SECOND AMENDED ORDINANCE NO. 43 - 12

By: <u>Matt Lampke</u>

An Ordinance to amend Section 452 of the Bexley Codified Ordinances to allow for public parking on municipal building grounds; allow for commercial parking permits; and regulate valet parking services.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY:

Section 1.

Section 452.12 of the City of Bexley ordinances shall be amended to read as follows:

452.12 PARKING PROHIBITED ON MUNICIPAL BUILDING GROUNDS.
No person shall park or stand any motor vehicle upon the premises of the City whereon are located the Municipal buildings of the City unless otherwise marked on premises.
(Ord. 15-53. Passed 5-26-53.)
Penalty - see Sections 408.01, 408.02, 410.02 and 410.03

Section 2.

Section 452.22 of the City of Bexley ordinances shall be amended to read as follows:

452.22 PERMIT PARKING ZONE.

(a)   The Mayor may designate, or remove the designation of, streets, or portions thereof, as a permit parking zones in accordance with the procedure set forth in Section 406.16. Until and unless such designation is removed by the Mayor, each of the following streets, or portions thereof, is hereby designated a residential parking zone: South Cassingham Road between Main Street and Livingston Avenue, Euclaire Avenue between Main Street and Livingston Avenue, Mound Street between South Cassingham Road and Euclaire Avenue, Francis Avenue, South Cassingham Road between Fair Avenue and Elm Street, Sherwood Road between Drexel Avenue and Dawson Road, Astor Avenue west of Sheridan Road - limited area.

(b)   Parking of any motor vehicle is prohibited during time periods designated by the Mayor on a public street within the permit parking zone unless such motor vehicle displays a valid permit issued by the City.

(c)   Qualification for parking permits:

(1) Legal residents within a residential permit parking zone may obtain permits from the Mayor to park their motor vehicles, and for their guests and invitees to park their motor vehicles, on streets within that residential permit parking zone.

(2) The Mayor is authorized to issue rules and regulations governing the manner in which persons shall qualify for, receive and use parking permits.

(d)   The Mayor shall cause appropriate signs to be erected to effectuate this section.

(e)   Permits shall be displayed on motor vehicles in a manner determined by the Mayor.

(f)   A permit shall not guarantee or reserve the holder an on-street parking space within the zone or exempt the permit holder from parking restrictions or prohibitions established pursuant to authority other than this section.

(g)   The following acts are unlawful and in violation of this section:
(1)   Standing or parking a motor vehicle during time periods designated by the Mayor on any street within the residential permit parking zone without properly displaying a valid permit issued by the City;
(2)   Providing false information to the City with the purpose of obtaining a parking permit;
(3)   Allowing the use or display of a parking permit on a motor vehicle other than that for which the permit was issued;
(4)   Copying, producing or otherwise bringing into existence a facsimile or counterfeit parking permit without written authorization of the City;
(5)   Using or displaying a facsimile or counterfeit parking permit without written authorization of the City; or
(6)   Displaying or failing to surrender a parking permit revoked by the Mayor.

(h)   Any motor vehicle parked upon a public street in violation of this section is hereby declared to be a public nuisance.

(i)   The Mayor is authorized to revoke the residential parking permit of any person found to be in violation of this section.

(j)   A violation of subsection (g)(1) hereof is a minor misdemeanor and a violation of any other provision of this section is a misdemeanor of the fourth degree. Any motor vehicle parked in violation of this section is immediately subject to towing at the direction of the Police Department. Vehicle owners shall pay towing and storage charges prior to the release of the motor vehicle.

(k)   The provisions of this section are severable and if any provision, clause, sentence, subsection, section, word or part thereof is held illegal, invalid or

unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, sections, words or parts of the section or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this section would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, section, word or part had not been included therein, or if such person or circumstance to which the section or part thereof is held inapplicable had been specifically exempted therefrom.

Section 3.

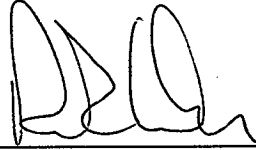Section 452.23 shall be added to the City of Bexley ordinances as follows:

452.23 COMMERCIAL VALET PARKING REGULATION

(a)   Valet parking services which service commercial properties may not be provided without the issuance of a valet parking permit from the Mayor.

(b)   Valet parking services which are servicing commercial properties are not permitted to park vehicles on public streets.

(c)   Prior to the issuance of a valet parking permit, permit applicants must provide an illustrated valet parking plan which includes the following:
(1)   Pick-up and drop-off points
(2)   Vehicle storage area(s)
(3)   Proposed hours of operation
(4)   Liability insurance coverage specifications

(d)   The Mayor is authorized to establish a fee structure and issue rules and regulations governing the manner in which applicants shall qualify for, receive and use valet parking permits.

Section 4.

This ordinance shall go into effect and be in force from and after the earliest period allowed by law.
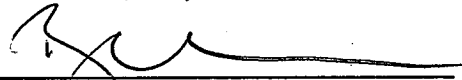
Passed: _Oct. 9_, 2012

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Rick Weber, President of Council

Attest: _____
Clerk of Council

Approved: _Oct. 9_, 2012

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Ben Kessler, Mayor

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Ben Kessler, Mayor
City of Bexley

Passed 10-9-12