

8/13/79

ORDINANCE NO. 4432

BY THE COUNCIL: BUERSMEYER, EWING, JENSEN, KOPKE,
MCADAMS & SELANDER

AN ORDINANCE REPEALING CHAPTER 11 OF TITLE 10 OF THE BOISE CITY CODE AND RE-ENACTING A NEW CHAPTER 11 TO INCLUDE SECTIONS PROVIDING FOR THE CREATION OF RESIDENTIAL PERMIT PARKING ZONES, PARKING IN SUCH ZONES, THE ISSUANCE OF PERMITS TO RESIDENTS OF SUCH ZONES, PARKING PERMIT VIOLATIONS, AND REVOCATION OF PARKING PERMITS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Chapter 11 of Title 10 of the Boise City Code be, and the same hereby is, repealed.

Section 2. That Title 10 of the Boise City Code be, and the same hereby is, amended by the addition thereto of a new Chapter 11, to read as follows:

CHAPTER 11

PARKING

SECTION:

- 10-11- 1: Standing or Parking Close to Curb
- 10-11- 2: Angle Parking
- 10-11- 3: Restricted Parking District Designated
- 10-11- 4: Stopping, Standing or Parking Prohibited in Specific Places
- 10-11- 5: Parking Not to Obstruct Traffic
- 10-11- 6: Parking in Alleys
- 10-11- 7: Extended Parking Prohibited
- 10-11- 8: Extended Parking Prohibited in Restricted Parking District
- 10-11- 9: Requirements for Leaving Vehicle Unattended
- 10-11-10: Declaration of Necessity and Purpose
- 10-11-11: Creation of Residential Permit Parking Zones
- 10-11-12: Parking in Residential Permit Parking Zones
- 10-11-13: Issuance of Permits
- 10-11-14: Parking Permit Violations
- 10-11-15: Revocation of Permit
- 10-11-16: Parking Tickets and Procedures
- 10-11-17: Penalties

10-11-1: STANDING OR PARKING CLOSE TO CURB: Except as otherwise provided in this Chapter, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches (18") of the right-hand curb.

On one-way streets a vehicle parked on the left side of the street shall be so stopped or parked with the left-hand wheels of such vehicle parallel to and within eighteen inches (18") of the left-hand curb.

10-11-2: ANGLE PARKING: On those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such markings. (Ord. 2964, 4-1-68)

10-11-3: RESTRICTED PARKING DISTRICT DESIGNATED: There is hereby designated a restricted parking district encompassing the following: Beginning at the northeast corner of the southeast quarter of the southeast quarter of Section 14, Township 3 North, Range 2 East of the Boise Meridian, and thence meandering northwesterly along Boise River to the south boundary of Municipal Park at Boise River; thence northwesterly along the south boundary of said Municipal Park to Walnut Avenue; thence northeasterly along Walnut Avenue east right-of-way to the Oregon Short Line railroad track; thence northwesterly along the Oregon Short Line railroad track to Cottonwood Flume; thence northeasterly along Cottonwood Flume to the northerly right-of-way line of Warm Springs Avenue (hereafter in this description, a named street will include all right-of-way unless otherwise indicated); thence northwesterly along Warm Springs Avenue to Avenue C; thence northeasterly along Avenue C to Avenue D; thence northerly along said Avenue D to Reserve Street; thence northeasterly along Reserve Street to the entrance to Scout Lane; thence following Scout Lane northwesterly, northeasterly and northwesterly to Garrison Road; thence westerly along Garrison Road to Collins Road; thence northwesterly along Collins Road to the Boise City Limit; thence following the city limit line westerly along Collins Road and southwestwardly along Fifth Street to Fort Street; thence following the city limit line northwesterly along Fort Street to a point on the easterly right-of-way line on the east side of North Sixth Street; thence northeasterly along the city limit line to an intersection with the northerly right-of-way line of Union Street extended; thence westerly along Union Street extended and Union Street to North Eighth Street; thence southerly along North Eighth Street to Fort Street; thence northwesterly along Fort Street to North Thirteenth Street; thence northerly on North Thirteenth Street to Resseguie Street; thence westerly on Resseguie Street to a point of intersection with the extension of the westerly right-of-way line of Seventeenth Street; thence southwestwardly on Seventeenth Street to Idaho Street; thence northwesterly and westerly along Idaho Street to Twenty-ninth Street; thence northerly on Twenty-ninth Street to Jefferson Street; thence westerly on Jefferson Street to the westerly boundary of Whittier Elementary School property and the easterly boundary of the gravel pit; thence southerly and southwestwardly along the boundary of the gravel pit to the Boise River; thence southeasterly along the northerly side of the Boise River to Americana Boulevard; thence southwestwardly along Americana Boulevard to Crescent Rim Drive; thence southeasterly along Crescent Rim Drive to Capitol Boulevard; thence southeasterly across Capitol Boulevard to a point where Martha Street intercepts Boise Avenue; thence southeasterly along Boise Avenue to Beacon Street; thence easterly along Beacon Street to Division Avenue; thence southerly on Division Avenue to Highland Street; thence easterly and southeasterly along Highland Street to a point where Parkway Drive intercepts; thence easterly to a point at the northeast corner of the southeast quarter of the southeast quarter, Section 14, Township 3 North, Range 2 East of the Boise Meridian, the point of beginning.

10-11-4: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIC PLACES: Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(A) Stop, stand or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
2. On a sidewalk or parkway as defined in Section 9-24-1 of the Boise City Code;
3. Within an intersection;
4. On a crosswalk;
5. On a Bike Lane or Bike Path as defined in Section 10-14-1 of the Boise City Code;
6. Within twenty (20) feet of a Bike Path approach as defined in Section 10-14-1 of the Boise City Code;
7. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
8. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
9. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
10. On any railroad tracks;
11. At any place where official traffic-control devices posted at the direction or under the authority of the Ada County Highway District prohibit such stopping.

(B) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

1. In front of a public or private driveway;
2. Within fifteen (15) feet of a fire hydrant;
3. Within twenty (20) feet of a crosswalk or a Bike/pedestrian curb ramp, as defined in Section 10-14-1 of the Boise City Code, except at an intersection where a traffic control signal is in operation, or in a parking meter zone;
4. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of the roadway;
5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign-posted;

6. At any place where official traffic control devices posted at the direction or under the authority of the Ada County Highway District prohibit such stopping.

(C) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

1. Within fifty (50) feet of the nearest rail of a railroad crossing;
2. Along any yellow painted curb;
3. At any place where official traffic control devices prohibit such parking.

(D) Park a vehicle as defined by Section 10-1-1 in or upon a street during the nighttime except that this prohibition does not apply in a business or restricted parking district and the owners or occupants of property adjacent to a street may so park a vehicle in compliance with and as authorized by any other provision of the Boise City Code. The Council, upon finding and declaring the necessity to prohibit the parking or standing of vehicles upon a street during the nighttime or at other times during the day, may upon motion or order direct the Ada County Highway District to post or erect signs prohibiting or limiting the stopping, standing or parking of any vehicle upon the streets of the City. (Ord. 3835, 6-1-76)

10-11-5: PARKING NOT TO OBSTRUCT TRAFFIC: No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon a street or highway in such a manner or under such conditions as to leave available less than twelve (12) feet of such roadway for the free movement of vehicular traffic.

10-11-6: PARKING IN ALLEYS: No person shall park a vehicle within an alley, and no person shall stop or stand a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

10-11-7: EXTENDED PARKING PROHIBITED: Except in the restricted parking district as defined by Section 10-11-3, no person shall park a vehicle upon any street, alley, or public property for a period of seventy-two (72) hours or longer.

10-11-8: EXTENDED PARKING PROHIBITED IN RESTRICTED PARKING DISTRICT: No person shall park a vehicle within the restricted parking district as defined in Section 10-11-3, for a period of twenty-four (24) hours or longer.

10-11-9: REQUIREMENTS FOR LEAVING VEHICLE UNATTENDED: No person having control or charge of a vehicle shall allow such vehicle to stand on any street unattended without stopping the motor of the vehicle and effectively setting the brakes thereon. (Ord. 2864, 4-1-63)

10-11-10: DECLARATION OF NECESSITY AND PURPOSE: The Council of Boise City finds and declares that within certain residential areas of the City there exists a heavy concentration of vehicles which remain parked throughout the day and that a

substantial portion of these vehicles are not owned or operated by residents of these areas; that the presence of these vehicles causes vehicular congestion on residential streets, impedes the movement of traffic and unduly restricts the entry of residents to their homes; that such vehicular congestion creates polluted air, excessive noise, trash and refuse and causes the deterioration of residential areas. The Council therefore declares the necessity and public policy of establishing a procedure for the creation of residential permit parking zones in which parking by non-residents will be restricted and the availability of parking for residents will be protected.

10-11-11: CREATION OF RESIDENTIAL PERMIT PARKING ZONES:

- (A) The Parking Commission may determine which, if any, areas of the City should be designated as residential permit parking zones. Upon concluding that an area should be so designated, the Commission shall submit to the City Council a written recommendation specifying the area proposed for designation and the reasons for designation. Upon ratification of the recommendations, the Council, pursuant to Section 10-11-4(D), shall direct the Ada County Highway District to erect signs in the designated area indicating the time limits for parking.
- (B) The Commission shall conduct a public hearing concerning the proposed designation of any area. Such hearing shall be held only after notice thereof has been published in a newspaper of general circulation throughout the City at least ten (10) days prior to the date set for the hearing.
- (C) The Commission shall assign a color to each designated zone. All time-limit parking signs erected within the zone shall indicate the color assigned thereto.

10-11-12: PARKING IN RESIDENTIAL PERMIT PARKING ZONES:

- (A) Any vehicle upon which a current residential parking permit is properly displayed may be parked in the zone to which the permit applies without regard to posted time limitations.
- (B) The permit shall be affixed to the lower left corner of the rear window and shall be clearly visible at all times.
- (C) A residential parking permit shall not authorize the holder thereof to park beyond the posted time limits in any residential parking zone other than that to which his permit applies, nor authorize the violation of any other law regulating the stopping or parking of vehicles in the City of Boise, nor exempt the holder from the observance of any traffic regulation.

10-11-13: ISSUANCE OF PERMITS:

- (A) The City Treasurer or his or her designated representative, is hereby authorized and directed to issue residential parking permits to vehicle owners or operators who reside within a designated residential permit parking zone. A permit shall be issued upon application without charge.
- (B) The application for a permit shall contain such information as the Treasurer or his or her designated representative shall specify. The permit shall be renewed annually upon application for renewal to the City Treasurer or his or her designated representative. The permit shall display the motor vehicle's license number and shall be color coded according to zone.

(C) The City Treasurer, or his or her designated representative, is authorized and directed to make provision for:

1. The issuance of temporary parking permits to bona fide visitors of residents of designated residential parking zones; and
2. The issuance of exemption parking permits to handicapped persons.

10-11-14: PARKING PERMIT VIOLATIONS: It shall be unlawful for any person to represent that he is entitled to a residential parking permit when he is not so entitled, to fail to surrender a permit to which he is no longer entitled, or to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.

10-11-15: REVOCATION OF PERMIT: The City Treasurer, or his or her designated representative, is authorized to revoke the residential parking permit of any permittee found to be in violation of this Chapter, and, upon written notification thereof, the permittee shall surrender such permit to the City Treasurer, or his or her designated representative. Failure when so requested, to surrender a residential parking permit so revoked, shall constitute a violation of Section 10-11-14.

10-11-16: PARKING TICKETS AND PROCEDURES: Except in that area designated the Restricted Parking District as defined in Section 10-11-3, the Police Department shall have authority to issue parking tickets as follows:

- (A) It shall be the duty of the Police Department upon observing a vehicle parked, standing or stopped in violation of the provisions of this Chapter, to leave at or upon such vehicle a notice that such vehicle has been parked or stopped in violation of the provisions of this Chapter. Among other things, the notice shall bear the date and hour of leaving the same at or upon the vehicle, make of the vehicle and its license number, the specific Code Section violated and the amount of the fine, instructing the owner or operator of such vehicle to report to the traffic ticket section under the jurisdiction of the City Treasurer's office. One copy of the notice mentioned herein shall be filed with the traffic section of the City Treasurer's office.
- (B) In order to eliminate burdening courts with violations of ordinances and to eliminate insofar as possible public inconvenience, each person receiving a parking ticket under this Chapter left upon his or her vehicle shall
 1. Within twenty-four (24) hours of the time of such notice, pay to the traffic ticket section of the City Treasurer's office in full satisfaction of such violation, three dollars (\$3.00) for each notice left upon his or her vehicle;
 2. Within fifteen (15) days from the date of said parking violation ticket, if same has not been paid within the twenty-four (24) hours above prescribed, pay to the traffic section of the City Treasurer's office, an

additional three dollars (\$3.00) for each such notice left upon his or her vehicle, the additional three dollars (\$3.00) for each said ticket being deemed necessary to defray administrative and clerical expenses.

The failure of any operator to report and/or make such payments to the traffic ticket section of the City Treasurer's office within the times prescribed above shall render the operator thereof subject to penalties as provided by Section 10-11-17.

(C) If any vehicle is found stopped, standing or parked in any manner violative of the provisions of this Chapter and the identity cannot be determined, the owner or person or corporation in whose name said vehicle is registered or the named lessee in a rental or lease agreement of said vehicle shall be held prima facie responsible for said violation.
(Ord. 3994, 5-2-77)

10-11-17: PENALTIES: Any person who shall violate or fail to comply with any of the provisions of this Chapter, or who shall counsel, aid or abet any such violation or failure to comply, notwithstanding the provisions of Section 10-3-2, shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed fifty dollars (\$50.00) or be imprisoned in the City jail for a period not to exceed thirty (30) days, or be both so fined and imprisoned. (Ord. 3731, 12-8-75)

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication hereof.

PASSED By the Council of the City of Boise City, Idaho, this 13th day of August, 1979.

APPROVED By the Mayor of the City of Boise City, Idaho, this 13th day of August, 1979.

APPROVED:

Richard R. Eardley
Mayor

ATTEST:

John W. Lieffentach
City Clerk

12/15/81

BOISE CITY PARKING COMMISSION

REGULAR MEETING

DECEMBER 15, 1981

The regular meeting of the Boise City Parking Commission was called to order by Chairman Call at 12:05 P.M. on December 15, 1981 in the Pre-Council Room, City Hall.

Members present were: Chester Call, Carol Delaney, Ron Woodman, and Gladstone Yearwood. Erv Johnson and Claudia Yelverton arrived after acceptance of the minutes.

Liason and guests present were: Arlene Baldwin, Mike Mather, Paul Hamilton, Randy Nelson, Jan Bronson, Brent Coles, Steve Perry and Marjorie Compton.

Carol Delaney made a motion to accept the minutes as circulated. Seconded by Ron Woodman. Unanimous.

Paul Hamilton discussed Air Quality and the need for an endorsement from the Parking Commission. Carol Delaney made a motion to have Chairman Call write a letter to the Mayor and Council endorsing the "Air Quality Improvement package". The letter is to outline the Commission's reservations on parts of the Downtown Parking Management plans that require consideration. Erv Johnson seconded. Unanimous.

Steve Perry, representing Glenn Nichols, presented a request for parking enforcement of the Capitol Mall area. Mr. Perry discussed the State of Idaho enactment of "Rules and Regulations for Capitol Mall Parking", and the State's need for enforcement. The Commission evidenced some reluctance because of the poor PR this enforcement would create, but also felt an agreement between the State of Idaho and Boise City could have some positive effect on future relations. The Commission recommended that Parking Control staff and the State prepare a detailed plan for presentation at the January 12, 1982 meeting.

Chairman Call pointed out that there were two letters on file concerning problems in areas that were previously not within the Commission's jurisdiction. Since the Commission can now make recommendations on all areas within the city limits, Chairman Call suggested that these letters appear on the next meeting's agenda.

Brent Coles from Boise Planning and Zoning was asked if there was any new planning effort that would affect parking. Mr. Coles mentioned recent work on the parking of compact cars. This will be addressed at a future meeting.

There was a discussion of the PR project. Carol Delaney suggested a short informative sheet explaining available off-street parking. Staff, with suggestions from Claudia Yelverton and Erv Johnson, is to prepare a draft for next meeting. Randy Nelson offered the talents of APA's staff graphic artist.

Next meeting is scheduled for 12:00 noon on January 12, 1982, Pre-Council Room, City Hall.

Claudia Yelverton made a motion to adjourn at 1:30 P.M.. Seconded by Ron Woodman. Unanimous.

Respectfully submitted,

Jan Bronson