

ORDINANCE NO. 15157

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.08 (ADMINISTRATION AND ENFORCEMENT), TO DELETE THE TITLE OF MEETER MAID IN SECTION 12.08.130 (METER MAIDS), AND CHAPTER 12.56 (PARIUNG METERS), SECTION 12.56.010 (DESIGNATION-USE) TO AAWND AUTHORITY OF TRAFFIC ENGINEER TO ESTABLISH LOCATION OF METERED PAREING SPACES; AMENDING APPLICABILITY OF FUNDS; GRANTING AUTHORITY TO DEPUTY DIRECTOR OF STREETS TO INSTALL AND MAINTAIN PAPJANG MEETERS AND SET PAREING FEES; AMEND EXEMPTIONS; PROVIDE FOR USE OF PARKING METER FEE DEBIT CARD; AND CHAPTER 12.88 (SCHEDULES), SECTION 12.88.130 (SCHEDULE XI-PARIONG METER ZONES) TO ELIMINATE ESTABLISHED ZONES AND EXEMPTIONS.

1. That Title 12 (Vehicles and Traffic), Chapter 12.08 (Administration and Enforcement), Section 12.08.130 (Meter Maids) shall be deleted.

2. That Tide 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.010 (Designation-Use) shall be amended to read as follows:

- A. The Traffic Engineer is hereby authorized to establish the location of metered parking spaces upon any street or portion of any street where it is determined, upon the basis of an engineering and traffic investigation, that the installation of parking meters shall be necessary to aid in the regulation, control, or inspection of the parking of vehicles. The parking of vehicles in such metered parking spaces shall be controlled and regulated by parking meters, installed and maintained by the Deputy Director of Streets, and located upon the curb immediately adjacent to the individual parking spaces. The Deputy Director of Streets shall designate the maximum parking time for each parking meter, basing this designation on the investigation above set forth.
- B. The Traffic Engineer is hereby authorized to designate any portion or section of any drive, roadway or area within any public ground or lands owned or controlled by the city, as a public parking area within which parking shall be controlled by parking meters, whenever the Deputy Director of Streets shall find and determine that the use of public property or any public building, structure or activity situated thereon or adjacent thereto will be benefited by the control of such parking, or access to such ground, buildings or activity will be made more readily available to a larger number of citizens or congested traffic and parking conditions will be thereby eliminated. In the areas so designated, the Deputy Director of Streets shall designate the maximum parking time for each parking meter, basing his designation on the fact finding above set forth. Prior to making changes or designation the Deputy Director of Streets will meet with

representatives of the El Paso Downtown Management District in order to be able to fairly consider any impacts to affected downtown businesses and patrons.

3. That Title 12 (Vehicles and **Traffic**), Chapter 12.56 (Parking Meters), Section 12.56.020 (Installation) shall be amended to read as follows:

- A. The Deputy Director of Streets shall install or remove parking meters in the metered parking spaces established as provided by this chapter. Such meters shall be capable of being operated, either automatically or mechanically, upon the deposit therein of an appropriate coin, or coins, of United States currency, authorized tokens or a parking meter fee debit card for the full period of time for which parking is lawfully permitted in any metered parking space.
- B. A parking meter fee debit card means a card to be used as a substitute for coins to obtain time on a parking meter.
- C. A token means a token issued by the City or contracted service provider to be used as a substitute for coins to obtain time on a parking meter.
- D. Each parking meter shall be so designed, constructed, installed and set that upon the expiration of the time period registered, by the deposit of one or more coins, of United States currency, or a parking meter fee debit card as provided herein, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during said period of time and prior to the expiration thereof, will indicate the interval of time which remains of such period.
- E. Each parking meter shall bear thereon a legend indicating the days and hours when the requirements to deposit coins, tokens or a parking meter fee debit card therein shall apply, the value of the money to be deposited and the lawful period of time pen-nitted for parking by meter actuation in the metered parking space in which such meter is located.
- F. Parking meters in the established zones shall regulate the parking of vehicles between the hours of 7:00 a.m. and 6:00 p.m., unless otherwise specified by sign, of any day except Sundays and officially designated City holidays, during the hours when parking is specifically prohibited by street sign or exempted by City Council resolution for special downtown events.

4. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.030 (Parking Space Designation--Use) shall be amended to read as follows:

- A. The Traffic Engineer shall designate the parking space next to each parking meter for which such meter is to be used by appropriate markings upon the curb or pavement of the street. Parking spaces shall be not less than eighteen feet in length.

- B. When double meters are installed on a single post, the front vehicle shall park with its rear bumper aligned with the meter post and the rear vehicle shall park with its front bumper aligned with such post so that the meter post is in the center between both vehicles. In such locations an additional maneuvering area of eight feet painted with a white "X" shall be provided at the front and back of the double parking space to facilitate ingress and egress. The additional maneuvering area will not be provided where the parking space immediately joins a loading zone or yellow zone which can be used for ingress and egress.
- C. The parking space at single meters shall also be eighteen feet in length with space for ingress and egress as outlined above.
- D. No person shall park a vehicle in any such designated parking meter space during the restricted and regulated time applicable to the metered parking space in which such meter is located so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, or so that any part of such vehicle occupies or protrudes into the maneuvering area at the front or back of such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter space shall be permitted to occupy two adjoining parking meter spaces when coins, tokens or a parking meter fee debit card shall have been deposited in the parking meter for each space so occupied as is required in this division for the parking of other vehicles in such space.
- E. A vehicle displaying special license plates issued by the Texas State Department of Highways and Public Transportation to former prisoners of war as provided in Section 502.257, Texas Transportation Code, is exempt from the payment of parking fees, including those collected through parking meters, charged by the city. This exemption does not permit parking at a space in excess of the time allowed or permit parking a vehicle at a place or time that parking is prohibited.
- F. A vehicle displaying special license plates issued by the Texas State Department of Highways and Public Transportation to Pearl Harbor survivors as provided in Section 502.259, Texas Transportation Code, is exempt from the payment of private automobile parking fees at the El Paso International Airport if the vehicle is owned by a military veteran. This exemption does not permit parking at a space in excess of the time allowed or permit parking a vehicle at a place or time that parking is prohibited.

5. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meter), Section 12.56.040 (Operation-Time Limits) shall be amended to read as follows:

- A. No person shall park a vehicle in any parking space upon a street alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the metered parking space in

which such meter is located unless a coin or coins of United States currency, tokens, or a parking meter fee debit card of the appropriate denominations as provided in this chapter shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and such meter has been placed in operation.

- B. No person shall permit a vehicle within his control to be parked in any such parking meter space during the restricted and regulated time applicable to the metered parking space in which such meter is located when the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins, tokens, or parking meter fee debit card in such meter.
- C. Except as provided in subsection (D) of this section, no person shall park a vehicle in any parking meter space for a consecutive period of time longer than that permitted in the metered parking space in which such meter is located irrespective of the number or amounts of the coins, tokens, or parking meter fee debit card are deposited for such meter.
- D. Placing of additional coins, tokens, or parking meter fee debit card in parking meters located on city-owned properties outside the right-of-way of city streets beyond the prescribed maximum time limit shall be permitted.
- E. When any vehicle is, found parked in violation of any parking provision contained in this title, such fact shall be prima facie evidence that the person in whose name it is registered, is guilty of a violation of the parking provision contained in this title.
- F. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this division and the state vehicle code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

6. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.050 (Use of Slugs Unlawful) shall be amended to read as follows:

It is unlawful for any person to deposit in any parking meter anything other than the required United States coin or coins, authorized tokens, or parking meter fee debit card.

7. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.060 (Tampering with Prohibited) shall be amended to read as follows:

No person shall deface, injure, tamper with, open, or willfully break, destroy or impair the usefulness of any parking meter.

8. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.070 (Applicability of Proceeds) shall be amended to read as follows:

- A. Revenue collected under this section from parking meters may be used for any lawful purpose.
- B. The coins or tokens deposited in parking meters shall be collected by the duly authorized agents of the Deputy Director of Streets. It shall be the duty of such persons so designated to collect the coins or tokens as deposited in the meters and deliver such coins or tokens in a sealed or locked container to a bank for deposit to the account of the city. The city comptroller shall receive an accounting of such deposits daily.

9. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.080 (Key-Custody-Duplicates) shall be amended to read as follows:

The Deputy Director of Streets shall have custody of all parking meter keys. He may issue such keys to any city employee whose duties require the use of such keys, and such employee shall return the keys to the Deputy Director of Streets upon completion of the work for which their use was needed, or at any other time as directed by the Deputy Director of Streets to return them. Any person who shall have in his custody or possession a parking meter key belonging to the city except as authorized hereunder, or who shall make or cause to be made any duplicate of a traffic meter key belonging to the city without being authorized by the Deputy Director of Streets to do so, shall be guilty of a misdemeanor.

10. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.090 (Parking Meter Rates) shall be amended to read as follows:

The Deputy Director of Streets is hereby authorized to establish parking meter fees upon any drive, roadway, city-owned or controlled parking lot or parking facility, or any other area where the parking space is subject to a parking meter. The following fees are hereby established for public parking at any parking meter that is governed by this section:

- A. A rate to be established by the Deputy Director of Streets between a minimum of \$0.10 and a maximum of \$0.20 for each twelve minutes, which includes any applicable sales tax. The maximum duration of parking at any meter shall be established by the Deputy Director of Streets and shall not exceed ten hours.
- B. In establishing the foregoing rates, the Deputy Director of Street shall consider the cost of providing the service, the prevailing private market parking rates in the immediate vicinity of the meter, the needs of patrons of nearby businesses and other premises to have access to the use of meter parking, and shall also consider relevant traffic mobility and engineering issues as applicable. The Deputy Director of Streets shall not increase the rate for 18 months after this initial increase to \$0. 1 0 for each twelve minutes.

11. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.100 (Designation of Authority) shall be amended to read as follows:

Those duties of the traffic engineer under this article that do not require the exercise of professional engineering judgment shall be performed by the Deputy Director of Streets.

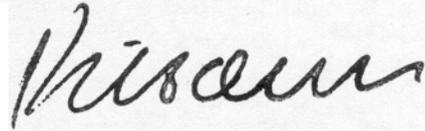
12. That Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.110 (Proof of Parking Meter Location and Time Limit) shall be amended to read as follows:

When any person is charged with having committed an offense under this article, proof that a parking meter was located at the parking space in connection with which the offense was committed shall constitute prima facie evidence that the parking meter was installed and the space laid out by order of the Traffic Engineer, and that the location was designated by the Traffic Engineer and maximum parking time was designated by the Deputy Director of Streets.

13. That except as expressly amended herein, Title 12 (Vehicles and Traffic), shall remain in full force and effect.

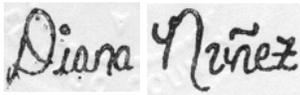
PASSED AND APPROVED this 30th day of July 2002.

CITY OF EL PASO



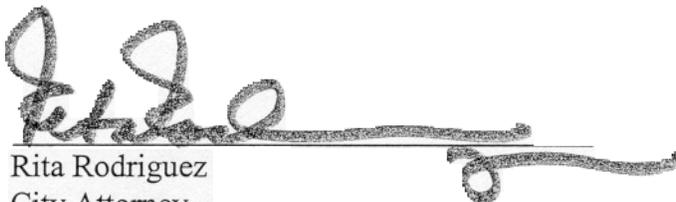
Raymond C. Caballero
Mayor

ATTEST:



Deputy City Clerk

APPROVED AS TO FORM:



Rita Rodriguez
City Attorney

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ORDINANCE NO.

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