

ORDINANCE NO. 72-83

AN ORDINANCE TO AMEND CHAPTER 12.16 OF THE BLOOMINGTON
MUNICIPAL CODE ENTITLED, "PARKING PERMITS".

WHEREAS, the Common Council finds that there are certain neighborhoods located in the City of Bloomington which until this point have been primarily composed of single household detached dwellings, but which are in danger of changing character due to the lack of off-street parking for the residents thereof, and;

WHEREAS, the Common Council finds that the preservation of single household neighborhoods is in the best interests of the public at large, and;

WHEREAS, the Common Council finds that provision for adjacent on-street parking for the residents of such neighborhoods is necessary to accomplish the goal of preservation of such neighborhoods;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

SECTION 1. That Chapter 12.16 of the Bloomington Municipal Code, entitled, "Parking Permits", be amended to read as follows:

Section 12.16.010 Application Required. Any person residing in a single household detached dwelling in an area of the City zoned for residential purposes who owns an automobile may apply to the City Controller for a permit for one parking space adjacent to such residential property. "Adjacent" for purposes of this Chapter shall mean abutting the property of the residence or, if no such space is available, then directly across the street and within the same block as the residence. At the time of application, a valid automobile registration shall be shown. Household shall be defined as a single individual living upon the premises as a separate housekeeping unit or a collective body of persons living upon the premises as a single housekeeping unit. Single household detached dwelling shall be defined as a building designed for the occupancy of no more than five (5) adults, i.e., persons sixteen (16) years of age or older and any dependent children of the household.

Such dwellings shall be characterized by, but not limited to:

- (1) A single house number with a single mail-box for the receipt of materials sent through the United States mail;

(2) A single kitchen adequate for the preparation for meals;

(3) A tenancy based upon a legal relationship of a unitary nature, i.e., single lease, mortgage or contractual sales agreement for the entire premises.

Section 12.16.020 Information Required in Application.

The application form shall contain the name and address of the applicant; the year, make, and license number of the automobile owned by the applicant which is authorized to use the private parking space; and a signed statement from the applicant that he resides at the address given in the application, that he owns the listed automobile; and that he is unable to provide adequate off-street parking as defined in this chapter. Should the automobile and/or its license number change while a permit is in force, it is the applicant's responsibility to have it changed on the application.

Section 12.16.030 Information Contained on Permit.

The permit provided for in this chapter shall contain the following information:

- (1) Number of the permit.
- (2) Name and address of person to whom permit is issued.
- (3) Year, make, and license number of vehicle authorized to use space.
- (4) Month and date of issuance and date of expiration.

Section 12.16.040 Decal Required. A small, self-adhesive, colored decal bearing the expiration date of the permit will be issued - such decal shall be affixed to the sign at the location of the private parking space. The color of the decal shall change each year. The absence of said decal shall be presumptive evidence that the permit has expired.

Section 12.16.050 Expiration of Permits. All permits expire on December 31 of the year of issuance. Permits must be renewed by February 15 or application and permit expires.

Section 12.16.060 Fees. An initial administrative fee of \$25.00 shall be paid upon issuance of permit. An annual permit fee of \$26.00 shall be paid thereafter (\$13.00 after July 1).

Section 12.16.070 Approval of Application-Revocation.

The Application for a permit under provisions of this chapter shall be first approved by a board of five persons, consisting of one chairman and four members appointed by the Mayor with consent of the Common Council. The Application for a permit shall be forwarded to this board by the city controller, and said application shall be approved or disapproved in accordance with the guidelines set forth in this chapter. The initial investigation and decision of the application shall be made by two members of the

board. An adverse ruling may be appealed to the board as a whole, whose decision shall be final. All permits previously issued shall become immediately reviewable upon passage of this chapter. If a previously issued permit is approved, no additional administrative fee shall be required. If a previously issued permit is disapproved, a percentage refund based upon the months remaining in that calendar year shall be made to the permit holder upon proof of having paid the fee for that year. The board shall further have the authority to revoke any permit upon finding of violation of the regulations contained in this chapter.

Section 12.16.080 Space Unavailable Where Parking Meter Installed. No permit for a parking space adjacent to a residence shall be granted for any space in which there is a parking meter installed by the City.

Section 12.16.090 Disposition of Revenue. All funds derived from the granting of permits under the provisions of this chapter shall be placed in the General Fund of the City of Bloomington.

Section 12.16.100 Enforcement. No vehicle other than those authorized by the applicable permit shall park in private parking space. Any vehicle parked in violation of this provision shall be subject to penalties as provided in Chapter 15.72.150.

Section 12.16.110 Regulations. The following regulations shall be in effect:

- (1) A permit shall be issued only when there is a lack of off-street parking at applicant's place of residence. "Adequate off-street parking" shall be defined as space for one automobile, including adequate access to that space.
- (2) Permits are restricted to one per residence.
- (3) Permits shall be valid only for the calendar year in which they are issued.
- (4) Private parking spaces are to be used for passenger vehicles only.
- (5) Private parking spaces may not be subleased or rented, for consideration or gratuitously, to individuals outside the applicant's household.
- (6) Violation of these regulations or any other provisions of this chapter shall result in the immediate revocation of the permit by the administrative board with forfeiture of all fees paid.
- (7) Permit holder will purchase and maintain a standard sign as designated by the city.

Section 12.16.120 Expiration. This ordinance shall expire as of December 31, 1976.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the law.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 19 day of April 1973

Charlotte T. Zietlow
Charlotte T. Zietlow,
Common Council President

ATTEST:

Grace E. Johnson
Grace E. Johnson, City Clerk

Presented by me to the Mayor of the City of Bloomington, upon the 23 day of April 1973, at the hour of 10 o'clock A.m.

Grace E. Johnson
Grace E. Johnson, City Clerk

This ordinance approved and signed by me upon the 23 day of April 1973, at the our of 11 o'clock A.m.

Francis X. McCloskey
Francis X. McCloskey, Mayor

INTRODUCED BY:

REFERRED TO COUNCIL COMMITTEE:

APPROVED AS TO LEGALITY: