

AN ORDINANCE TO INCREASE THE AMOUNT OF TIME ALLOWED IN ON-STREET PARKING AREAS IN DOWNTOWN AND REPEAL THE GRADUATED PENALTY FOR TIMED PARKING VIOLATIONS BY AMENDING SECTIONS 10.44.010, 10.44.070, AND 10.40.205 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City has adopted ordinances regulating parking in the downtown area of the city; and

WHEREAS, the City has established a two-hour zone where on-street parking is free for two hours; and

WHEREAS, the City has also established a graduated penalty for violations of the parking regulations related to the two-hour zone and metered parking; and

WHEREAS, the Common Council desires to extend the amount of time a vehicle may park for free from 2 hours to 3 hours; and

WHEREAS, the Common Council desires to repeal the graduated penalty for timed parking violations.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Section 10.44.010 be and is hereby amended to read as follows:

10.44.010 Parking Zones Established.

The following parking zones and the boundaries thereof are established:

A. ~~Two~~Three-hour zone. This zone includes all on-street parking areas on Main Street and St. Joseph Street between Second Street and the east right-of-way line of Ninth Street; all on-street parking on the south side of Main Street between East Blvd. and First Street; all on-street parking areas on Third, Fourth, Fifth, Sixth, Seventh and Eighth Streets between the north right-of-way line of Kansas City Street on the south and Omaha Street on the north; the west side of Second Street between Main Street and the alley south of Main Street; and the west side of Ninth Street between Kansas City and Quincy Streets and the south side of Kansas City Street between Ninth Street and West Boulevard, except for the last 3 parking stalls east of the right-of-way for West Boulevard; the first 5 spaces east of the Fifth Street right-of-way on the south side of Kansas City Street; the first 6 spaces south of Kansas City Street on the east side of Fifth Street; the first 5 spaces east of West Boulevard on the north side of Quincy Street; and the first 4 spaces on the north side of Columbus Street west of Mount Rushmore Road and the south side of Columbus Street between Mount Rushmore Road and Ninth Street. This zone also includes all on-street parking areas on the east side of West Boulevard from the south right-of-way line of Main Street to the north right-of-way line of St. Joseph Street.

~~B. Three hour zone. This zone includes all on-street parking areas on the east side of West Boulevard from the south right-of-way line of Main Street to the north right-of-way line of St. Joseph Street.~~ Reserved

C. Leased parking zone. This zone includes the off-street parking lot located north of the alley upon Lots 1 through 6 and 2 feet of Lot 7, of Block 82 of the original townsite; the off-street parking lot located north of the alley upon Lots 10 through 16 of Block 74 of the original townsite; the off-street parking lot located south of the alley upon Lots 17 through 21 of Block 104 of the original townsite; and the off-street parking lot located upon Lots 1 through 7, the east 8 feet of Lot 8, the south 28 feet of Lot 9 and the south 68 feet of Lots 10 through 14, of Block 95 of the original townsite. Lots 21-28, Block 86, original townsite. It is unlawful to park in any leased parking space without visibly displaying a valid leased parking permit Monday through Friday from the hours of 6:00 a.m. to 4:00 p.m., excluding holidays. Parking in this zone at all other times shall be free and open to the public. Any person who operates a vehicle found in violation of this section shall be subject to the parking penalty provisions contained in § 10.40.205.

D. Pennington County Courthouse lot zone. This zone includes the off-street parking lot, located west of the Public Safety Building, south of the Pennington County Courthouse, and east of Fourth Street between St. Joseph Street and Kansas City Street, and legally described as Block 97 and vacated Third Street of the original townsite.

E. Quincy Street lot zone. This zone includes the off-street parking lot located upon Lots 17 through 21, Block 104, original townsite.

F. Reserved.

G. Parking Ramp zone. This zone includes the off-street parking in the ramp located upon Lots 1-16, Block 75 of the original townsite. This zone shall include both leased parking spaces and metered parking spaces, delineated by pavement markings and/or signs as designated by the Public Works Director, or his or her designee.

1. Leased parking spaces. It is unlawful to park in any leased parking space without visibly displaying a valid leased parking permit Monday through Friday from the hours of 6:00 a.m. to 4:00 p.m., excluding holidays. Parking in leased spaces in this zone at all other times shall be free and open to the public. Any person who owns, operates or parks a vehicle in violation of this section shall be subject to the parking penalty provisions contained in § 10.40.205.

2. Metered parking spaces. It is unlawful for any person to cause, allow, or permit any vehicle owned or operated by him or her to be upon 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. A separate offense shall be deemed committed on or during each 2-hour period in which a violation of this section occurs. Any person who owns, operates or parks a vehicle in violation of this section shall be subject to the parking penalty provisions contained in § 10.40.205.

