PASSED 5-1

ORDINANCE 92-06

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC" (Neighborhood Parking Plan)

WHEREAS, several City streets in neighborhoods adjacent to the Indiana University campus experience severe hardship from non-residents who park there during weekdays; and

WHEREAS, excessive commuter parking creates a traffic safety hazard to pedestrians, bicyclists and other motorists in these neighborhoods; and

WHEREAS, the City desires to protect these streets from excessive noise, traffic, trash and air pollution caused by commuter traffic; and

WHEREAS, restrictions on parking are called for in the Bloomington Growth Policies Plan to preserve neighborhood quality of life and the residential character of neighborhoods; and

WHEREAS, restrictions on parking in these areas would displace hundreds of commuters whose parking and transportation needs must be addressed; and

WHEREAS, those parking and transportation needs were addressed in the recent "Report and Recommendations" of Indiana University Parking and Transportation Task Force; and

WHEREAS, among many recommendations, that Report proposes commuter parking at the Stadium with a shuttle bus running into campus; and

WHEREAS, the ultimate success of a neighborhood parking program requires that the University take positive steps in cooperation with the City; and

WHEREAS, a one year test program extending over a limited area would give the University an opportunity to make meaningful progress on these problems; and

WHEREAS, such a test program would also give the City an opportunity to perform a quarterly review of that progress and of the program in general; and

WHEREAS, depending upon the success of the test program, the City will either discontinue or expand it to other neighborhoods surrounding campus; and

WHEREAS, the Council also directs the Traffic Commission to investigate the feasibility of designing and implementing a pattern of one way streets and one-side-of-the-street parking in an area bounded by Third, Mitchell, First and Henderson, and to report their findings to the Council by December, 1992.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Chapter 15.37 shall be created to read as follows:

Chapter 15.37

Residential Neighborhood Permit Parking

Sections:

15.37.010	Definitions
15.37.020	Applicability
15.37.030	Hours in Effect
15.37.040	Eligibility
15.37.050	Fees

15.37.060	Expiration of permits
15.37.070	Information required on Application
15.37.080	Decal required
15.37.090	Parking space not guaranteed
15.37.100	Replacement of permit
15.37.110	Change of Residency
15.37.120	Precedence of Abandoned Vehicle Regulations
15.37.130	Precedence of No Parking Zones
15.37.140	Special Exceptions
15.37.150	Violations
15.37.160	Disposition of revenue

15.37.010 Definitions

"Household" means a single individual living upon the premises as a single housekeeping unit or a collective body of persons living upon the premises as a single housekeeping unit.

"Multiple household dwelling" means a building designed for and legally allowed the occupancy of more than five adults unrelated by blood or marriage.

"Single household detached dwelling" means a building designed for the occupancy of no more than five adults unrelated by blood or marriage.

"Residential Neighborhood Permit Parking Zone" is the list of streets and sections of streets designated in this chapter for restricted parking by residential neighborhood permit only at those designated times.

"Visitor permit" is a permit to park in the Residential Neighborhood Permit Parking Zone on a temporary basis.

15.37.020 Applicability The following Zones are designated as Residential Neighborhood Permit Parking Zones:

Elm Heights Residential Neighborhood Permit Parking Zone shall apply to the following streets:

Street	From	To	Side of Street
S. Henderson Street	Atwater	Maxwell	East/West
Fess Street	Atwater	Maxwell	East/West
Stull Avenue	First	Maxwell	East/West
Park Avenue	Atwater	Maxwell	East/West
Woodlawn Avenue	Atwater	Maxwell	East/West
Faculty Avenue	Atwater	Hunter	East/West
Hawthorne Lane	Atwater	Maxwell	East/West
Ballantine Road	Atwater	First	East/West
Highland	Atwater	Maxwell	East/West
Jordan Avenue	Atwater	Maxwell	East/West
Atwater Avenue	S. Henderson	Jordan	North/So.
Hunter Avenue	S. Henderson	Highland	North/So.
Second Street	S. Henderson	Jordan	North/So.
University Avenue	S. Henderson	Jordan	North/So.
First Street	S. Henderson	Jordan	North/So.
Wylie Street	Woodlawn	Highland	North/So.
Maxwell Lane	S. Henderson	Jordan	North/So.

This Zone shall go into effect on August 15, 1992.

15.37.030 Hours in Effect These Zones shall be in effect from 8 am to 5 pm, Monday through Friday.

15.37.040 Eligibility Each single household detached dwelling and multiple household dwelling is entitled to obtain one Parking Permit per motor vehicle. Each single household detached dwelling and multiple household dwelling is entitled to

purchase one Visitor Permit for each household. Appeals for additional Parking and/or Visitor Permits shall be made in writing, with all relevant documentation attached, to the Parking Enforcement Office Manager, or his or her designee.

15.37.050 Fees Parking Permits and Visitor Permits shall cost $10 per permit.

15.37.060 Expiration of Permits Permits will expire on August 15 of each year. The date of expiration will be clearly marked on all permits.

15.37.070 Information required on Application Permits will be issued only to residents of an address within the Neighborhood Permit Parking Zone. Proof of residency must be submitted upon making an application for a Parking or Visitor Permit. In addition, proof of ownership or principal use of the motor vehicle must be submitted upon making application for a Parking Permit. Final determination of eligibility will be made by the Parking Enforcement Office Manager or designee. Each application for a Parking Permit shall also contain the following information: applicant name and address; make, model and license tag number of motor vehicle(s) for which a application is made, and any other information deemed relevant by the Department of Public Works.

15.37.080 Decal required Regular Permits shall be visibly displayed and permanently affixed to the vehicle in the lower left corner of the rear window or other location as determined by the Parking Enforcement Office Manager. Visitor Permits shall be visibly displayed by hanging the permit from the rear-view mirror in the front windshield.

15.37.090 Parking Space not guaranteed A Residential Neighborhood Permit Parking decal shall not guarantee or reserve the holder an on-street parking space.

15.37.100 Replacement of Permit If the make, model or license tag number of a permitted vehicle changes during the year, the applicant may bring in the new information to the Parking Enforcement Office to obtain a replacement sticker. The fee for a replacement sticker will be $5.00.

15.37.110 Change of Residency If residents of a property change during the calendar year, the new resident may complete a Change of Residency form and request application for Permit.

15.37.120 Precedence of Abandoned Vehicle Regulations No part of this chapter shall conflict with existing regulations for abandoned vehicles, as specified in Section 15.04.020 and Chapter 15.52 of the Bloomington Municipal Code.

15.37.130 Precedence of No Parking Zones The Residential Neighborhood Permit Parking Zones do not take precedence over temporary or permanent No Parking zones posted by the Street Department, Engineering Department or Police Department for tree removal, snow removal, street sweeping, or other actions deemed necessary by the City of Bloomington.

15.37.140 Special Exceptions Any person or persons requesting special exception from the Residential Neighborhood Permit Parking regulations for a one-day period only may make such a request to the Parking Enforcement Office Manager and may be granted a temporary one-day permit. There will be no fee for this permit.

15.37.150 Violations Violations of this chapter shall generally constitute a Class G Traffic Violation and are subject to fines as listed in Section 15.64.010(h). However, it shall be a Class F violation, as listed in Section 15.64.010(g), for a person holding a valid Residential Neighborhood Parking Permit to use or display the permit on an ineligible motor vehicle.

15.37.160 Disposition of Revenue All funds derived from the issuance of permits and from fines shall be used to pay the costs of operating this program. Funds received in excess of the annual cost of operating the program shall go into an Alternative Transportation Fund. The Alternative Transportation Fund shall be for the purpose of reducing our community's dependence upon the automobile. Expenditures from the fund shall be approved by the Council.

SECTION II. Chapter 15.36 Residential Parking Permits shall be amended so that the new chapter title is "Resident-Only Parking Permits."

SECTION III. Chapter 15.36.100 Violation and Penalty shall be amended so that it now reads:

Chapter 15.36.100 Violation and Penalty Any Violations of this chapter constitute a Class G Violation and are subject to the fines listed in Section 15.64.010(h) as well as enforced removal of the vehicle.

SECTION IV. Chapter 15.64.010 (h) Class G Traffic Violations (Parking in fire lanes) shall be amended so that it now reads:

Chapter 15.64.010 (h) Class G Traffic Violations (Parking in fire lanes and in Resident-Only Parking Spaces)

Fine: $10.00

Covers:	15.32.160(e)	Parking in Fire Lanes
	15.36.100	Parking in Resident-Only Space

SECTION V. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provision, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION VI. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval by the Mayor and promulgation by law.

SECTION VII. Review and Expiration. In the first year of operation, the Council shall review the program on a quarterly basis, beginning December, 1992.

Unless the Council adopts a subsequent ordinance to continue its operation, this Ordinance shall expire on August 15, 1993.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20th day of May, 1992.

Pam Service

PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of May, 1992.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 21st day of May, 1992.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This Ordinance designates a 36-block section of the Elm Heights residential neighborhood as a Residential Neighborhood Permit Parking zone, and places restrictions on parking within this zone on Mondays through Fridays, from 8 am to 5 pm. These restrictions are meant to reduce the amount of traffic in this neighborhood, and to protect motorists, bicyclists and pedestrians from excessive commuter traffic competing for parking spaces. Residents of the properties within this zone may apply for Parking and/or Visitor Permits that allow the appropriate vehicle to park on the street within this zone during the above posted hours.

The cost of the annual permits shall be $10.00. Violations of this chapter are subject to fines of $10.00 and, when decals are placed on ineligible automobiles, $20.00. Funds in excess of the cost of operation of the program are to be deposited in an Alternative Transportation Fund.

The program will take effect on August 15, 1992 and will be reviewed on a quarterly basis. Unless the Council adopts a subsequent ordinance continuing its operation, this Ordinance shall expire on August 15, 1993.

In a corollary action, this Ordinance increases the fine for violating 15.36.100 (Resident-Only Parking Permit) from a Class D to a Class G Violation.

Signed copies to:
AT - Legal Ad.
BMC File
Council Attorney BMC.
Clerks BMC
Public Works
Parking Enforcement
Pat Baakwalter - Code Enforcement
Legal Dept 4
Police Dept
George Smerk - IU
Ralph Mertle - Street Dept.
Traffic Commission
Don Warren - IU Task Force