divided question - see note at end of ord.

ORDINANCE 15-10

TO AMEND TITLE 2 (ADMINISTRATION AND PERSONNEL) AND TITLE 15 (VEHICLES AND TRAFFIC) OF THE BLOOMINGTON MUNICIPAL CODE (To Improve Parking Management in the Downtown by Imposing a Maximum Charge for On-Street Metered Parking, Setting Forth Actual Times and Fees in an Amended Schedule U, Providing a Period of Free Parking in all Garages, and Establishing a Fee Discount and Waiver Program to be Guided by a New Parking Commission)

WHEREAS, the first-come, first-serve basis of previous parking policy prioritized convenience over need, enabling downtown employees and residents, who should be parking off-street in long-term parking, to park for free in more valuable on-street parking meant for shoppers, patrons and visitors; and

WHEREAS, in March of 2013, the City adopted Ordinance 13-03: *To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Authorizing the Expanded Use of Parking Meters in the Downtown and Related Changes* which, after implementation and minor amendments:

- broadened the definition of parking meters to authorize new technology;
- replaced a limited parking zone covering most of the downtown with a Parking Meter Zone;
- set the rate for parking meters and times those rates would be enforced;
- created a new part-time, non-reserved permit for use in the City's garages (to appeal to downtown employees);
- provided for the continued use of certain parking permits (i.e. construction/contractor and delivery vehicles) in the Downtown Parking Meter Zone and, in some cases, under revised procedures; and
- integrated overlapping Parking Zones; and

WHEREAS, parking management and policy are, after a 2013 Administration's reorganization, of interest to at least six departments (Clerk, Controller, Economic & Sustainable Development, Planning & Transportation, Police, Public Works); and

WHEREAS, the primary objective of an overall system of parking management, including spaces on streets, in garages and in lots, should be to employ all tools necessary to optimize access to the city's center for the broadest and most diverse set of users, and neither to raise city revenue nor to lower it arbitrarily; and

WHEREAS, Ordinance 13-03 also called for a study of the changes to be completed within fifteen months after the meters had been installed, and the Administration's report of the study was received in late October 2014; and

WHEREAS, the Administration has occasionally been arbitrary in its rationale for various aspects of parking management since Ordinance 13-03, such as:

- arguing in 2013 for the implementation of meters as a method of increasing revenue;
- recommending, in the 2014 report, measures of reducing enforcement for the sake of foregoing revenue;
- supporting other measures for the sake of simplifying management, rather than to pursue public policy needs or to otherwise optimize access to downtown; and

WHEREAS, the vendor contracted by the Administration to provide mobile parking management services, ParkMobile, offers services that transcend those provided by physical parking meters, such as:

- allowing a motorist with any cellular phone to call a toll-free number to pay for parking, without need of a "smart" phone;
- allowing a motorist to pay for parking without needing to remain next to his or her car;
- allowing a motorist to continue paying for parking without needing to return to the car;
- allowing a motorist parking on the street to "pay as you go" as if parked in a garage, eliminating worry over being ticketed for an elapsed meter -- a mode that can and should be implemented as soon as possible;

- enabling one person to remotely pay for another person's parking;
- enabling incentive programs to target the needs of specific constituencies who could not otherwise be served by physical meters;
- enabling reservation of certain spaces without need for orange cones and special signs; and
- enabling users to reduce the convenience fees for these services to the same or less than the convenience fee for using a credit card at a physical meter; and

WHEREAS, this ordinance presents changes to Title 15 proposed by Councilmember Volan which would more closely hew to a parking management philosophy that optimizes access to the downtown, including to:

- set a maximum charge for on-street metered parking, so as to allow reduction of the charge on blocks where usage is low;
- provide for free parking in the Morton St. garage commensurate with free parking offered in the other two garages;
- take advantage of ParkMobile's capacities to establish a parking meter fee discount program for merchants to pass on to their customers;
- use ParkMobile to establish a waiver program for not-for-profit organizations to incentivize people to continue volunteering downtown;
- establish a Parking Commission to administer the waiver program, and oversee both programs, and which could eventually be called on to act as an oversight body for other parking-related policy;

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

~~SECTION 1. Chapter 2.12 entitled "Boards, Commissions, and Councils" shall be amended by inserting Section 2.12.110, entitled "Parking Commission" with the title appearing in the Table of Contents for the chapter and the text reading as follows:~~

