

CITY OF MILWAUKIE, OREGON

TRAFFIC REGULATION NO. 237

DATED 5/6/93

As provided in City of Milwaukie Ordinance Number #1360, Section 3, and having based my determination only upon:

- a) traffic engineering principles and traffic investigations,
- b) standards, limitations and rules promulgated by the State Highway Commission,
- c) other recognized traffic control standards,

I hereby establish the following traffic regulation which will take effect immediately upon signing of this regulation.

ESTABLISHMENT OF A RESIDENTIAL PARKING PERMIT PROGRAM

1. Residential Parking Permit Program; Definitions

Area parking permit: Re-newable permits issued by the City for a one year duration to residents of a Residential Parking Permit Area.

Non-Resident Parking Restriction: The specific restriction in place for those within a Residential Permit Parking Area who do not have a residential parking permit. May include but is not limited to:

- a. No Parking except with Residential Parking Permit;
- b. One or two hour limit except with Residential Parking Permit.
- c. No Parking, Mon. - Fri. 8:00 am - 5:00 p.m. except with Residential Parking Permit.

Residential Parking Permit Area: The boundary outlined in the traffic regulation establishing a Residential Parking Permit Area.

2. Area Eligibility

The following criteria must be met before the area will be considered for the residential parking permit program:

- A. The requesting area must consist of a minimum of one block face in length.
- B. The requesting area is a residential zone.
- C. The City Manager must agree that the Residential Parking Permit Program would promote benefits within the designated area. Benefits may include, but are not limited to: increased parking access to area residents, reduced traffic congestion, increased traffic/pedestrian safety, reduced air/noise pollution, prevention of blighted areas, increased neighborhood unity, and promoting the use of alternative modes of transportation.
- D. Adverse impacts that may prevent implementation include, but are not limited to: transfer of a parking problem to a different area, inability to effectively enforce the program restrictions, lack of alternative modes of transportation, availability of simpler, cheaper solutions and potentially negative impacts to local businesses or organizations.

3. Process

The following process must be followed to establish Residential Parking Permit Areas:

- A. The City Manager may designate an area as qualifying under the Residential Parking Permit Program if the area meets one or more of the criteria described under "Area Eligibility" above; or
- B. An area may apply to participate in a Permit Program through a community-initiated petition with signatures representing 51% of the affected addresses (one signature per address). This petition shall include:
 - 1. The parking problem;
 - 2. The probable cause of the problem;
 - 3. The proposed boundaries of the congested area;
 - 4. The number of individual addresses in the congested area;
 - 5. Type of non-resident parking restriction being requested;
and
 - 6. The permit fees of the program.

C. The City Manager will conduct an investigation within 60 days of receiving a petition to determine if the Residential Parking Permit Program should be initiated within the area proposed in the petition. This initial determination will be based on whether there is a benefit using the criteria described under "Area Eligibility".

D. The City may, in place of a petition, initiate the mailing of a ballot to determine if at least 51% of the property owners are interested in participating in the Residential Parking Permit Program. The ballot shall contain the information contained in section "Process (B. 1-6) above. At least 50% of the ballots must be received, of which 60% must be yes votes to approve the Program.

E. If the City Manager determines that the Residential Parking Permit Program should be initiated within a proposed area, a reasonable effort will be made to provide a notice of a Public Meeting by mail or personal delivery to all owners or legal occupants within the proposed boundary of the Permit Area. The notice will include the following:

1. Date, time and place of a public meeting to be held to discuss the program with affected residents;
2. Proposed date of implementation and enforcement.

E. The City Manager will make a final decision regarding the implementation of a Residential Parking Permit Program within the proposed area following the Public meeting. Notice of this decision along with application materials will be mailed or delivered to all owners or legal occupants within the proposed boundary of the Permit Area. The notice will include the following:

1. The findings and conclusions reached;
2. Boundaries of the Residential Parking Permit Area.
3. Date of residential parking permit implementation;
4. Types of required permits available;
5. Cost of permits; and
6. How and where to obtain permits.

F. The program will renew annually, unless:

1. The City Manager receives a petition, representing 51% of the addresses within a designated Permit Program Area, requesting termination of the Program.
2. The designated area does not meet the rules, criteria or procedures established by this regulation and the City Manager.
3. The City Manager determines that the program is not in the best interest of the City.

G. Changes to existing Permit Area boundaries must be made according to the procedures outlined in A through E above.

4. Program Administration

A. Residential Parking Permits and guest permits shall be renewed annually.

B. The permit year shall run from January 1 to December 31 of each calendar year.

C. It is the obligation of area residents to apply for permits in a timely manner to ensure that their residential parking permit does not expire.

D. Applicants must present authorized documentation to the City Manager's office as follows:

1. An area resident must show proof of current occupancy and current proof of vehicle control. A person using a vehicle owned by another must present a notarized statement from the owner stating that the vehicle has been assigned to the applicant for his/her personal use.

C. One guest permit may be issued to each address for the fiscal year. Additional temporary guest permits may be obtained from the City Manager's office.

D. It is the obligation of the permit holder to notify the City Manager's office of loss or theft of a permit within three business days. The permit holder may purchase a replacement permit for one half the current fee unless the City Manager has disallowed purchase by the purchase holder under the penalty provisions outlined under "Enforcement; Violation" below.

E. Permit fees shall be fixed by the City Council.

5. Enforcement; Violation

A. An Residential Parking Permit does not allow residential parking in restricted areas of any Residential Parking Permit Program Area.

B. Display of an Residential Parking Permit does not convey any privileges other than those outlined in the traffic regulation designating the Residential Parking Permit Area.

C. The permit holder is responsible for all improper use of any assigned permit cards or decals, unless previously reported as lost or stolen. If investigation verifies improper use, the permit holder will be penalized as described below.

1. A fine will be assessed for each permit decal in violation.


2. No additional permits will be issued to the permit holder until all fines are paid.

D. It is unlawful for a vehicle to display an unauthorized Permit. A vehicle displaying an unauthorized Permit may be cited, or a fine assessed for each violation.

E. Improper use of a Permit by a Permit holder will result in cancellation of that Permit for a period of 12 months.

6. Violation-Penalty

Violation of this chapter shall be punishable by fine, or impoundment, or both. Fines shall be levied and fixed by the City Council. (Ord 1361).



Dan Bartlett, City Manager

cc: Police Dept.
Public Works Administration
Public Works Shop
Court