(passed 7-0)
(Ruff, Gaal out of Room)

ORDINANCE 03-38

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"
(Modifying Bryan Park Parking Restrictions; Prohibiting Overnight Parking at Parks and Recreation Parking Lots and Authorizing the Towing of Vehicles for Such; and, Expanding Shared Parking)

WHEREAS, residents attempting to use Bryan Park have found the Henderson Street lots filled with cars parked by those not using the park; and

WHEREAS, there is overnight storage parking of vehicles in Bryan Park lots including those set aside for Park and Ride users; and

WHEREAS, most reserved spaces in City lots and garages are vacant between 6:00 p.m. and 7:00 p.m. on weekdays and could be shared with those visiting downtown during those hours; and

WHEREAS, from time to time it is necessary to revise provisions of the Bloomington Municipal Code to keep it current; and

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

SECTION 1. The following shall be appended to the end of Bloomington Municipal Code 15.40.010:

(19) Lot 20: located on the east side of Henderson Street near its intersection with Allen Street on the west central portion of Bryan Park.
(20) Lot 21: located on the southeast portion of Bryan Park south of and adjacent to the Bryan Park Pool.
(21) Lot 22: located on the east side of Woodlawn Avenue between Weatherstone Lane and Southdowns Drive on the southeast edge of Bryan Park.
(22) Lot 23 located on the east side of Woodlawn Avenue south of Weatherstone Lane and north of Hillside Drive, commonly known as the Carlisle Lot.
(23) Lot 24 located on the north side 17th Street between Walnut Street and College Avenue on the southern edge of Miller Showers Park

SECTION 2. Bloomington Municipal Code Schedule V shall be deleted and replaced by the Schedule V that is attached hereto and made a part thereof this ordinance.

SECTION 3. Section 15.40.025 of the Bloomington Municipal Code shall be amended by deleting it and replacing it with the following:

15.40.025 Parks and Recreation Parking

(a) The following parking restrictions apply to Lot 17, Lot 18, Lot 19, Lot 20 and Lot 24. Unless otherwise specifically stated below, no vehicle shall remain parked in any of these lots in excess of three (3) hours from eight a.m. to five p.m. every day, with the exception of Saturdays, Sundays and city holidays. This parking restriction shall be in effect year round for Lot 17 and Lot 24, and from September 1st through May 1st for Lot 18, Lot 19 and Lot 20. There shall be no parking permit required or time charges collected for use of the above-specified lots for this three (3) hour time period.
(b) There shall be no parking in any City Parks and Recreation parking lot between the hours of 11:00 p.m. and 5:00 a.m. with the of exception lots for Griffy Lake where parking shall be allowed during these hours only for persons who are night fishing or participating in a specially scheduled parks department sponsored or approved program.

SECTION 4. The fourth sentence of the first paragraph of Part (a) of the Section 15.40.030 of the Bloomington Municipal Code shall be amended by changing the phrase "seven p.m. (13/5)" to "six p.m. (12/5)" so that the sentence shall read as follows:

One rate shall be for leases in effect Monday through Friday between the hours of six a.m. and seven p.m. (13/5) six p.m. (12/5) and the other rate shall be for leases in effect Sunday through Saturday, twenty-four hours per day (24/7).

SECTION 5. Section 15.40.030(d) shall be amended in the following manner:

(a) The word "an" shall be deleted and the phrase "and nonreserved" shall be inserted after the word "reserved" in the first sentence of the first paragraph so that the sentence shall read as follows:

The full charge for annual reserved and nonreserved parking leases shall be paid in advance.

(b) The last three paragraphs shall be deleted.

SECTION 6. Section 15.40.060 of the Bloomington Municipal Code shall be amended in the following manner:

(a) Part (a) shall be amended such that the word "exception" is changed to "exceptions" and the phrase "Section 15.40.025(b) and" is inserted before "Section 15.40.050(b)" so that it shall read as follows:

(a) Any violation of this chapter, with the exceptions of a violation of Section 15.40.025(b) and Section 15.40.050(b), is a Class D Traffic Violation and subject to the penalty listed in Section 15.64.010(d).

(b) Part (b) shall be amended such that the phrase "Section 15.40.025(b) or" is inserted before "Section 15.40.050(b)" so that it shall read as follows:

(b) Any violation of Section 15.40.025(b) or Section 15.40.050(b) is a Class H Traffic Violation and subject to the penalty listed in Section 15.64.010(i).

SECTION 7. Bloomington Municipal Code 15.48.010(a)(6) shall be amended by deleting the phrase "a Class A" and replacing it with "the proper" so that it shall read as follows:

(6) Any vehicle parked in an annual leased stall in the municipal parking garage without displaying the proper permit for that stall in violation of Section 15.40.030 of this code;

SECTION 8. Bloomington Municipal Code 15.48.010(a) shall be amended by appending the following:

(13) Any vehicle in a City Parks and Recreation parking lot in violation of Bloomington Municipal Code section 15.40.025(b).

SECTION 9. Bloomington Municipal Code 15.64.010(d) shall be amended such that the cite "15.40.025" is changed to "15.40.025(a)".

SECTION 10. Bloomington Municipal Code 15.64.010(i) shall be amended to add "15.40.025(b) Overnight parking in City Parks and Recreation parking lots between 11:00 p.m. and 5:00 a.m." so that it read as follows:

(i) Class H Traffic Violations

Fine: $50.00

Covers:

15.40.025(b) Overnight parking in City Parks and Recreation parking lots between 11:00 p.m. and 5:00 a.m.

15.40.050(b) Parking in leased stall without a permit

SECTION 11. Severability. 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 section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 12. The provisions of this ordinance shall be in full force and effect on and after passage by the Common Council of the City of Bloomington, approval by the Mayor and, when required by I.C. 36-4-6-14, publication.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17th day of December, 2003.

CHRIS GAAL, 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 18th day of December, 2003.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of December, 2003.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance extends the three hour time limit on parking in the northwestern parking lot on Henderson Street at Bryan Park during the academic year to the parking lot south of it near the playground. It puts the same restriction year around for the parking lot on the southern end of Miller Showers Park. It makes it a violation of the Municipal Code to park a vehicle in City Parks and Recreation lots between 11:00 p.m. and 5:00 a.m., puts a $50.00 fine on the violation and provides that vehicles may be towed from those lots for such violations. The ordinance changes the time a weekdays-only reserved lease is in effect from 6:00 a.m. – 7:00 p.m. to 6:00 a.m. - 6:00 p.m. It also makes non-substantive changes to the Municipal Code to keep it current.

Signed copies to:

legal (5)	Parking enforcement	CA/CA (2)
controller	Police Department	clerk
Parks & Rec	BMC file	file
		Public Works

advertised

SCHEDULE V

Municipal Lot	Meter rate/ time charge per 30 minutes	Nonreserved space lease per year	Reserved space lease per year Monday through Friday 6:00 a.m. – 6:00 p.m.	Reserved space lease per year 7 days per week 24 hours per day
1 Dunkirk Square lot	$0.50	$800	$1125	$2250
2 Walnut Center Garage 7th & Walnut	$0.25	$400	$550	$675
3 4th & Washington lot	$0.25	$400	$550	$675
5 6th and Lincoln	$0.25	$400	$550	$675
6 3rd St./BPD lot	$0.25	$400	$550	$675
7 Regester Parking Garage	$0.25	$400	$550	$675
9 4th & Walnut St. Parking Garage	$0.25	$400	$550	$675