H. Sixth Street lot zone. This zone includes the off-street parking lot located upon Lots 12 through 16, Block 95, original townsite.

I. General zone. This zone includes all on-street parking areas not within another parking zone and located within:

1. Main Street between Second Street and West Boulevard;
2. St. Joseph Street between Second Street and West Boulevard;
3. Kansas City Street between Second Street and West Boulevard;
4. Quincy Street between Fifth Street and Ninth Street;
5. Columbus Street between Mt. Rushmore Road and Ninth Street;
6. Fifth Street between Omaha Street and Quincy Street;
7. Sixth Street between Omaha Street and Columbus Street;
8. Seventh Street between Omaha Street and Columbus Street;
9. Mt. Rushmore Road between the alley north of Main Street and Columbus Street;
10. Ninth Street between Rapid Street and Columbus Street.

J. Civic Center parking lot zone. This zone includes the off-street parking area between Fifth Street and Mt. Rushmore Road north of Omaha Street and south of North Street.

K. City/School Administration lot zone. This zone includes the off-street parking area located between Fifth and Sixth Street and Main and Omaha, and directly adjacent to the City/School Administration Building located at 300 Sixth Street.

L. Thirty minute zone. This zone includes all on-street parking on the west side of Sixth Street between Apolda Street and the alley north of the Milo Barber Transportation Center; the first 2 parking spots north of Apolda Street on the east side of Seventh Street.

M. Timed and metered parking zones. In the timed parking zones, a separate offense shall be deemed committed on or during each maximum period of continuous parking allowed for the timed zone in which the offense was committed. In the metered zones and in all private parking lots, a separate offense shall be deemed committed on or during each 23-hour period in which a violation of this section occurs.

BE IT FURTHER ORDAINED by the City of Rapid City, that Section 10.44.070 be and is hereby amended to read as follows:

10.44.070 Limitation on parking in certain zones.

A. ~~Two~~Three-hour parking zone.

1. In the 23-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 continuous period of time in excess of 23 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 23-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 continuous 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. Exemption. Any person with a physical disability, who displays special license plates issued under SDCL § 32-5-76 or 32-5-157(2), a serially numbered certificate issued under SDCL § 32-5-76.1 or 32-5-76.2, or a similar license plate or certificate issued in another state for a motor vehicle used in transporting that person, shall be exempt from the provisions of subsections A., B., and F.

D. Definition. CONTINUOUS for the purpose of this section means parking which is not interrupted by more than 23 consecutive hours.

E. 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.

F. City/School Administration lot zone.

1. It is unlawful to park contrary to any sign erected under authority of the city or across any line delineating established parking.

2. 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 area designated as 2-hour parking for a continuous period of time in excess of 2 hours, between the hours of 7:30 a.m. to 4:00 p.m. of any day, Saturdays, Sundays and holidays excepted.

G. 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.

H. 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

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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.

I. Any person who owns, operates or parks a vehicle in violation of this Section shall be subject to the parking penalty provisions contained in § 10.40.205.

BE IT FURTHER ORDAINED by the City of Rapid City, that Section 10.40.205 be and is hereby amended to read as follows:

10.40.205 Parking violation penalties.

A. Parking enforcement officers. In addition to enforcement by law enforcement officers, the Chief of Police shall have the authority to designate parking enforcement officers for the purpose of enforcing the parking ordinances contained in the municipal code. Parking enforcement officers shall be supplied with appropriate identification and with the necessary forms for providing notice of parking violations.

B. Notice of violation. Notice of violation of any parking regulation shall be given by attachment of a notice to the vehicle. The notice shall state the violation, the amount of the penalty, a statement advising of the late fee and when it will apply, and any other information necessary to support the violation.

C. Penalty. The owner or operator of any vehicle in violation of a parking regulation shall, within 72 hours from 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, an amount set by resolution of the Common Council. If the person fails to pay the penalty within 72 hours, he or she shall pay to the Finance Office a late fee in an amount set by resolution of the Common Council in addition to the penalty for and in full satisfaction of the violation. Penalties shall be considered paid when the full amount is received in the Finance Office. All payments made after the close of business or utilizing a courtesy drop box or night deposit at the City/School Administration Building will be considered received and will be credited the next business day.

~~D. Graduated penalty. A graduated penalty shall apply to the owner or operator of a vehicle in violation of one of the following sections:~~

- ~~1. Section 10.44.050 expired meter,~~
- ~~2. Subsection 10.44.070A. 2-hour zone violation,~~
- ~~3. Subsection 10.44.070B. courthouse zone violation,~~
- ~~4. Subsection 10.44.070F. C/SAC zone violation.~~

~~The penalties and late fees shall be set by resolution of the Common Council. Payment of penalties and late fees shall be made in accordance with subsection C. above.~~

CITY OF RAPID CITY

Attest

Mayor

Finance Officer

(seal)