

ORDINANCE NO. 16,095

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 114-636, 114-640, 114-641, 114-642, 114-643, 114-645, 114-646, 114-648, 114-652, and 114-653, relating to the use of multi-space parking meters.

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, by amending Sections 114-636, 114-640, 114-641, 114-642, 114-643, 114-645, 114-646, 114-648, 114-652, and 114-653, relating to the use of multi-space parking meters, as follows:

**114-636. Parking meter district.**

The parking meter district shall be comprised of all the streets and avenues located within the area bounded by the north right-of-way line of West Martin Luther King Jr Parkway beginning at the west bank of the Des Moines River, thence west to the west side of Sixteenth Street, thence north along the westerly side of Sixteenth Street to the south side of Locust Street, thence west along the south side of Locust Street to the west side of Seventeenth Street, thence north along the westerly side of Seventeenth Street to the south side of Grand Avenue, thence west along the south side of Grand Avenue to the west side of Nineteenth Street, thence north along the west side of Nineteenth Street to the north side of Woodland Avenue, thence east along the north side of Woodland Avenue to the north extension of the west side of Twelfth Street, thence north along the north extension of the west side of Twelfth Street to a point even with the westerly extension of the north side of Chestnut Street, thence east along the west extension of the north side of Chestnut Street and along the north side of Chestnut Street to the west side of Ninth Street, thence north along the west side of Ninth Street to the south side of Keosauqua Way, thence northwest along the south side of Keosauqua Way to the west side of Tenth Street, thence north along the west side of Tenth Street and along the north extension of the west side of Tenth Street to the south right-of-way line of Interstate 235, thence east along the south right-of-way line of Interstate 235 to the west bank of the Des Moines River, thence south along the west bank of the Des Moines River to the north side of Grand Avenue, thence east along the north side of Grand Avenue to the west side of Robert D. Ray Drive to a point even with the westerly extension of the north side of Lyon Street, then east along the west extension of the north side of Lyon Street and along the north side of Lyon Street to the east side of Pennsylvania Avenue; thence south along the east side of Pennsylvania Avenue to the point of intersection with the east extension of the south side of East Locust Street and said point also being the east side of East Seventh Street; thence south along the east side of East Seventh Street and Southeast Seventh Street to the north right-of-way line of East Martin Luther King Jr Parkway; thence west along the north right-of-way line of East Martin Luther King Jr Parkway and along the right-of-way line West Martin Luther King Jr Parkway to the point of beginning.

#### **Sec. 114-640. Designation of parking spaces.**

The city traffic engineer may apportion the appropriate parts of the streets in the parking meter district into individual metered parking spaces and may cause such parking spaces to be designated by meters or appropriate signage placed on the sidewalk or border area of the street. No vehicle shall be parked which is not entirely within the limits of the space adjacent to the parking meter or appropriate signage. The city traffic engineer may cause the removal of any parking meter or signage placed for any parking space. A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

#### **Sec. 114-641. Installation, construction and maintenance of meters.**

In the parking meter district the city traffic engineer shall cause parking meters or appropriate signage to be installed for the metered parking spaces designated in section 114-640 of this division. The parking meters may be either multi-space parking meters or pay stations or be single space parking meters and shall be devices that take payment and measure the permissible, predetermined metered time for permitted parking. Metered time is credited to an individual metered parking space for payment of the applicable parking rate and such metered time runs continuously from the time of payment until expiration. The city traffic engineer shall be responsible for the regulation, control, operation, maintenance and use of parking meters. Each device shall be constructed to display a record of legal permitted metered parking time for the metered parking space upon payment method. Each device or display record shall indicate when the lawful metered parking period has expired. The right of such vehicle to occupy such metered parking space shall cease upon expiration of the metered parking period and the operator, owner, possessor or manager thereof shall be subject to an overtime fine provided in section 114-645.

#### **Sec. 114-642. Operation of meters.**

- (a) Except in a period of emergency determined by an officer of the fire or police department or in compliance with the directions of a police officer or traffic control sign or signal, no vehicle shall be parked within a designated metered parking space except pursuant to the terms and conditions regulating parking space, as indicated on installed signs or parking meters.
- (b) Upon a vehicle entering a metered parking space, meter payment shall immediately be made in a single space meter serving that parking space or, if the parking space is not served by a single space meter, at any functioning multi-space parking meter or pay station, and no vehicle shall continue to be parked or remain in the parking space beyond the expiration of the period of parking time prescribed by the meter serving the parking space.
- (c) No vehicle shall be parked in a metered parking space where a person has made payment for the purpose of extending the parking time for that vehicle beyond the maximum parking time limit for that parking space as established in section 114-643.
- (d) No vehicle shall be parked in a metered parking space served by a single space meter that is out of order.
- (e) A person who violates any provision of this section shall pay a fine as set for in section 114-645.

**Sec. 114-643. Parking meter rates and time zones.**

- (a) Three parking meter rate and time zones within the parking meter district designated as zone I, zone II and zone III shall be established and may subsequently be amended by resolution adopted by the city council. The parking meter rate and time zones may be comprised of contiguous or non-contiguous area. Zone I shall designate a peak pricing area and all zones shall designate the locations of handicapped meter parking spaces. The resolution establishing the parking meter rate and time zones together with all appended zone maps and descriptions incorporated therein shall be filed in the office of the city clerk. The following parking rates, peak pricing parking rates and maximum parking time limits for each zone are as follows:

<u>Zone</u>	<u>Parking Rate per hour</u>	<u>Peak Pricing Parking Rate per hour</u>	<u>Maximum Parking Time Limit</u>
<u>I</u>	<u>\$1.25</u>	<u>\$1.75</u>	<u>4 hours</u>
<u>II</u>	<u>\$0.75</u>	<u>None</u>	<u>None</u>
<u>III</u>	<u>\$0.25</u>	<u>None</u>	<u>None</u>

- (b) No vehicle shall be parked in a metered parking space in Zone I beyond the maximum parking time limit.
- (c) At the direction of the city traffic engineer, temporary reduced parking meter rates may be charged during all or any designated times of meter operation for any parking spaces for up to six months, as an incentive to attract additional parking customers during times when unused spaces are available. Such temporary reduced rates shall be charged only when a preliminary analysis has indicated that total parking revenues will increase at the parking spaces where such reduced rates are proposed. The implementation of temporary reduced rates shall be subject to the prior review and approval of the city manager and city attorney to ensure compliance with any financial obligations of the parking facilities system. Any time that temporary reduced rates are charged, the city traffic engineer shall conduct an analysis to determine the impact on actual revenues and shall terminate the temporary reduced rates if such rates have an adverse impact on actual revenues to the parking facilities system.
- (d) A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

**Sec. 114-645. Parking related fines.**

A person who violates any provision of sections 114-640, 114-642, 114-643, 114-646 or 114-648 shall pay a fine of \$15.00.

**Sec. 114-646. Use of parking spaces.**

- (a) No part of a vehicle shall be parked in a metered parking space parallel to the curb in a manner that infringes upon another metered parking space. No part of a vehicle shall

- be parked outside the designated lines or markings for an angled metered parking space. Payment shall be made for the total number of parking spaces occupied by a vehicle, with or without a trailer, that is too large to be confined to a single metered parking space and such vehicle shall be parked in a manner that occupies the least number of required metered parking spaces.
- (b) No motorcycle shall be parked in a metered parking space unless each motorcycle is parked with its rear wheel no further than 18 inches from the curb and the front of each motorcycle faces away from the curb. No motorcycle shall be parked in a metered parking space that is also occupied by a vehicle that exceeds two wheels. No part of a motorcycle shall extend outside the metered parking space.
  - (c) A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

**Sec. 114-648. False or unapproved payment prohibited.**

No vehicle may be parked in a metered parking space where a person has deposited or caused to be deposited any false or unapproved form of payment. A person who violates any provision of this section shall pay a fine as set forth in section 114-645.

**Sec. 114-652. Manner of collecting monies from meters.**

All monies shall be collected from parking meters under the direction and control of the city traffic engineer. All monies so collected shall be deposited by the city treasurer. The maintenance and operation shall be under the supervision, direction and control of the city traffic engineer.

**Sec. 114-653. Designation of collectors; disposition of monies collected.**

The city traffic engineer shall designate city employees or contracted persons under its supervision to make regular collections of the money deposited in parking meters. The person so designated shall remove from the parking meters the coin box contained therein, placing it in a locked coin-collection cart provided for collection purposes and shall deliver such locked coin-collection cart to the counting room or bank designated by the city treasurer, where the coin-collection cart will be unlocked, the coins contained therein counted, and deposited in the special parking meter fund.

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

FORM APPROVED:

Molly Tracy, Assistant City Attorney

Ordinance No. 16,095 cont'd

T.M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 22-0059), passed by the City Council of said City at the meeting held on January 10, 2022 and signed by the Mayor on January 10, 2022 and published and provided by law in the Business Record on January 28, 2022. Authorized by Publication Order No. 11777.

P. Kay Cmelik, City Clerk