CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

NO CHANGES FROM PREVIOUS READING

ITEM: **DATE: August 24, 2015**

Second reading, waiver of third reading, and final approval of proposed Ordinance to amend Sections 9 and 16 of Title 6, Chapter 6 of the Municipal Code to amend the parking regulations on public property.

FINANCIAL IMPACT:

This proposed Ordinance amendment should have little financial impact to the City.

BACKGROUND:

This proposed Ordinance would provide that no person shall park a vehicle on grass on public property unless authorized by the City within a designated area. Police officers would be able to issue $15.00 parking tickets to violators parked on grass on public property. This proposed Ordinance would also assist officers in enforcing parking on City property during events held at Valley Stadium, and help encourage people to park their vehicles in nearby public parking lots and any designated parking area on school property grass, if allowed. The City recently adopted a similar ordinance regarding parking within City parks. This proposed ordinance would also clarify that, unless otherwise specified (such as snow ban, fire lane, and handicapped parking tickets), all parking infractions that violate the City Code, including those in City parks that have not been included in Title 6 (motor vehicles and traffic) of the City Code, would be subject to a $15.00 fine.

Because the Public Safety City Council subcommittee meeting scheduled on August 7, 2015, was cancelled, this proposed Ordinance was distributed to the subcommittee members by e-mail on July 30, 2015. The City Council unanimously approved of the first reading of this proposed Ordinance at its meeting held on August 10, 2015.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of the second reading, waiver of the third reading, and final approval of this proposed Ordinance.

Lead Staff Member: Jason B. Wittgraf, Assistant City Attorney JBW

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Safety		
Date Reviewed	July 30, 2015		
Recommendation	Yes	~~No~~	~~Split~~

ORDINANCE NO._____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 6, "MOTOR VEHICLES AND TRAFFIC", CHAPTER 6, "PARKING REGULATIONS", SECTION 9, "MANNER OF PARKING" AND SECTION 16, "PENALTY"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1: Title 6, Chapter 6, Section 9, "Manner of Parking", is hereby amended by adding underline text.

6-6-9: MANNER OF PARKING:

A. Adjacent To Curb: No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right hand wheels of the vehicle within eighteen inches (18") of the curb or edge of the roadway and not placed closer than four feet (4') from another vehicle except as hereinafter provided in the case of angle parking and vehicles parked on the left hand side of one-way streets.

B. Park Adjacent To Curb On One-Way Street: No person shall stand or park a vehicle on the left hand side of a one-way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the left hand wheels of the vehicle within eighteen inches (18") of the curb or edge of the roadway and not closer than four feet (4') from another vehicle except as hereinafter provided in the case of angle parking.

C. Angle Parking; Manner: Upon those streets or portions of streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at an angle to the curb or edge of the roadway as indicated by such signs and markings and with the right hand front wheel, if parked on the right hand side, or the left hand front wheel, if parked on the left hand side of a one-way street, within twelve inches (12") of the curb. No part of any vehicle, or the load thereon, when parked within a diagonal parking district, shall extend into the roadway more than a distance of sixteen feet (16') when measured at right angles to the adjacent curb or edge of roadway.

D. Stalls And Sections: Where now or hereafter stalls or sections may be marked or painted upon the surface of any street or portion thereof, and including upon publicly owned parking lots or alleys located within the zoned Valley Junction historic business district, it shall be the duty of the driver or operator of any vehicle to park the same within the limits of one of the said stalls or sections and not over, across, or outside said lines.

E. Parking on Grass: No person shall stand or park a vehicle on grass on public property, unless the City Council, Parks and Recreation Director, or designee has specifically authorized parking on the grass within a designated area. This provision does not apply to authorized emergency vehicles or authorized maintenance vehicles.

SECTION 2: Title 6, Chapter 6, Section 16, "Penalty", is hereby amended by adding underline text.

6-6-16: PENALTY:

A. In the event a violation of this chapter constitutes a violation charged, admitted, and collected pursuant to a simple notice of fine as established by chapter 2 of this title, the fine shall be as follows:
1. Unless otherwise specified in this title, the scheduled fine for a violation of the parking regulations provided in this title or any other city ordinance shall be fifteen dollars ($15.00). For a violation of section 6-6-7 of this chapter, the scheduled fine shall be fifty dollars ($50.00). See subsection 6-6-4D of this chapter for the scheduled fine for fire lane violations, and subsection 6-6-5D of this chapter for the scheduled fine for handicapped parking violations.
2. In the event the fifteen dollar ($15.00) scheduled fine as set forth in this subsection has not been paid or contested within thirty (30) calendar days from the date of issuance of the parking citation-complaint, the penalty shall automatically increase to twenty dollars ($20.00), in accordance with state law.

B. It is further provided that in the event such violation has been charged but not admitted and collected pursuant to a simple notice of fine, the provisions provided in title 1, chapter 4 of this code may also apply.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 4. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2015.

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Steven K. Gaer, Mayor

ATTEST:

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Ryan T. Jacobson, City Clerk