~~2.12.110 Parking Commission~~

~~(a) Policy – Purpose. The Parking Commission shall oversee the parking meter fee bulk discount (Section 15.40.023) and non-profit fee waiver (Section 15.40.024) programs.~~

~~(b) Composition – Appointments. The Parking Commission shall be composed of seven voting members. These voting members shall be composed of four members appointed by the Mayor and three members appointed by the Common Council.~~

~~(c) Qualifications of Voting Membership. At least one member appointed by the Mayor and one member appointed by the Common Council shall be a merchant owning and operating a business located at an address within Schedule U – On-Street Metered Parking, with a preference given to merchants affiliated with and recommended by Downtown Bloomington Inc. At least one member appointed by the Mayor and one member appointed by the Common Council shall be on the board or an employee of a non-profit organization operating by lease or other contract at an address within Schedule U – On-Street Metered Parking. One member appointed by the Mayor shall be a resident living at an address within Schedule U – On-Street Metered Parking. One member appointed by the Common Council shall be from among its membership. One member appointed by the Mayor shall be from within the Transportation and Traffic Services Division of the Planning and Transportation Department.~~

~~(e) Terms. The initial terms of two mayoral and one council citizen appointments shall expire on January 31, 2016. The terms of the remaining initial citizen appointments shall be for two years and expire on January 31, 2017. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31st. The terms for the one mayor and one council non-citizen appointments shall be for one year and expire on January 31st.~~

~~(g) Powers and Duties. The commission's powers and duties include, but are not limited to:~~

~~(1) establishing policies and procedures and overseeing the operation of the parking discount and waiver credits programs as set forth in BMC Section 15.40.023 (On-Street Parking Meter Fees – Bulk Discount) and 15.40.024 (On-Street Parking Meter Fees – Waiver for Certain Non-profit Organizations).~~

~~(2) submitting an annual report of its activities and programs to the Mayor and Council by June of each year.~~

~~(h) Staff. The Commission shall be staffed by the Transportation and Traffic Services Division of the Planning and Transportation Department.~~

~~SECTION 2. Section 15.40.010, regarding the location of metered parking, part (15), regarding on-street parking, shall be amended to temporarily delete Schedule U "On-Street Parking" *(which will be modified and reinserted into BMC Section 15.40.020 by Section 4 of this ordinance)* and shall read as follows:~~

> ~~(15) The location of on-street metered parking spaces shall be as set forth in the first three columns of Schedule U "On-Street Metered Parking" unless the area is otherwise identified in Schedule M "No Parking Zones," Schedule O "Loading Zones," Schedule P "Bus Zones" and Schedule R "Official Vehicle Zones."~~

~~SECTION 3. Section 15.40.020, entitled "Applicable times and charges," part (b) shall be deleted and replaced with the following"~~

> ~~(b) The maximum charge for use of each on-street metered parking space shall be one-dollar per hour. The actual charge and the hours and days of enforcement shall be as set forth in Schedule U (On-Street Metered Parking). Additionally, the Mayor may suspend enforcement of parking meters during the holiday season, in the event of inclement weather, or under other circumstances the mayor deems appropriate and reasonable.~~

~~SECTION 4. Section 15.40.020, entitled "Applicable times and charges," shall be further amended by inserting Schedule U "On-Street Metered Parking" immediately after Section 15.40.020(d) and said Schedule shall be amended to appear as follows:~~

