



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

OFFICE OF THE CITY ATTORNEY

300 Sixth Street

Allison O. Marsland, Assistant City Attorney
City web: www.rcgov.org

Phone: 605-394-4140
Fax: 605-394-6633
e-mail: allison.marsland@rcgov.org

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. 5780**AN ORDINANCE TO AMEND THE ESTABLISHED PARKING ZONES
IN THE CITY OF RAPID CITY BY AMENDING SECTION 10.44.010 OF
THE RAPID CITY MUNICIPAL CODE**

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

WHEREAS, the ordinance currently establishes a Sixth and Main lot zone, delineated as an off-street parking lot located south of the alley upon Lots 17 through 23 of Block 75 of the original townsite; and

WHEREAS, the Sixth and Main lot zone is no longer an off-street parking lot, as the Main Street Square Plaza was developed and is being maintained at that location; and

WHEREAS, the leased parking zone currently includes Lots 1-16, Block 75 of the original townsite, which is being maintained as a parking ramp between Fifth and Sixth Streets; and

WHEREAS, the leased parking zone does not currently provide for inclusion of both metered and leased parking spaces at the above-referenced parking ramp; 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 10.44.010 of the Rapid City Municipal Code to remove the Sixth and Main lot zone, and to remove the parking ramp from the leased parking zone and to place it in a new Parking Ramp zone, to include both leased and metered parking.

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

10.44.010 Established.

The following parking zones and the boundaries thereof are established:

A. *Two-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.

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.

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 1-16, Block 75 of the original townsite and 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, within 72 hours from the time when the notice of violation 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 \$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.

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. *Public Safety Building lot zone.* This zone includes the off-street parking lot located east of the Public Safety Building, and west of Second Street between St. Joseph Street and Kansas City Street, and legally described as Block 98 and vacated Third Street of the original townsite.

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

~~G. *Sixth and Main lot zone.* The off street parking lot located south of the alley upon Lots 17 through 23 of Block 75 of the original townsite.~~

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 operates a vehicle found in violation of this section shall, within 72 hours from the time when the notice of violation 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 \$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.

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 operates a vehicle found in violation of this section shall, within 72 hours from the time when the notice of violation 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 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 \$5.

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 two 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 2-hour period in which a violation of this section occurs.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: