

CITY OF ALAMEDA ORDINANCE NO. _____

AMENDING ALAMEDA MUNICIPAL CODE CHAPTER XII
(DESIGNATED PARKING) TO IMPROVE PROCEDURES FOR
MANAGEMENT OF PUBLIC PARKING ON CITY STREETS AND IN
CITY LOTS

WHEREAS, parking pricing, parking time limits, and parking enforcement can be used to influence transportation mode choice, reduce greenhouse gas (GHG) emissions, and reduce automobile congestion; and

WHEREAS, the 2019 Climate Action and Resiliency Plan, the 2018 Transportation Choices Plan, and the Alameda Point Transportation Demand Management Plan recommend parking management to reduce traffic and GHG emissions citywide; and

WHEREAS, the City Council of Alameda wishes to manage parking citywide to better manage traffic congestion, reduce GHG emissions, and ensure efficient use of City owned on-street parking spaces and City owned public parking lots; and

WHEREAS, this Ordinance was considered at a regular, duly noticed public hearing of the City Council on _____, 2020, and all interested parties were provided an ample opportunity to participate in said hearing and express their views.

BE IT ORDAINED by the City Council of the City of Alameda that:

SECTION 1. AMC Section 12-0 – DEFINITIONS shall be amended as follows:

Parking meter shall mean any coin receptacle, instrument, device, indicator or machine which, upon the deposit therein of such coin or paper currency of the United States or other legal form of payment such as credit cards and debit cards and any software application that processes payments from a mobile phone that are legally accepted as a valid form of cash payment in the United States of America and as may be required by this title, shows, indicates, registers, displays or permits legal parking for one (1) or more spaces in the parking meter zone wherein or adjacent to which such coin receptacle, instrument, device, indicator or machine is situated. A parking meter as defined herein may or may not be a self-contained timing device; it may be manually adjusted, automatically or manually controlled, or otherwise operated either externally or internally, so as to show, indicate, register, display or permit legal parking upon the deposit of coin or paper currency of the United States of America or other legal form of payment such as credit cards and debit cards and any software application that processes payments from a mobile phone that are legally accepted as a valid form of cash payment in the United States of America and as required by this title.

SECTION 2. AMC Section 12-4.4 - Parking Meter Charges shall be amended as follows:

- a. When any vehicle shall be parked in any space in a parking meter zone where parking meter is established in accordance with other provisions of this article, the operator of said vehicle, upon so parking, shall, and it shall be unlawful to fail to initiate a paid parking session by purchasing parking time using an approved method of payment. deposit immediately one (1) or more five (\$.05) cent, ten (\$.10) cent, or twenty five (\$.25) cent coins or paper currency of the United States in the parking meter or other legal form of payment such as credit cards and debit cards are legally accepted as a valid form of cash payment in the United States of America for the designated space as per the directions imprinted on the parking meter or signage.
- b. The City Council hereby establishes a range of acceptable hourly meter rates for on-street parking meter zones between \$0.00 and \$5.00. The Public Works Director is authorized to adjust hourly parking meter rates within this approved range consistent with the goal of achieving an 85% occupancy target. Hourly rates may vary based upon the time of year, time of week, or time of day. Meter rate changes must be published a minimum of two weeks in advance of implementation and shall be maintained on file at the Public Works Department.

SECTION 3. AMC Section 12-4.5 - Rates for Use of Public Off-Street Parking Lots shall be amended as follows:

- a. The parking meters located on the public off-street parking lots shall be equipped to receive only legal coins or paper currency of the United States of America or other legal form of payment such as credit cards and debit cards, and any software application that processes payments from a mobile phone which are legally accepted as a valid form of cash payment in the United States of America. The rates shall be designated by appropriate markings or signs.
- b. ~~Parking meter rates shall be as established by resolution.~~ The City Council hereby establishes a range of acceptable hourly meter rates for public off-street lots between \$0.00 and \$5.00. The Public Works Director is authorized to adjust hourly parking meter rates within this approved range consistent with the goal of achieving an 85% occupancy target. Hourly rates may vary based upon the time of year, time of week, or time of day. Meter rate changes must be published a minimum of two weeks in advance of implementation and shall be maintained on file at the Public Works Department.
- c. The rates for use of attendant lots shall be established per agreement with contractor and approved by City Council.
- d. Moneys collected from the parking lots shall be placed in the Parking Meter Fund and used accordingly pursuant to subsection 12-13.4.
- e. —Parking meters, when installed, shall be adjusted so that legal parking time is registered and accumulated on such meters in the units of time and monetary rates established by resolution of the Ceity Ceouncil. No parking meter shall be adjusted to register and accumulate any period of time in excess of the maximum parking time limit designated by appropriate signage in the parking meter zone in which the meter is installed.

SECTION 4. AMC Section 12-4.7 - Overtime Parking shall be amended as follows:

When appropriate signs or markings designating parking time limits are in place giving notice thereof, it shall be unlawful for the operator of any vehicle to stop, stand or park the vehicle on any public off-street parking lot for longer than the permitted time or in the case of permit parking pursuant to subsection 12-4.11 for longer than ten (10) consecutive hours. A vehicle will be deemed to have been parked longer than the posted parking limit, if it has not been moved outside of the off-street parking lot or garage after the expiration of the maximum time limitation. A vehicle may not return to the initial parking lot or garage sooner than two hours following the expiration of the initial time period.

SECTION 5. New Section 12-12.5 – Special event parking meter rates shall be added to read as follows:

Notwithstanding Sections 12-4.5.b and 12-12.4, the Public Works Director is authorized to set Special Event parking meter rates between \$0.50 per hour and \$10 per hour within on-street parking meter zones and public off-street parking lots. The hourly parking meter rate cannot be greater than double that of the standard parking meter rate charged within the parking meter zone. A flat daily rate may be offered in lieu of an hourly rate so long as the flat daily rate does not exceed double that of the standard total daily charge according to the parking meter operating hours. The rates may be set during, and/or up to four hours prior to, Special Events as designated by the Director in order to manage excessive parking demand, congestion, and traffic circling near those Special Events. For purposes of this Section, a “Special Event” shall include athletic events, concerts, conventions, parades, street festivals, entertainment or cultural exhibitions or shows, or any other similar event that is expected to generate a significant, short-term demand for parking.

SECTION 6. AMC Section 12-13.2 - Regulations for Parking at Parking Meters shall be amended as follows:

- a. Parking meters, when installed, shall be so adjusted to show legal parking upon and after the deposit of only legal coins or paper currency of the United States of America or other legal form of payment such as credit cards and debit cards, and any software application that processes payments from a mobile phone which are legally accepted as a valid form of cash payment in the United States of America.

Maps detailing the location, time limits and hours of operation for all meters within the City shall be established and maintained by the Public Works Department.

SECTION 7. AMC Section 12-13.3 - Marking of Meter Zones and Parking Therein shall be amended as follows:

- a. The Public Works Director shall cause lines or markings to be painted designating the parking space or spaces for which the meter is to be used, and each vehicle

parked or within a parking space ~~so designated by a number or a letter~~ shall park within said lines or markings. It is unlawful to park any vehicle across any such line or marking, and to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings. The Public Works Director shall establish hours of operation, and maximum time limits, and shall cause signage to be placed ~~display~~ on each meter which shall indicate days and hours of operation, maximum time limits, and any exception. Such ~~signs~~ information on parking meters shall constitute the parking meter zone signs referred to in subsection 12-16.4.

- b. *Signs.* The Public Works Director shall cause an appropriate sign to be affixed to or located on each parking meter or on the parking meter screen display within a parking meter zone indicating the hours of operation of such meter and the maximum parking time permitted in the zone. Such ~~signs~~ information on parking meters shall constitute the parking meter zone signs referred to in subsection 12-16.4 of this Code.

SECTION 8. AMC Section 12-13.4 - Parking Meter Fund shall be amended as follows:

Section 12-13.4 Parking ~~Meter~~ Fund.

- a. The Parking ~~Meter~~ Fund is hereby established. Money collected by the City or its contractors from parking meter, parking permit, or off-street parking lot charges as herein set forth shall be placed in the Parking ~~Meter~~ Fund and shall be used primarily only to regulate the use of parking spaces or off-street parking lots; to provide parking facilities and areas, together with maintenance and service thereon; to repay principal and interest on bonds issued for such purposes; and to reimburse the City's General Fund, Internal Service Funds and Capital Improvement Funds for any payment made therefrom, during the same fiscal year, for such purposes.
- b. Additional monies beyond what is required to sustain the parking operation, as described in subsection 12-13.4.a, may be used for the following purposes:
 - i. For the installation and maintenance of alternative mode programs such as shuttle or bus routes, bike parking racks or storage, pedestrian linkages and walkability improvements, sidewalk cleaning, and street furniture.
 - ii. For the painting and marking of curbs required for the regulation of loading and parking of vehicles.
 - iii. Revenues from preferential parking permits may, in addition to the foregoing, be used for sidewalk, landscaping and other transportation, pedestrian or bicycle enhancements on streets where preferential permit parking is provided.

SECTION 9. AMC Section 12-16.4 - Parking for More Than Time Permitted in Parking Space shall be amended as follows:

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his or her name or operated or controlled by him or her to be parked in any parking

space within a parking meter zone where a parking meter is established, for more than the time indicated by proper signs placed in such parking meter zones indicating the maximum parking time allowed in such parking space, or any time during which meter is displaying a signal or other form of reporting indicating that the space is illegally in use except during the time necessary to set the said meter to show legal parking, and excepting also during the time from 6:00 p.m. to 9:00 a.m., Mondays through Saturdays, and all day on Sundays and legal holidays. A vehicle will be deemed to have been parked longer than the posted parking limit, if it has not been moved a minimum of 150 feet after the expiration of the maximum time limitation. A vehicle may not return to the initial parking location sooner than two hours following the expiration of the initial time period. The Civic Center Parking Structure is excepted from parking payment Mondays through Saturdays and on legal holidays from 5:00 p.m. to 6:00 a.m. and all day Sundays. When any section of this article exempts holidays from the parking restriction, the holidays exempt shall be the day observed by the City for the following:

- a. January 1;
- b. Martin Luther King, Jr.'s Birthday;
- c. Lincoln's Birthday;
- d. Presidents' Day;
- e. Memorial Day;
- f. July 4;
- g. Labor Day;
- h. Veteran's Day;
- i. Thanksgiving Day;
- j. Day after Thanksgiving;
- k. December 25.

SECTION 10. AMC Section 12-17.12 - Guest Parking Permit—Daily or Weekly shall be amended as follows:

- a. The number of daily or weekly guest parking permits to be issued to each residence for which application is made shall be determined by the parking conditions within each zone and set forth by resolution of the City Council. Two (2) types of temporary guest permits shall be available for residents at an additional cost. Short-term permits shall be valid for one (1) day, while long-term guest permits shall be valid for one (1) to four (4) weeks. The cost of the guest permit shall be established by the City Council resolution that creates the preferential parking zone. Daily guest permits are valid only on the day for which they are issued and shall expire at 8:00 a.m. following the effective date thereof. Guest parking permits are to be used only by a resident's guests.

- b. Daily guest parking permits shall be properly displayed according to the instructions provided by the City at the time of purchase. ~~displayed by hanging the same from the rear-view mirror.~~

SECTION 11. AMC Section 12-17.15 - Permit Content shall be amended as follows:

~~Each preferential parking permit shall state t~~ The preferential parking zone in which it is valid, the expiration date, and any additional information required by the City of each preferential parking permit shall be verifiable for enforcement purposes either through the physical display of permit information or through a database.

SECTION 12: IMPLIED REPEAL

Any provision of the Alameda Municipal Code inconsistent with this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effectuate this Ordinance.

SECTION 13: CEQA DETERMINATION

The City Council finds and determines that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the following, each a separate and independent basis: CEQA Guidelines, Section 15378 (not a project) and Section 15061(b)(3) (no significant environmental impact).

SECTION 14: SEVERABILITY

If any provision of this Ordinance is held by a court of competent jurisdiction to be invalid, this invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision and therefore the provisions of this Ordinance are severable. The City Council declares that it would have enacted each section, subsection, paragraph, subparagraph and sentence notwithstanding the invalidity of any other section, subsection, paragraph, subparagraph or sentence.

SECTION 15: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on this ___ day of _____ 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ___ day of _____ 2020.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda