

*(passed 7-1-00)  
Benech absent*

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
"VEHICLES AND TRAFFIC"  
(Affecting Class D Parking Fines, Display of Parking Permits, Appeals, and Other Miscellaneous  
Regulations)**

- WHEREAS, the City funds the operating and capital costs of its parking operations through a combination of revenues from fees and fines; and,
- WHEREAS, those operational costs and those capital needs are increasing; and,
- WHEREAS, the likelihood of collecting fine revenue is increased when fines are paid on time; and,
- WHEREAS, it is necessary from time to time to revise and update portions of the Bloomington Municipal Code to correspond with current practice;

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

SECTION 1. Section 15.38.010 of the Bloomington Municipal Code entitled "Eligibility" shall be amended by deleting the phrase "or blue" and changing the word "zones" to "zone" in the last sentence of the first paragraph so that the sentence now reads:

These parking privileges, however, do not extend to the white employee permit zone described below.

SECTION 2. Section 15.38.010 of Bloomington Municipal Code entitled "Eligibility" shall be further amended by deleting the last sentence of the third (and last) paragraph so that the paragraph now reads:

Any person employed as an official of Monroe County, or by any agency, department or office thereof; whose usual place of employment is the justice facility or the Monroe County health department building who owns a vehicle, may apply to the city parking enforcement division for a blue public employee parking permit.

SECTION 3. Section 15.38.030 of the Bloomington Municipal Code, entitled "Display of permits." shall be deleted and replaced with the following:

Section 15.38.030 Display of permits.

No person shall park on the streets, parts of the streets or the parts of Municipal Lots 11, 14 and 16 designated as municipal employee parking zones without the proper municipal employee parking permit displayed as directed by the Department of Public Works.

SECTION 4. Section 15.40.010 of the Bloomington Municipal, regarding locations of parking lots and garages, shall be amended by deleting parts (4) (*referring to Lot 4*) and (8) (*referring to Lot 8*) and renumbering the remaining parts sequentially.

SECTION 5. Provision 15.40.030(c) of the Bloomington Municipal Code, regarding parking permits, shall be amended by deleting the second sentence and replacing it with:

The method by which a vehicle shall indicate possession of a reserved or nonreserved lease (e.g. hang-tags, permits, decals) shall be in accordance with the direction of the Department of Public Works.

SECTION 6. Provision 15.40.050(b) of the Bloomington Municipal Code, regarding parking violations in City metered spaces, lots, and garages, shall be amended by deleting and replacing it with the following:

(b) No person shall park in a leased stall in any City garage or lot without a valid lease for that space. The vehicle shall indicate possession of such a lease in a manner directed by the Department of Public Works.

SECTION 7. Provision 15.40.050 (c) of the Bloomington Municipal Code, regarding parking violations in City metered spaces, lots, and garages, shall be amended by deleting and replacing it with the following:

(c) No person shall park in any City garage or lot in an area designated for nonreserved leases without a valid lease for such spaces as described in this Chapter. The vehicle shall indicate possession of such a lease in a manner directed by the Department of Public Works.

SECTION 8. The Section 15.40.050 of the Bloomington Municipal Code shall be further amended by deleting subsection (g) and relettering subsections (d), (e) and (f) as (e), (f) and (g) respectively.

SECTION 9. Section 15.40.050 of the Bloomington Municipal Code shall be further amended by inserting a new subsection (d) which shall read as follows:

(d) No person shall park in any of the lots or garages described in 15.40.010 of this Chapter unless permitted and authorized as described by the provisions of this Chapter or by the Department of Public Works.

SECTION 10. Section 15.40.050 of the Bloomington Municipal Code shall be further amended by inserting a new subsection (h) which shall read as follows:

(h) No person shall park a vehicle in any lot or garage described in 15.40.010 unless the vehicle indicates permission or authorization to park in that lot or garage in a manner directed by the Department of Public Works.

SECTION 11. Provision 15.64.010(d) of the Bloomington Municipal Code, regarding Class D traffic violations, shall be amended by deleting the amount "\$12.00" and replacing it with the amount "\$15.00" and deleting the amount "\$17.00" and replacing it with the amount "\$30.00" as these amounts appear in the second line so that the line now reads:

Fine:	\$15.00	\$30.00 (depending upon when paid)
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SECTION 12. The reference to 15.40.050 in provision 15.64.010(d) of the Bloomington Municipal Code, regarding Class D traffic violations, shall be amended by adding (g) and (h) to the cited subsections and adding "and unauthorized parking in a municipal lot or garage" to the corresponding text so that the reference now reads:

15.40.050 (a), (c), (d), (e), (f), (g), (h)	Backing in and overtime parking in city lots and garages; defacing parking meters, depositing slugs in meters, and unauthorized parking in a municipal lot or garage.
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SECTION 13. Provision 15.64.010(d)(1) of the Bloomington Municipal Code, regarding Class D traffic violations, shall be amended by deleting the word "twelve" and replacing it with the word "fifteen" in the first sentence and by deleting the word "seventeen" and replacing it with the word "thirty" in the second sentence so that the provision now reads:

(1) The fine for Class D Traffic Violations shall be fifteen dollars, if paid within seven calendar days. The fine shall automatically increase to thirty dollars if not paid within seven calendar days.

SECTION 14. Subsection 15.64.010(d) (2) of the Bloomington Municipal Code, regarding appeals, shall be amended in the following manner:

(a) The second sentence shall be deleted and replaced with the following:

The city clerk or designee shall hear all of appeals of Class D traffic violations and violations of the Neighborhood Residential Permit Parking Program (Section 15.37.150).

(b) The fourth sentence shall be amended by replacing the phrase "twelve p.m." with the phrase "four p.m." so that the sentence now reads:

The informal hearings shall be conducted between the hours of nine a.m. and four p.m. in the office of city clerk on all days except Saturdays, Sundays, and city holidays.

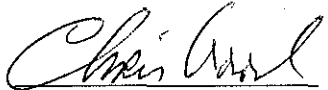
SECTION 15. Subsection 15.64.010 (g) of the Bloomington Municipal Code, regarding Class F traffic violations, shall be amended by inserting the following citation to the list of covered violations in numerical order:

15.37.150 Permit displayed on an ineligible motor vehicle (plate non-match)

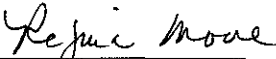
SECTION 16. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 17. 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.

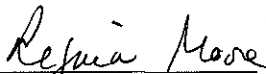
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 10<sup>th</sup> day of August, 2003.

  
CHRIS GAAL, President  
Bloomington Common Council

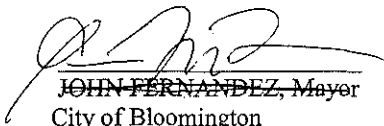
ATTEST:

  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 7<sup>th</sup> day of August, 2003.

  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 11<sup>th</sup> day of AUGUST, 2003.

  
JOHN FERNANDEZ, Mayor  
City of Bloomington  
JAMES McNAMARA  
DEPUTY/ACTING MAYOR

SYNOPSIS

This ordinance raises the fine for Class D Traffic Violations from \$12.00 to \$15.00 if paid within seven calendar days and from \$17.00 to \$30.00 if not paid within seven calendar days. The ordinance also reflects existing practice by expanding the scope of appeals heard by the Clerk's Office to include not only Class D Traffic Violations, but also violations of the Residential Neighborhood Parking Permit program. The hours for hearing those appeals are expanded so that they begin at 9:00 a.m. and end at 4:00 p.m. The ordinance also gives the Board of Public Works the responsibility for determining where parking permits must be displayed on motor vehicles, rather than have this matter otherwise specified in the code, and makes other "house-keeping" changes to the code.

Signed  
COPIES TO:  
PEO                      Public Works                      Clerk                      FILE  
Legals                      BOARD of P.W                      CA/CA                      BMC  
Controller                      Police