice during the record 101.4" winter of 2007-2008.
- Parking Enforcement Officers now complete their patrol in the SEZ area during a Snow Emergency and then patrol the Alternate Side Parking area.
- Text messaging, mass emails and a Winter Weather Portal have been developed to improve the notification and public education efforts.
- City parking ramps are now available for longer hours for people to park for free during a Snow Emergency and three near central City of Madison Parks parking lots have been made available for people to also park for free
- Fines have increased over the years from \$10 - \$20 in the Alternate Side Parking areas and from \$20 to \$30 to \$60 during a declared Snow Emergency citywide.

ASPO vs. Snow Emergency Zone

City staff contends that eliminating the current ASPO in favor of a citywide SEZ would reduce public safety, increase the cost of the snow removal service, and substantially lengthen the time to clear the City's streets of snow. The quality of plowing would decrease, the time to complete a plowing would increase and additional Snow Emergencies would be required. Service to the central City would decrease as more resources would have to be spread out over other areas of the City that currently have ASPO, extensions to Snow Emergencies to a third night may sometimes be necessary to complete the plowing of the alternate side parking areas. Public safety would be in question as additional streets would become too narrow to allow emergency vehicles to maneuver and there would be added costs to the City budget in additional plowing, additional public education costs, additional or changed street signs, and the cost to administer enforcement would transfer from the drivers who do not comply with the ASPO to the property tax payer.

Parking Regulations in Other Cities

Staff has made personal contact with 12 Cities throughout the United States to ascertain what their winter parking regulations are. We wanted to find out whether they use alternate side parking restrictions, if they declare Snow Emergencies, how signage is utilized, what forms of resident notification are used, how long it takes to complete plowing operations and whether they utilize private contractors to assist in the plowing efforts. In addition, we asked how much the fines are for non-compliance, what type of enforcement is done and whether they tow violators. Attached is a compilation of facts from the Cities contacted.

To summarize the multiple City contact information, we found that:

- The majority of Cities take multiple days to complete plowing operations. Residential streets are not plowed until the second or third day following the snow event.
- Most Cities tow every storm.
- Most Cities have much larger fines for winter parking violations than what Madison has.
- Most Cities utilize "Snow Emergency" routes that prohibit all parking during snow emergencies on their designated "Snow Emergency Routes".
- Most Cities see poor compliance and end up towing vehicles.
- In most of the Cities, the residents routinely debate the winter parking regulations as to their effectiveness but most think their programs work okay but could be better.

Alternate Side Parking Ordinance Advantages

There are definite advantages that come out of having the ASPO in effect throughout approximately 85% of the City and only the central City included in a SEZ.

There is poor compliance in the SEZ during a declared Snow Emergency. During the record winter of 2007-2008, where Madison received 101.4" of snowfall, there was an average of 808 Snow Emergency citations issued per Snow Emergency declaration during the 8 declared Snow Emergencies. So far during the winter of 2008-2009, there has been an average of 955 citations being issued per storm in the Snow Emergency Zone. Even with the increased public notification that has occurred during this winter

and a doubling of the fines from \$30-\$60, compliance inside the Snow Emergency Zone has decreased during Snow Emergencies. It is believed that this non-compliance would expand into the rest of the City should the City abandon the current ASPO in favor of a citywide SEZ.

Residents have largely accepted the responsibility to change the side of the street that one parks their car overnight. There are many 24', 26' and 28' wide streets in the City that currently allows two-sided parking. Without the conditioned response, these streets would remain parked on both sides during a Snow Emergency and ultimately will become too narrow for emergency vehicles to maneuver through. This then becomes a public safety issue, as emergency vehicles will not be able to get to their emergency destination. Because of the ASPO regulations, most residents who have driveways park their vehicles in those driveways and thus avoid the issue. But, there are times and locations in the City where and when that is not convenient and abandoning ASPO is expected to increase the number of vehicles on streets that are currently not obstructed during snow events.

Critics of the ASPO state that since Parking Enforcement continues to cite between 20,000 and 25,000 violators of the ASPO during the winter months and that people aren't really complying to the ASPO anyway. If you consider the 120 days that the ASPO is in effect, from November 15 through March 15, there is an average of only 167 to 208 violations per night. According to the Wisconsin Department of Transportation, there are 185,269 cars, trucks and SUV's registered in the City of Madison. With that many cars in the City of Madison, having only 167 to 208 violations per night is a very small percentage. In addition, if you factor in that the ASPO area covers approximately 85% of the 764 street miles in the City, this number of violators per night is actually quite a low percentage and compliance in the ASPO areas is quite high. As a result of regular enforcement, compliance improves significantly during a snow event. This improves our response to all snow events, not just major ones.

We often plow City streets without declaring Snow Emergencies. During last winter, we plowed all City streets on 14 occasions but only declared 8 Snow Emergencies. So far this winter, we have plowed 9 times but have only declared 4 Snow Emergencies. This is often times done because there is an overall accumulation of snow from back to back snow storms that don't individually require a plowing but accumulatively requires that all streets be plowed. Or there are other variables that will cause us to plow but not have the need to require a Snow Emergency declaration such as melting conditions in the days following a plowing snowfall that would preclude the need to spend the resources required if a Snow Emergency were to be declared. If we did not have the ASPO, we would be plowing the entire City without having the positive effect of having the cars parking according to the calendar day during these non Snow Emergency plows in the ASPO areas. Again streets would become very narrow quickly or it would result in having additional Snow Emergencies declared which would cause additional hardship in the current SEZ as people would have to find alternate parking locations or face additional citations.

As a result of having the ASPO in effect during the winter months, Parking Enforcement hires eleven hourly Parking Enforcement Officers. These hourly officers are able to work in the ASPO areas until Snow Emergencies are declared and then patrol the Snow Emergency area when a Snow Emergency declaration is declared. These hourly Parking Enforcement Officers allow the permanent Parking Enforcement Officers to assist with towing during Snow Emergencies and be available to cite outside the Snow Emergency Zone when a Snow Emergency has been declared. These 24 fulltime officers are then available to perform their regular duties throughout the remainder of the day.

If the concept of ASPO is abandoned, it is estimated that at least eleven (11) full time Parking Enforcement Officers will be required in order to enforce parking restrictions and provide staff during Snow Emergencies. There is concern that by utilizing 11 full time Parking Enforcement Officers during Snow Emergencies that there will not be enough officers available to staff the Snow Emergencies and still perform their regular duties during the rest of the day.

Potential Improvements to Current ASPO

There are some potential service enhancements or improvements to the current ASPO that would be possible without eliminating ASPO. These options are listed below with a rough estimate on each as to the fiscal impact.

- 1. Expand Clean Streets/Clean Lakes Parking Restrictions to Include Streets With No Parking on One Side and Make the Restrictions Year Round.** The current ordinance exempts all streets and circles that have No Parking on One Side from abiding by the ASPO and SEZ parking restrictions. As a result, these streets are never plowed all the way to the curb. This option would restrict parking on these streets for one 4 hour period once per week during the day, either during the morning or the early afternoon. Streets Division crews could then plow these streets to the curb at least one time per week. This option would also assist the Streets Division in improving the effectiveness of the solid waste collection as many of these streets could be routed so that the parking restrictions coincide with the refuse and recycling days. In addition, these streets could be swept to the curb when the sweepers are in that sweeping district. Cost estimates from Traffic Engineering for changing the signs or covering dates on existing signs and putting up new signs on the streets that currently don't have these restrictions are between \$80,000 and \$100,000 depending on how many current signs have to be replaced and how many can just have stickers placed over the current dates.
- 2. Prohibit Parking on Corresponding Night on Streets With No Parking on One Side.** This option would only require a change in the language of the current ordinance. People who park on streets with parking on one side only would be required to move their cars on one night of the Snow Emergency. With this option, people who have parking on one side of the street only would have to abide by the alternated side parking rules during a declared Snow Emergency. So for an average of 5 times per year, they would be required to find alternate parking options. Operationally, the Streets Division would be able to plow the parked in side of these streets during the Snow Emergency thereby keeping the streets wider and keeping parking spots more available. There would be no fiscal impact on this option.
- 3. Improve Traffic Signs Notifying Commuters of Winter Parking Regulations.** Currently there are about 100 traffic signs located as vehicles enter the City that inform people that there are winter parking restrictions in place during the winter months and informing people that they are entering the SEZ. Parking Enforcement believes that a sign with additional color would catch the eye of motorists as they enter into the City or the SEZ. Traffic Engineering has estimated the cost for adding additional color to all ASPO and SEZ signs at approximately \$34,000.
- 4. Decrease the time frame that the ASPO is in effect.** Currently, the ASPO is in effect from November 15 through March 15, which is a period of 120 days. We could change the time frame

that the ordinance is in effect to December 1 through March 1. This would decrease the amount of time that people must abide by the ASPO by 30 days. These are times that it is more likely to rain than snow and even if it did snow, melting conditions soon follow and a Snow Emergency may not be declared anyway. If it would be necessary to declare a Snow Emergency prior to December 1 or after March 1, MGO 12.1335 (4) gives the Street Superintendent the right to declare a Snow Emergency “whenever it becomes necessary to clear the streets of snow and ice to effectuate the movement of vehicles”, regardless of the calendar. The costs associated with this option would be to change the ASPO street signs and the SEZ signs that are located when you enter the City and enter the SEZ respectively. There are approximately 100 ASPO and SEZ signs located throughout the City that would have to be replaced. The estimated cost of changing the signs is \$27,000. There would also be a loss of revenue estimated to be between \$100,200 and \$124,800 for the 30 days that ASPO citations would not be in effect. From the winter of 1996-1997 to the present, a total of 13 winter seasons, there has been a total of 17 plowing operations of all residential streets during these time periods. There have been 12 plowings from November 15 – 31 and only 5 during the time period of March 1 – 15.

5. **Citywide Mailing of ASPO and SEZ Literature.** The Streets Division prints and distributes the current Winter Parking Regulations through a variety of channels. This material could be mailed to all parcels in the City in addition to the current method of distribution, which involves placing flyers on cars that currently park in the SEZ and on a few cars parked near but just outside the SEZ. The mailing and additional printing costs would be approximately \$25,000.
6. **Keep ASPO But Expand SEZ Into Areas Near East and Near West.** This is an option that is possible but the least desirable of any of the changes. A staff team made up of Streets, Parking Enforcement, Traffic Engineering and the Mayors Office would meet with the idea of expanding the areas that are included in the SEZ a little further east and a little further west. In this option, the ASPO area would become smaller and the SEZ a little larger. The team would develop these boundaries and related costs associated with this proposal. Without currently knowing what the boundaries would be, it is difficult to determine the fiscal impact especially in regards to Traffic Engineering signage and Parking Enforcement staffing issues and potential loss of revenue.

Recommendation

The staff team recommends that the current system of ASPO for the majority of the City and the SEZ for the Isthmus area remain in effect. There are a few options that could improve the quality of the snow removal during declared Snow Emergencies as well as when there is not a Snow Emergency declared. The issue with streets that have no parking on one side needs to be resolved either by including them in a Snow Emergency declaration or the more preferred solution of having no parking restrictions once per week for a 4 hour window for the entire year so that plowing, sanding, solid waste collection and sweeping would be enhanced. Additional traffic signage would be an enhancement as well as increasing the public education efforts with a citywide mailing during the fall.