~~SCHEDULE U~~

~~On-Street Metered Parking~~

~~Street~~	~~Block~~	~~Side of Street~~	~~Time and Fee~~
~~Ashlynn Park Drive~~	~~700 North~~	~~East/West~~	~~1~~
~~College Avenue~~	~~400 South~~	~~East~~	~~2~~
~~College Avenue~~	~~300 South~~	~~East~~	~~2~~
~~College Avenue~~	~~200 South~~	~~East~~	~~2~~
~~College Avenue~~	~~100 South~~	~~East/West~~	~~1~~
~~College Avenue~~	~~100 North~~	~~East/West~~	~~1~~
~~College Avenue~~	~~200 North~~	~~East/West~~	~~1~~
~~College Avenue~~	~~300 North~~	~~East/West~~	~~1~~
~~College Avenue~~	~~400 North~~	~~West~~	~~1~~
~~College Avenue~~	~~500 North~~	~~West~~	~~1~~
~~College Avenue~~	~~600 North~~	~~East/West~~	~~1~~
~~Dunn Street~~	~~200 South~~	~~East~~	~~1~~
~~Dunn Street~~	~~100 South~~	~~East~~	~~1~~
~~Dunn Street~~	~~100 North~~	~~East~~	~~1~~
~~Dunn Street~~	~~200 North~~	~~East~~	~~1~~
~~Eighth Street~~	~~400 West~~	~~North/South~~	~~2~~
~~Eighth Street~~	~~200 West~~	~~North/South~~	~~1~~
~~Eighth Street~~	~~100 West~~	~~North/South~~	~~1~~
~~Eleventh Street~~	~~400 West~~	~~North~~	~~2~~
~~Eleventh Street~~	~~300 West~~	~~North~~	~~2~~

~~Eleventh Street~~	~~200 West~~	~~North~~	~~1~~
~~Fourth Street~~	~~400 West~~	~~North/South~~	~~2~~
~~Fourth Street~~	~~300 West~~	~~North/South~~	~~2~~
~~Fourth Street~~	~~200 West~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~100 West~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~100 East~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~200 East~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~300 East~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~400 East~~	~~North/South~~	~~1~~
~~Fourth Street~~	~~500 East~~	~~North/South~~	~~1~~
~~Grant Street~~	~~200 South~~	~~West~~	~~2~~
~~Grant Street~~	~~100 South~~	~~West~~	~~1~~
~~Grant Street~~	~~100 North~~	~~West~~	~~1~~
~~Grant Street~~	~~200 North~~	~~West~~	~~1~~
~~Indiana Avenue~~	~~200 South~~	~~West~~	~~1~~
~~Indiana Avenue~~	~~100 South~~	~~West~~	~~1~~
~~Kirkwood Avenue~~	~~400 West~~	~~North/South~~	~~2~~
~~Kirkwood Avenue~~	~~300 West~~	~~North/South~~	~~2~~
~~Kirkwood Avenue~~	~~200 West~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~100 West~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~100 East~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~200 East~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~300 East~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~400 East~~	~~North/South~~	~~1~~
~~Kirkwood Avenue~~	~~500 East~~	~~North/South~~	~~1~~
~~Lincoln Street~~	~~200 South~~	~~East/West~~	~~2~~
~~Lincoln Street~~	~~100 South~~	~~East/West~~	~~1~~
~~Lincoln Street~~	~~100 North~~	~~East/West~~	~~1~~
~~Lincoln Street~~	~~200 North~~	~~East/West~~	~~1~~
~~Madison Street~~	~~200 South~~	~~East/West~~	~~2~~
~~Madison Street~~	~~100 South~~	~~East/West~~	~~2~~
~~Madison Street~~	~~100 North~~	~~East/West~~	~~2~~
~~Madison Street~~	~~200 North~~	~~East/West~~	~~2~~
~~Morton Street~~	~~100 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~200 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~300 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~400 North~~	~~East~~	~~1~~
~~Morton Street~~	~~500 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~600 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~700 North~~	~~East/West~~	~~1~~
~~Morton Street~~	~~800 North~~	~~East/West~~	~~1~~
~~Ninth Street~~	~~200 West~~	~~South~~	~~1~~
~~Ninth Street~~	~~100 East~~	~~North~~	~~1~~
~~Seventh Street~~	~~400 West~~	~~North/South~~	~~2~~
~~Seventh Street~~	~~300 West~~	~~North/South~~	~~2~~

~~Seventh Street~~	~~200 West~~	~~North~~	~~1~~
~~Seventh Street~~	~~100 West~~	~~North/South~~	~~1~~
~~Seventh Street~~	~~100 East~~	~~North/South~~	~~1~~
~~Seventh Street~~	~~200 East~~	~~North/South~~	~~1~~
~~Seventh Street~~	~~300 East~~	~~North/South~~	~~1~~
~~Seventh Street~~	~~400 East~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~400 West~~	~~North/South~~	~~2~~
~~Sixth Street~~	~~300 West~~	~~North/South~~	~~2~~
~~Sixth Street~~	~~200 West~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~100 West~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~100 East~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~200 East~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~300 East~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~400 East~~	~~North/South~~	~~1~~
~~Sixth Street~~	~~500 East~~	~~North/South~~	~~1~~
~~Twelfth Street~~	~~300 West~~	~~North/South~~	~~1~~
~~Walnut Street~~	~~400 South~~	~~West~~	~~2~~
~~Walnut Street~~	~~300 South~~	~~West~~	~~2~~
~~Walnut Street~~	~~200 South~~	~~West~~	~~2~~
~~Walnut Street~~	~~100 South~~	~~East/West~~	~~1~~
~~Walnut Street~~	~~100 North~~	~~East/West~~	~~1~~
~~Walnut Street~~	~~200 North~~	~~East/West~~	~~1~~
~~Walnut Street~~	~~300 North~~	~~West~~	~~1~~
~~Walnut Street~~	~~400 North~~	~~West~~	~~2~~
~~Walnut Street~~	~~500 North~~	~~West~~	~~2~~
~~Walnut Street~~	~~600 North~~	~~West~~	~~2~~
~~Washington Street~~	~~300 South~~	~~West~~	~~2~~
~~Washington Street~~	~~200 South~~	~~West~~	~~2~~
~~Washington Street~~	~~100 South~~	~~East~~	~~1~~
~~Washington Street~~	~~100 North~~	~~East/West~~	~~1~~
~~Washington Street~~	~~200 North~~	~~East/West~~	~~1~~

~~**Legend:**~~

~~(1) One dollar per hour between the hours of nine a.m. and nine p.m. every day except Sundays and city holidays.~~

~~(2) Fifty cents per hour between the hours of nine a.m. and nine p.m. every day except Sundays and city holidays.~~

SECTION 5. Section 15.40.020, entitled "Applicable times and charges," Schedule W, entitled "Hourly parking," shall be amended in the following manner. The provision regarding "Lot 7 – Morton Street Garage" shall be amended to provide for free parking for the first three consecutive hours and, to that effect, the provision shall be deleted and replaced with the following:

SCHEDULE W
HOURLY PARKING

Municipal Lot	Parking charge per hour	Applicable times for parking charges
Lot 7*		
Morton Street Garage		24 hours per day 7 days per week
	$0	• For the first three consecutive hours
	$0.50	• Beyond the first three consecutive hours

SECTION 6. Section 15.40.020, entitled "Applicable times and charges," Schedule W, entitled "Hourly parking," shall be further amended as follows. The notation indicated by an asterisk shall be amended to reflect the addition of "Lot 7 – Morton Street Garage" and, to that effect, shall be deleted and replaced with the following:

> *No vehicle may park for a free, three-hour period of time in more than one of the aforementioned lots (Lots 2, 3, 5, 6, 7, or 9) more than one time per calendar day.

~~SECTION 7. Chapter 15.40 entitled "Municipal Parking Lots, Garages and On-street Metered Parking" shall be further amended by inserting Section 15.40.022 entitled "On-street metered parking – In general" with the heading appearing in the Table of Contents for the chapter and the text reading as follows:~~

> ~~15.40.022 On-Street Metered Parking – In General~~
>
> ~~(a) The city through its board of public works may contract with one or more agents to administer on its behalf and at its direction the provisions of this chapter relating to on-street parking meters.~~
>
> ~~(b) The agent(s) may arrange for the payment for use of a metered parking space by motorists and take an agreed-upon charge before crediting the balance with the City for deposit in the special parking meter fund.~~
>
> ~~(c) Fees, in an aggregate amount not to exceed $100,000 in any calendar year, may be discounted or waived prior to receipt of funds in accordance with Section 15.40.023 (On-Street Parking Meter Fees – Bulk Discount) and Section 15.40.024 (On-Street Parking Meter Fees – Waiver for Certain Non-profit Organizations). These discount and waiver programs shall be operated under the direction of the Parking Commission established by BMC 2.12.110 (Parking Commission).~~

~~SECTION 8. Chapter 15.40 entitled "Municipal Parking Lots, Garages and On-street Metered Parking" shall be further amended by inserting Section 15.40.023 entitled "On-street Parking Meter Fees – Bulk Discount" with the heading appearing in the Table of Contents for the chapter and the text reading as follows:~~

