



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

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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. 5785

**AN ORDINANCE TO ESTABLISH FREE PARKING IN METERED SPACES IN THE
PARKING RAMP ZONE ON SATURDAYS, SUNDAYS, AND HOLIDAYS
BY AMENDING SECTION 10.44.050 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted an ordinance prohibiting parking by an expired meter; and

WHEREAS, the ordinance does not currently allow for non-enforcement of expired meters 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 10.44.050 of the Rapid City Municipal Code to establish free parking in metered spaces in the parking ramp zone on Saturdays, Sundays and holidays.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 10.44.050 of the Rapid City Municipal Code is hereby amended to read as follows:

10.44.050 Parking by expired meter.

A. It is unlawful for any person to cause, allow, permit or suffer any vehicle owned or operated by him or her to be upon any street within a parking meter zone in any space adjacent to which a parking meter is installed, for any time during which the meter is showing a signal indicating that the space is illegally in use, other than such time as is necessary to operate the meter to show legal parking, ~~between the hours of 9:00 a.m. and 5:00 p.m. of any day, Sundays and holidays excepted.~~ Parking in metered spaces shall be enforced as follows:

1. Between the hours of 9:00 a.m. and 4:00 p.m. of any day, Saturdays, Sundays, and holidays excepted in the Parking Ramp zone established in §10.44.010(G) and the Sixth Street lot zone established in § 10.44.010(H); and

2. Between the hours of 9:00 a.m. and 5:00 p.m. of any day, Sundays and holidays excepted in all other parking zones enumerated in §10.44.010.

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

C. 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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: