CITY OF LOGAN
ORDINANCE NO. 00-34

AN ORDINANCE ADDING SECTION 10.52.215 TO THE LOGAN MUNICIPAL CODE PROVIDING FOR A RESIDENTIAL PARKING PERMIT PROGRAM.

SECTION I: Section 10.52.215, is hereby added as follows:

10.52.215. Residential Parking Permit Program

A. Purpose:

1. There exist certain entities within the City, such as university complexes and other large buildings, which attract commuters seeking parking in nearby areas which are predominantly residential and business in nature. The increased demand often exacerbates the severe shortage of on-street parking for residents and businesses in such areas.

2. This section authorizes a program and implementing procedural system by which residents and businesses within qualifying areas may receive preferential treatment when competing with commuter vehicles for available on-street parking in predominantly residential neighborhoods of the City.

B. Definitions:

As used in this Section:

"Address" means the street number and applicable apartment/condominium number for each dwelling unit, business, or other use. Each apartment or commercial unit is regarded as a unique address.

"Area" refers, irrespective of zoning, to a geographical region, not necessarily contiguous, where residents dwell and businesses may operate.

"Area business" means business property located within a City residential parking permit area.

"Area permittee" means an area resident or an area business which has received an authorized resident vehicle parking permit.

"Area resident" means any person who dwells or resides within a parking permit area.

"Area vehicle" means a vehicle that originates from inside a permit area and is under the control of area residents or area business owners and includes automobiles, trucks, motorcycles, or other motor-driven forms of transportation. It does not include boats and trailers.
"City residential parking permit area" means any officially designated permit parking area within the corporate limits of Logan wherein motor vehicles displaying a valid permit as described herein shall be exempt from parking regulations or restrictions solely applicable to commuter vehicles.

"City residential parking permit program" means Logan's permit parking program, as a whole, pursuant to the provisions and regulations of this Section.

"Commuter vehicle" means a motor vehicle parked in a City permit parking area that: 1) is not under the control of an area resident, business owner, or property owner, and 2) does not bear a permit for the designated area.

"Dwelling" means a building, or portion thereof, which is designated for residential purposes. Such dwelling must bear an address assigned by the City Engineer. The number of independent dwelling units recognized therein shall not exceed the number authorized under permit for zoning.

"Guest vehicle parking permit" means the portable card stock placard issued to area residents and area businesses for use on vehicles under the legal control of guests, customers, and/or clients during periods when persons operating said vehicles are actually visiting or engaged in business at the permittee's address.

"Lease" means that a person pays rent or other remuneration for use of a parcel of real property as such person's residence or place of business.

"Owns" means that a person has at least one-quarter (1/4) of the fee or equitable interest in a parcel of real property within a City permit parking area.

"Permit parking coordinator" refers to the person or entity designated by the Logan City Chief of Police to distribute parking permits for the residential parking area.

"Permit vehicle" refers to any vehicle properly displaying a resident or guest parking permit issued by the parking permit coordinator for authorized use on such vehicles.

"Permit year" refers to the twelve (12) month period set for the administration of a City permit area, including the expiration and renewal of resident and guest permits.

"Program" means and shall refer to the process of designation, administration, and enforcement of all City parking permit areas and regulations established by the Logan City Chief of Police pursuant to the provisions of this Section.

"Resident vehicle parking permit" means the permit issued by the parking permit coordinator for use in vehicles under the legal control of area residents and businesses.

C. Area Designation, Change, or Removal Authority:
The Chief of Police may, upon approval by the Municipal Council, designate as a City permit parking area any area which is determined to be adversely affected by commuter vehicles for any extended period(s) during the day or night, on weekends, or holidays.

The Chief of Police may, upon approval of the Municipal Council, make recommended changes to the Permit Parking Area.

D. Signs And Markings In Designated Areas:

Upon approval by the Municipal Council designating a City permit parking area, the City Engineer shall cause appropriate signs to be erected in the area, indicating prominently thereon the parking regulations and conditions under which permit parking shall be administered.

E. Parking Permit Application Term:

Each parking permit issued by the parking permit coordinator office shall be valid for one year or portion thereof to be determined by the parking permit coordinator excluding guest permits. Permits shall not be transferable, but may be renewed annually upon reapplication in the manner required by the parking permit coordinator. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant's identity, claim for permit eligibility, authorized residence or business within the City permit parking area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the parking permit coordinator.

F. Parking Permit Issuance Conditions:

1. Parking permits shall be issued by the parking permit coordinator's office. Each such permit shall be designed to state or reflect thereon the particular City permit parking area. No more than one parking permit shall be issued for each motor vehicle included on the application.

2. The following classifications of persons or entities may be issued parking permits for motor vehicles under their control upon request pursuant to requirements of this Section:

   a. Area residents of the City permit parking area for motor vehicles owned or controlled and regularly parked in the area by household members.

   b. Area business owners who own or lease property (and their full-time or part-time employees) within a City permit parking area for motor vehicles associated with the business use regularly parked in the area. However, no more than one parking permit may be issued for each such motor vehicle.

   c. Guests, customers, and/or clients of City permit area residents or area businesses who may be provided guest permits by such area permittees for use on vehicles under the legal control of guests, customers, and/or clients during periods when persons operating such vehicles are actually visiting or engaged in business at the area permittee's address.
d. Issuance of a permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated permit parking area.

G. Parking Permit Display Required:

Permits must be placed in the vehicle according to the instructions provided with the permit.

1. Resident vehicle parking permits must hang from the rearview mirror to be valid.

2. Guest vehicle parking permits must be placed on the driver's side dashboard with the front facing outward. It is the responsibility of the vehicle operator to ensure that the permit is clearly visible, readable, and displayed properly.

H. Parking Permit Activities Permitted:

A motor vehicle bearing a valid parking permit displayed as provided for herein, shall be permitted to stand or be parked in the permit area for which the permit has been issued. The permit does not exempt drivers or owners from complying with general parking regulations and penalties imposed by the Traffic Code set out in this Title, or ordinances. All other motor vehicles not displaying permits with the exception of emergency vehicles and vehicles providing services to the area that are parked within a City permit parking area shall be subject to the penalties in accordance with Section 10.52.290 of the Logan Municipal Code.

I. Unlawful Activities Penalty:

1. It is unlawful and a violation of this Section for a person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in an application therefor to the parking permit coordinator office. Such violation shall constitute a Class B misdemeanor.

2. It is unlawful and a violation of this Section for a person to copy, produce, or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking regulations applicable in a City permit parking area. Such violation shall constitute a Class B misdemeanor.

3. It is a violation of this Section for any resident or business to receive any financial consideration for the use or transfer of a permit issued by the parking permit coordinator for use in the designated parking permit area. Such violation shall constitute grounds for parking permit revocation as outlined in sub-section J.

J. Parking Permit Revocation Conditions:

Faithful compliance with the terms of the City parking permit program is a condition subsequent to the privilege of obtaining a permit. Violation of the terms of the City parking permit area shall be deemed a forfeiture of those privileges.

1. Any permit holder convicted for violation of this Section may be required to surrender
such permit.

2. The parking permit coordinator is authorized to revoke the City parking permit of any person found to be in violation of this Section, and upon written notification thereof, the person shall surrender such permit to the parking permit coordinator. Failure, when so requested, to surrender a City parking permit so revoked shall constitute an infraction.

3. In the event the parking permit coordinator has good cause to believe that any person or entity is abusing the guest permit system described above, he/she shall so notify the permit holder in writing. Further abuse may result in the revocation of guest permits.

4. Any person aggrieved by such a determination made by the parking permit coordinator under subsections 1a, 1b, or 1c of this Section shall have the right to appeal to the Chief of Police within seven (7) days of such determination.

K. Lost or Stolen Permits:

Lost or stolen permits shall be reported to the Parking Permit Coordinator. The Parking Permit Coordinator shall notify parking enforcement agency of any lost or stolen permits and issue new permits to eligible residents or businesses.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 5th DAY OF JULY, 2000.

AYES: Borg, Kerr, Pearce, Allred, S. Thompson
NAYS: None
ABSENT: None

Janice Pearce, Chairman

ATTEST:
Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 5th day of July, 2000.

Janice Pearce, Chairman
MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 10th day of July, 2000.

[Signature]
Douglas E. Thompson, Mayor
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 13th day of July A.D. 2000

personally appeared before me Jean Willmore who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement:

LEGAL NOTICE Summary of an Ordinance

was published in said newspaper for One (1) issue commencing July 13, 2000 and ending July 13, 2000.

Signed Jean Willmore

Subscribed and sworn to before me, the day and year above written.

Signed Notary Public

My Commission expires September 7, 2003

LEGAL NOTICE

SUMMARY OF AN ORDNANCE passed by the Logan Municipal Council are as follows:

ORD. 00-34. An Ordinance adding Section 10.62.215 to the Logan Municipal Code providing for a Residential Parking Permit Program was adopted July 5, 2000. The ordinance recognized there exist certain entities within the city, such as university complexes and other larger buildings, which attract commuters seeking parking in nearby areas which are predominantly residential and business nature. The increased demand often exacerbates the severe shortage of on-street parking for residents and businesses in such areas. This ordinance allows a program and procedural system by which residents and businesses within qualifying areas may receive preferential treatment when competing with commuter vehicles for available on-street parking in predominantly residential neighborhoods of the city. One-year, renewable permits will be issued for areas designated by the Municipal Council. The ordinance also provides for the issuance of guest permits.

Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main. Lois Price, Recorder

Publication Date: July 13, 2000.