> ~~15.40.023 On-Street Parking Meter Fees - Bulk Discount~~
>
> ~~(a) No more than $50,000 of the amount set forth in Section 15.40.022(c) shall be made available for a bulk-discount program.~~
> ~~(b) The bulk discount shall apply to the fee, but not any additional administrative charge imposed by the parking agent (pursuant to Section 15.40.022[b]) and be equal to fifteen percent of the fee for use of an on-street metered space.~~
> ~~(c) Any retail establishment or restaurant occupying and doing business at an address within Schedule U (On-Street Metered Parking) may, upon determination of eligibility and on a first-come-first-serve basis, purchase up to 10,000 hours per year in discount credits through the City's parking agent (pursuant to Section 15.40.022[b]). With this discount in place, one hundred hours of parking at the maximum rate of one dollar ($1.00) per hour would cost eighty-five dollars ($85.00). For purposes of this section, the~~

~~terms "retail establishment" and "restaurant" include any business required to obtain a Registered Retail Merchant Certificate from the State of Indiana that also demonstrates that at least half of the revenue generated at that location is subject to the Indiana sales tax.~~

~~(d) Eligibility. These discounts are intended for retail establishments and restaurants to offer customers in order to encourage their patronage by mitigating the cost and perceived inconvenience of metered parking. City policy is to encourage persons with long-term parking needs in the downtown to use off-street facilities or to reduce the use of motor vehicles. For that reason, the employer, employees, and paid contractors of a business, and the vehicles they use, are not eligible for waivers issued to that business. For that reason, as well, vehicles registered to residents at addresses within Schedule U shall be presumed to be ineligible for waivers but such presumption may be overcome by evidence provided by the user of the vehicle.~~

~~(e) Policies and Procedures. Staff under direction of the Commission is authorized to develop policies and practices that are necessary to operate this program in an efficient manner that is consistent with overall City policies. This includes the development of applications, memoranda of agreements, and other forms to assist the City obtain information and enter into understandings with businesses regarding use of these discounts. These forms may require these businesses to identify certain categories of persons (e.g. employees) and the license plates of vehicles they use on a regular basis.~~

~~(f) Misuse of Discounts. The Commission shall periodically review records of parking usage and may, after notice and a hearing, suspend or terminate credits for a business with evidence of a pattern of misuse of the discounts. The Commission may, after notice and a hearing, determine that a discount has been used improperly in regard to a particular vehicle and deem the vehicle ineligible for discounts.~~

~~SECTION 9. Chapter 15.40 entitled "Municipal Parking Lots, Garages and On-street Metered Parking" shall be further amended by inserting Section 15.40.024 entitled "On-Street Parking Meter Fees—Waiver for Certain Non-profit Organizations" with the heading appearing in the index for the chapter and the text reading as follows:~~

~~Section 15.40.024 - On-Street Parking Meter Fees—Waiver for Certain Non-profit Organizations~~

~~(a) No more than $50,000 of the amount set forth in Section 15.40.022(c) shall be made available for a non-profit parking fee waiver program.~~

~~(b) The non-profit parking waiver shall apply to the entire fee, but not to any additional administrative charge imposed by the parking agent (pursuant to Section 15.40.022[b]).~~

~~(c) Upon approval of the Commission, eligible 501(c) (3) non-profit organizations operating by lease or other contract at an address within Schedule U (On-Street Metered Parking) may obtain fee waiver credit in an amount not to exceed $10,000 per year.~~

~~(d) Volunteers and Clients. The fee waivers are provided in order to protect applicants from loss of volunteer services or client access to services due to the cost and perceived inconvenience of on-street metered parking. It is intended for vehicles under control of persons in the course of volunteering for, or obtaining services as a client at, the aforementioned non-profit organizations. City policy is to encourage persons with long-term parking needs in the downtown to use off-street facilities or to reduce the use of motor vehicles. For that reason, vehicles used by the employer, employees, paid contractors, and residents of the aforementioned organization are not eligible for use of a fee waiver even if acting in a volunteer or client capacity at the time the waiver is applied. For purposes of this section, the term "client" means a person who receives services of an organization, but is not a paying customer or patron of the organization.~~

~~(e) Misuse of Waivers. The Commission shall periodically review records of parking usage and may, after notice and a hearing, suspend or terminate credits for a non-profit organization with evidence of a pattern of misuse. The Commission may, after notice and a hearing, determine that the waiver has been misused in regard to a particular vehicle and deem the vehicle ineligible for waivers but such presumption may be overcome by evidence provided by the user of the vehicle.~~

~~(f) Policies and Procedures. Staff under direction of the Commission is authorized to develop policies and practices that are necessary to operate this program in an efficient manner that is consistent with overall City policies. This includes the development of applications, memoranda of agreements, and other forms to assist the City to obtain information and enter into understandings with businesses regarding use of these waivers. These forms may require these organizations to identify certain categories of persons (e.g. employees) and the license plates of vehicles they use on a regular basis.~~

~~(g) Allocation of Waivers. The Commission and its staff shall develop an allocation procedure based upon the following guidelines:~~

~~(1) Applicants may apply on a periodic basis as determined by the Commission and may be an entire organization or an affected program within the organization.~~

~~(2) The applicant must demonstrate that its mission and activities either:~~

~~(i) support and enhance the Bloomington Entertainment and Arts District (BEAD); or~~

~~(ii) substantially match the criteria for funding under the Jack Hopkins Social Services Funding Program;~~

~~(2) The applicant must detail and explain the need for waivers in terms of the number of volunteers and clients, the name of the program, and the number, location, blocks of time, and days of week associated with the use of the waivers;~~

~~(3) The applicant must demonstrate knowledge and appropriate use of opportunities to reduce the need for on-street parking in the downtown;~~

~~(4) The use of the waiver shall not significantly reduce on-street parking for customers of neighboring businesses and adversely affect their operations; and~~

~~(5) The granting of waivers will not result in a high risk of misuse.~~

~~(h) Waiver credits will be available in periods of no less than three months and no more than 12 months.~~

SECTION 10. Given the additional methods for using the city's parking system that ParkMobile offers, and its current underutilization by the parking public, the Administration shall:

(a) arrange with ParkMobile to change its method of accepting payment through its mobile application, from advance specification of the length of time desired, to "pay-as-you-go" metering, in which the app charges for parking on street in much the same way parking is charged for in a gated garage;

(b) assign new ParkMobile zone numbers to each of the several surface lots, place ParkMobile stickers on each meter in said lots, and instruct parking enforcement officers to accept use of ParkMobile as payment in those lots.

SECTION 11. Unless a report stating good cause to defer the changes prescribed by this ordinance is filed with the Council within the foregoing time period, these steps shall be taken within 120 days of adoption of this ordinance.

SECTION 12. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, 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 13. 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 of the Mayor and publication in accordance with State law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 15th day of April, 2015.

DAVE ROLLO, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16th day of APRIL, 2015.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 16th day of April, 2015.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Councilmember Volan and amends Title 15 of the Bloomington Municipal Code (Vehicles and Traffic) after evaluation of expansion of the downtown metered parking established with the adoption of Ordinance 13-03 in March of 2013. It would: improve parking management in the downtown by imposing a maximum charge for on-street metered parking; set forth actual times and fees in an amended Schedule U; provide a period of free parking in all garages; and, establish a fee discount and waiver program to be overseen by a new Parking Commission.

Note: This ordinance was revised after it was distributed in the Weekly Legislative Packet and before it was introduced. The revisions added new Sections 10 and 11 regarding implementation of certain ParkMobile services and making ParkMobile services known at the City's surface lots.

Note: On April 15, 2015, the Council divided the question on consideration of this ordinance into three divisions and eventually passed one of the divisions. Here is the record of those actions:

- *ACTION: The motion to divide the question into three parts received a roll call vote of 8-1-0;*
- *ACTION: The motion to amend Division 1 to omit section 9 passed 9-0-0;*
- *ACTION: The motion to approve Division 1 (sections 1,7& 8) as amended failed 3-6-0;*
- *ACTION: The motion to approve Division 2 (sections 2,3& 4) failed 4-5-0;*
- *ACTION: The motion to approve Division 3 (sections 5,6,10,11) passed 8-1-0.*

The Council adopted a motion that authorized staff to reconcile the differences in wording in Schedule W between Ordinance15-09 and Ordinance 15-10 so that the payment for lots and garage parking spaces be converted from a half-hour to an hour.

Signed copies to:
legal (5)
controller (1)
Plan/Tran
PEO
Police
T+T Engineer

Clerk 1
BPC 1
HT-for publ.
Public Works
Street