

CITY OF CONCORD

In the year of our Lord two thousand and seventeen

AN ORDINANCE amending the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, Article 18-2, Restricted Residential Parking Areas

The City of Concord ordains as follows:

SECTION I: amend the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, Article 18-2, Restricted Residential Parking Areas, as follows:

18-2-1 - Determination to Enforce Restriction.

Whenever the City Council, after a public hearing on the matter, shall determine that the streets in a particular area in which residential uses are the established primary uses but where commercial or institutional uses disproportionately occupy available on-street parking, the City Council may restrict parking on such streets during the hours when such use has been found to affect those streets. In such cases, the City Manager shall cause appropriate signs giving notice of the prohibition to be posted on those streets restricting all parking except parking by the holders of permits granted under the provision of this article. Streets so designated by the City Council shall be described in Schedule XIX.

18-2-2 – Permits [~~Eligibility~~].

~~[Permits shall be granted only under the following conditions:~~

- ~~(a) To persons who are residents of any particular area in which parking is so restricted. The permit shall be limited to that particular area in which parking is so restricted. A resident is entitled to:~~
 - ~~(1) One permit for each vehicle owned by him and registered in his name from an address in the restricted area.~~
 - ~~(b) The parking prohibitions of this article shall not apply to service or delivery vehicles which are being used to provide services or make deliveries to dwellings.~~
 - ~~(c) Payment of the Prescribed Fee. A schedule of fees for permits issued under this article permitting the City to recover the cost of issuing the permits shall be established by the Chief of Police or other department head designated by the City Manager.]~~

- (a) **Permit Applications.** *In accordance with this ordinance, the City Manager or his/her designee shall create residential parking permit applications and establish the applicable fees.*
- (b) **Eligibility.** *Residents of dwellings located on streets listed in Schedule XIX shall be eligible for residential parking permits upon the completion of the permit application and payment of applicable fees.*
 - (i) *The City Manager or his/her designee shall not issue more than two (2) residential parking permits per dwelling unit, notwithstanding the number of residents therein.*
 - (ii) *The City Manager or his/her designee may waive the total number of residential parking permits when a unique circumstance or hardship exists.*
- (c) **Permit Year.** *Permits shall be issued on an annual basis and shall be valid from July 1 through June 30. No permit shall be valid for more than one year. Residential parking permits may be issued at any time during July 1 through June 30; however, the application fee for any permit issued after August 1 shall be prorated accordingly on a monthly basis. The annual renewal process for permits shall begin on April 1st.*
- (d) **Transferability.** *Residential parking permits may only be used by the resident for which the permit has been issued. It shall be unlawful for the resident to transfer permits to any third party.*
- (e) **Surrender of Permit.** *If, at any time during the permit year, said permit holder is no longer a resident of an address for any street listed in Schedule XIX, said permit shall be deemed surrendered and no longer valid and the permit holder shall otherwise surrender the permit to the City Manager or his/her designee.*
- (f) **Service and Delivery Vehicles Exempt.** *Parking prohibitions of this article shall not apply to service or delivery vehicles which on a short-term basis provide services or deliveries to residences.*
- (g) **Parking Permit Fee.** *The City Manager or his/her designee shall establish the appropriate fee for permits issued under this article.*

18-2-3 – ~~[Termination]~~ ***City Manager Authority to Prepared Rules and Regulations.***

~~[Whenever the conditions no longer exist, the person holding such a permit issued under this article shall surrender it to the Chief of Police or his authorized representative. It shall be unlawful for any person to represent that he is entitled to such a permit when he is not so entitled, to fail to surrender a permit to which he is no longer entitled, or to park a vehicle displaying such a permit at any time when the holder of such permit is not~~

entitled to hold it. No permit issued hereunder shall be valid for more than one year, but may be renewed upon expiration, provided the conditions for issuance exist.] ***The City Manager, or his/her designee, is hereby authorized to establish rules and regulations to implement this Ordinance.***

18-2-4 - Signs.

The signs placed in restricted areas shall be of such character as to inform readily an ordinarily observant person of the existence of the ordinance imposing the foregoing restrictions.

18-2-5 – ***Reserved.*** [~~Effect of Parking Meters.~~]

~~Whenever metered parking is in effect in any portion of the area that becomes subject to the restrictions of this article, the parking spaces controlled by meters are excepted from the provisions of this paragraph so long as the control by meters continues.]~~

18-2-6 - Compliance With Ordinances ***and Penalties for Violators.***

The user of a permit issued under the provisions of this article shall comply with all other applicable parking ordinances. The permit is not intended to create a property right in any parking space nor to permit the violation of any ordinance. ***Vehicles parked in Restricted Residential Parking Areas without the applicable permit displayed shall be subject to fines and penalties set forth in the Code of Ordinances; Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, Schedule II.***

SECTION II: This ordinance shall take effect upon July 1, 2018.

Explanation: Matter added to the current ordinance appears in ***bold italics***.
Matter removed from the current ordinance appears in [brackets and ~~struck through~~].