

## ORDINANCE NO. 15,454

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 114-361.19, 114-361.20, 114-361.21 and 114-640.01, relating to special parking permit operating procedures.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Sections 114-361.19, 114-361.20, 114-361.21 and 114-640.01, relating to special parking permit operating procedures, as follows:

### **Sec. 114-361.19. Special parking permit issuance.**

- (a) The city traffic engineer is authorized by the city engineer to issue a special parking permit for a vehicle to park or stand on a public street where such parking or standing is otherwise prohibited or regulated by the provisions of this chapter. Application therefor may list one or more specific vehicles, shall be directed to the office of the city traffic engineer, and may contain information as the city traffic engineer shall deem pertinent to the application. Such permit shall only be issued when said parking or standing is required in the performance of a public service or to satisfy a public need as heretofore set forth. Such permit shall grant permission for vehicular parking or standing in a specific area or any public way in the city.
- (b) The effective period of the permit may be a set number of days, not to exceed one year, and the inclusive dates of the permit shall be clearly displayed thereon. The permit may also specify the time or times of day when such parking is authorized as well as the days of the week to which it is limited.
- (c) Except in situations of immediate emergency or in unique situations which have been identified to and approved by the city traffic engineer, such parking shall be prohibited during specific hours in locations where signs are currently in place prohibiting parking during those hours.
- (d) The permit shall be clearly displayed in the window of the vehicle or on the container for which it is issued.
- (e) Applicants are required to pay an application fee and the daily meter rate of the reserved meter(s) for the time period the meters are reserved except as specified in Section 114-36.19(g). Payment is required at the time the permit is issued except as specified in Section 114-361.19(i). The charges for the application fee, daily meter rate, and the meter hood may be waived at the discretion of the city traffic engineer or his or her designated representative.
- (f) If parking meters are hooded specifically for use after 6:00 p.m. and until 8:00 a.m. the following day, or on meter holidays and weekends, the only charges shall be the application fee and meter hood fee for each meter listed in the permit

- (g) The application fee and meter hood fees shall be defined in the Schedule of Fees. The daily meter rate charged for hooding parking meters shall be calculated using the specific parking meter district location of the meter(s) to be hooded and the daily meter rates designated in section 114-643 of this code. In all instances the daily meter fee shall be calculated based upon a ten-hour day. The daily meter fee shall be an additional fee only during normal hours of parking meter operations.
- (h) Vehicles owned or operated by governmental agencies, shall be exempt from the permit fee requirements. Vehicles and equipment working directly under contract or subcontract to the City of Des Moines shall also be exempt from these permit fee requirements.
- (i) For a permit issued for special handicap consideration for persons who possess a permanent state of Iowa handicap placard or state of Iowa handicapped license plates, and a physician's certificate that substantiates a significant degree of disability related to coin handling dexterity, the fee for the permit shall be as provided above, but any daily meter fee shall be waived.
- (j) A person who parks a vehicle in violation of any provision of this section or of the terms of the special parking permit shall pay a fine as defined in the Schedule of Fees.

**Sec. 114-361.20. Parking permitted by special act of city council.**

The city traffic engineer reserves the right to revoke the permit if requirements of the permit are not followed or there are unforeseen impacts to motorized or non-motorized traffic flow as a result of permit issuance. The city council may upon application of any interested person review the issuance, revocation, or denial of any permit issued under this article by the city engineer, either individually or collectively, and, after determining the applicability of the pertinent provisions of section 114-361.21 of this article, direct the issuance, modification or revocation of the permit.

**Sec. 114-361.21. Standards for issuance of special parking permits.**

For the purposes of section 114-361.19 of this article, the term "parking or standing required in the performance of a public service or to satisfy a public need" is defined under authority of the city traffic engineer. This shall generically include but not be limited to the following use of a parking space:

- (1) Funeral vehicles during performance of funeral service.
- (2) Moving vans in actual service.
- (3) Vehicles or equipment parked to facilitate special events.
- (4) Charter buses or school buses parked for special events.
- (5) Construction vehicles while delivering materials, special equipment (e.g., concrete trucks), or mobile construction equipment in use.
- (6) Vehicles involved in utility or city construction or maintenance work in streets right of way.
- (7) Vehicles containing cable or public TV remote facilities in actual service.
- (8) Residents within the parking meter and resident permit parking districts I, II or III who are holders of a valid Resident Parking Permit shall be eligible for issuance of a Special Parking Permit, at no charge, if displaced by an authorized special event. A Special Parking Permit shall not be issued at no charge when parking within the

resident permit parking areas is because of an emergency situation beyond the control of the city. No Special Parking Permit shall supersede emergency parking restrictions imposed by an authorized city official.

- (9) Temporary moving storage containers in actual service for adjacent properties.
- (10) Dumpsters in actual service for adjacent construction activity.

**Sec. 114-640.01. Resident parking permits.**

- (a) The city traffic engineer is authorized to issue a resident parking permit for residents living within the parking meter and resident parking permit districts, as defined by Sec. 114-636, 114-637 and 114-638. Resident parking permits be issued on an annual or monthly basis. The fee for a Type A permit shall be \$50.00 per month, while the fee for a Type B shall be \$25.00 per month. Fees may be prorated on a monthly basis from the start of the effective period of the permit for permits issued after the start of the effective period. Resident parking permits will be of a color and design, as determined by the city traffic engineer, and this color and design will change as needed for enforcement purposes.
- (b) The city traffic engineer is authorized to issue, at no charge, a Special Parking Permit to any current holder of a Resident Parking Permit, when it is determined that an authorized activity within the Resident Parking Permit District precludes the holder of a Resident Parking Permit from being able to use the adjacent parking area designated for Resident Permit Parking.
- (c) A Special Parking Permit daily meter fee shall not be waived when the reason for a parking restriction is related to a valid emergency restriction, such as but not limited to, snow removal. The holder of a valid Resident Parking Permit may apply and would be eligible for issuance of a Special Parking Permit under Sec. 114-361.21, with the permit fee waived, but would still be responsible for paying the daily cost of any parking meter, as computed under Sec. 114-361.19(e), at any parking metered space not temporarily restricted. The issuance of a Special Parking Permit will not supersede any emergency parking restrictions imposed by an authorized city official.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Katharine Massier, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 16-0488), passed by the City Council of said City at a meeting held March 21, 2016 signed by the Mayor on March 21, 2016 and published and provided by law in the Business Record on April 8, 2016. Authorized by Publication Order No. 9481.

Diane Rauh, City Clerk