



CITY OF RAPID CITY

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MEMORANDUM

TO: Public Works Committee & Legal and Finance Committee

FROM: Allison Marsland, Assistant City Attorney *AM*

DATE: December 21, 2011

RE: Parking Ordinance Revisions

Ordinance revisions of Rapid City Municipal Code ("RCMC") Sections 10.44.010, 10.44.050, 10.44.060, and 10.44.070 are before both committees. Pursuant to RCMC 2.28.050, the Public Works Committee has jurisdiction to review, and pursuant to RCMC 2.28.060, all ordinances must be reviewed and approved by the Legal and Finance Committee prior to final passage.

In November of this year, Public Works, at the direction of the Mayor, assembled a group to discuss and address common complaint issues regarding the parking ramp south of the City School Administration Building between Fifth and Sixth Streets. The group consists of the Mayor, along with representatives from Public Works, the City Attorney's Office, the Finance Office, the Police Department, and Parking Enforcement. The ordinance revisions are before you as a result of the efforts of this group.

The four proposed revisions to RCMC Chapter 10.44 would result in the following changes:

1. Removal of the parking ramp from the "leased parking zone" and placement of it in a newly created "Parking Ramp zone," which allows for both leased and metered spaces.
2. Codification of free parking in all spaces in the Parking Ramp zone on Saturdays, Sundays, and holidays.
3. Authority for a metered parking rate of \$.50 per hour in the Parking Ramp zone.
4. Removal of the "Sixth and Main lot zone," which is now Main Street Square.

It was necessary to make changes to multiple ordinances in order to both remove the "Sixth and Main lot zone," and add a provision for a \$.50 per hour meter.

Additional changes at the ramp that do not require ordinance revision are also being proposed, and those will be addressed in a separate presentation.

ORDINANCE NO. 5784

**AN ORDINANCE TO ESTABLISH FREE PARKING IN THE PARKING RAMP ZONE
ON SATURDAYS, SUNDAYS, AND HOLIDAYS
BY AMENDING SECTION 10.44.070 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted an ordinance establishing limitation on parking in certain zones; and

WHEREAS, the ordinance does not currently allow for non-enforcement in the Parking Ramp zone on Saturdays, Sundays and holidays; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the best interests of the City to amend Section 10.44.070 of the Rapid City Municipal Code to establish free parking in the Parking Ramp zone on Saturdays, Sundays and holidays.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 10.44.070 of the Rapid City Municipal Code is hereby amended to read as follows:

10.44.070 Limitation on parking in certain zones.

A. Two-hour parking zone.

1. In the 2-hour parking zone established by § 10.44.010A., it is unlawful for any person to permit or suffer any vehicle registered in the name of or operated by the person to be parked on either side of the street within the same city block for a continued period of time in excess of 2 hours, between the hours of 7:30 a.m. to 6:00 p.m. of any day, Sundays and holidays excepted.
2. A separate offense shall be deemed committed on or during each 2-hour period in which violation of this subsection occurs or continues.

B. Pennington County Courthouse lot zone.

1. In the Pennington County Courthouse lot zone established by § 10.44.010D., it is unlawful for any person to permit or suffer any vehicle registered in the name of or operated by the person to be parked in the zone for a continued period of time in excess of 2 hours, between the hours of 7:30 a.m. and 6:00 p.m. of any day, Saturdays, Sundays and holidays excepted; unless a longer time is necessitated by the conduct of business in the Pennington County Courthouse or the Public Safety Building, as evidenced by the authorization of a department head, or his or her designee, in either building.
2. A separate offense shall be deemed committed on or during each 2-hour period in which a violation of this subsection occurs or continues.

C. *Public Safety Building lot zone.*

1. In the Public Safety Building lot zone established by § 10.44.010E., it is unlawful for any person to permit or suffer any vehicle registered in the name of or operated by the person to be parked in the zone for a continued period of time in excess of 2 hours, between the hours of 7:30 a.m. and 6:00 p.m. of any day, Saturdays, Sundays and holidays excepted; unless a longer time is necessitated by the conduct of business in the Public Safety Building or Pennington County Courthouse, as evidenced by the authorization of a department head, or his or her designee, in either building; or unless the person displays an appropriate sticker approved by the Pennington County Commission or its designee on the vehicle parked by him or her or under his or her direction.

2. A separate offense shall be deemed committed on or during each 2-hour period in which a violation of this subsection occurs or continues.

D. *Violation.* The owner or operator of any vehicle found in violation of this section may, within 72 hours of the time when the notice of violations ~~was attached~~ was attached to such vehicle, pay to the city Finance Office, as a penalty for and in full satisfaction of such violation, the sum of \$5. If the person fails to pay the sum within the 72 hours, he or she may, within 2 weeks from the 72-hour period, pay to the city Finance Office, as a penalty for and in full satisfaction of the violation, the sum of \$10.

E. *Exemption.* Any physically handicapped person who displays license plates with the international wheelchair insignia on an automobile parked by him or her or under his or her direction and for his or her use shall be exempt from the provisions of this section.

F. *Definition.* **CONTINUOUS** for the purpose of this section means parking which is not interrupted by more than 2 consecutive hours.

G. *Civic Center parking.* It is unlawful to park contrary to any sign erected under authority of the city or across any line delineating established parking spaces.

H. *City/School Administration lot zone.* It is unlawful to park contrary to any sign erected under authority of the city or across any line delineating established parking spaces or for a longer period of time than specified by the sign.

I. *Parking at Rapid City Regional Airport.* The area located in front of the airport terminal is designated as a loading and unloading zone. Vehicles are permitted to stop in this area to drop off or pick up pedestrians, but are not allowed to leave vehicles unattended. Commercial shuttle vehicles, which display a permit authorized by the Airport Board and which are parked in designated areas, shall be exempt from this section. Any person who operates a vehicle found in violation of this section shall, within 72 hours from the time when the notice of violation was attached to the vehicle, pay to the city Finance Office, as a penalty for and in full satisfaction of the violation, the sum of \$25. If the person fails to pay the sum within the 72 hours, he or she shall, within 2 weeks from the 72-hour period, pay to the city Finance Office, as a penalty for and in full satisfaction of the violation, the additional sum of \$10.

J. *Parking Ramp zone.* In the Parking Ramp zone established by § 10.44.010G., it is unlawful for any person to permit or suffer any vehicle registered in the name of or operated by the person to park contrary to any sign erected under authority of the city or across any line delineating established parking spaces between the hours of 6:00 a.m. to 4:00 p.m. of any day in parking spaces designated as leased, and between the hours of 9:00 a.m. to 4:00 p.m. of any day in metered parking spaces, Saturdays, Sundays and holidays excepted.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: