

ORDINANCE NO.: _____

AN ORDINANCE to amend Section 44-117 of the Code of Ordinances of the City of La Crosse regarding residential parking zones.

THE COMMON COUNCIL of the City of La Crosse does ordain as follows:

SECTION I: Section 44-117 is hereby created to read as follows:

Sec. 44-117 Residential Permitted Parking Zones

(a) Establishment Authorized. The Board of Public Works may, following the procedures set forth, establish a residential permitted parking zone on a designated street or streets where only a resident and their guests may lawfully park a vehicle during hours in which parking is restricted by signs.

(b) Criteria for Residential Permit Parking Zones. No residential permit parking zone shall be established, expanded, or partially terminated unless the following criteria exist:

- (1) The streets in the zone are adversely impacted by the parking of transient vehicles during certain hours;
- (2) The land abutting one or both sides of a street designated as part of the zone is either:
 - a. Zoned for residential purposes, or Mixed Use (Residential and Commercial).
 - b. The effective time of residential permit parking zones will be 6:00 am to 6:00 pm, Monday through Friday. The effective days and times may be varied from these standard times only with approval by the Board of Public Works.

(d) Procedure for Establishment of Zones. In order to establish or expand a residential permit parking zone, a person must file with the City Clerk a petition signed by at least 75% of the owners of the property abutting the street described in the proposed zone. Each property parcel within the proposed zone shall count as one vote in determining if the 75% threshold is met. Unoccupied units/lots or non-responding owners are excluded from the calculation of the 75% threshold when owners have not responded within 30 days after notice to the property owner has been completed. The City Clerk shall refer the petition to the Board of Public Works for a public hearing. At least 14 days prior to the public hearing, mailed notice of said hearing shall be given to the owners or occupants of property abutting a street proposed to be located in the proposed residential permit parking zone. Following the hearing, the Board of Public Works may adopt a resolution establishing or expanding the residential parking zone if it determines the petition satisfies the criteria provided in this section.

(e) Permit Procedure. A resident of a dwelling unit which abuts a street contained within a residential parking permit zone and any employee of a non-residential facility located within the zone may obtain from the Police Parking Utility an annual permit entitling the resident or employee to park a vehicle therein during a time that parking is restricted to residents only. An applicant shall provide all necessary information relating to the vehicle, including the license plate number, for which the permit shall apply, and evidence that he or she resides in a dwelling unit or is employed at a non-residential facility that abuts a street located in the residential parking permit zone. The Board of Public Works may establish an application fee for the initial application, and an annual permit fee for each vehicle permit issued to an applicant or a member of the applicant's household.

(f) Temporary Permits.

- (1) The Police Parking Utility may issue a Temporary Permit allowing the permittee who is visiting to park a vehicle in a residential permit parking zone. This permit is valid for a period of time not exceeding 10 days. Contractors working within the district may apply for temporary permits for longer periods of time as authorized by the Parking Utility.
- (2) The failure to abide by the conditions of any Temporary Permit shall be the basis by which the Police Parking Utility may revoke the Permit. In any permit revocation proceeding, the permittee shall be afforded an opportunity for hearing before the Board of Public Works after reasonable notice. The notice shall state the time, place, and issues involved. An opportunity shall be afforded all parties to present evidence and argument with respect to the issues involved. The Board's decision shall be in writing, shall be based on the record, and shall include the Council's findings of fact and conclusions of law in response to the issues involved.
- (3) Any decision of the Board of Public Works may be appealed to the Common Council.

(g) Unauthorized parking prohibited. No person, including a resident along the abutting street, shall park a vehicle in a residential permit parking zone during a time in which parking is restricted unless the vehicle has a valid permit or temporary permit and has provided the license plate number for that vehicle as part of the application process. Such violations shall be enforced as unauthorized residential parking.

(h) Exemptions. The prohibition contained in sub. (6) of this section shall not be deemed to apply to a vehicle whose operator is actively engaged in repair work, construction work, lawn care/snow removal, or in-home medical services at a property adjacent to a street within the residential permit parking zone; a delivery vehicle; a vehicle collecting solid waste; a school bus; public safety, on-duty government vehicles, vehicles registered as municipal or official vehicles,

or a vehicle which is stopped temporarily with flashers activated and standing less than five (5) minutes for the purpose of picking up a passenger. For this exemption to apply the vehicle shall be clearly marked as such.

(i) A permit does not excuse the permittee from compliance with all other parking restrictions, including no parking zones, and alternate side parking within the residential permit parking zone.

(j) Termination of Zones. The Board of Public Works may partially or wholly terminate a residential permit parking zone on its own initiative or in response to a petition from at least 75% of the owners or occupants of property abutting the street contained within the proposed zone termination. If the termination is initiated by petition, the procedure provided by the Board of Public Works must be followed.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected.

SECTION III: This ordinance shall take effect upon passage and publication.

Timothy Kabat, Mayor

Nikki M. Elsen, City Clerk

Passed:
Approved:
Published: