City of Bloomington
Common Council

Legislative Packet

Special Session

immediately followed by

Committee of the Whole Discussion

27 October 2010

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To: **Council Members**
From: **Council Office**
Re: **Weekly Packet Memo**
Date: **October 22, 2010**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:

- **Special Session of the Common Council** on Wednesday, October 27th Immediately before the Committee of the Whole

Legislation for Special Session and Committee of the Whole:

Ord 10-15 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

- Memo to Council
- Maps

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Memo

Ord 10-15 (Traffic Ordinance) is Ready for the Special Session and Committee of the Whole on Wednesday, October 27th

The Council voted to hold a Special Session next week to introduce a traffic ordinance, **Ord 10-15**, at the Special Session and discuss it at the Committee of the Whole. It is the first one you've seen for about a year and a half, and contains 54 sections. These provisions include ones coming forward from the Traffic Commission, ones resulting from 90-day orders (where the Chief of Police authorized a temporary change pursuant to BMC 15.08.040), and ones recommended by Public Works and City Legal in order to as part of their periodic review of the code.

The number of provisions and the potential complexity and controversy associated with some of them will likely lead the Council to defer parts of the ordinance until after the new year. If the Council wants to see traffic ordinances presented on a more regular basis, it could adopt a motion on November 3rd requesting that the Administration bring forward on a quarterly basis recommendations from the Traffic Commission and changes temporarily put in place by 90-day orders. This would meet the expectations of persons who have sought changes through the Commission and comport with BMC 15.08.040 that requires changes imposed by 90-day orders with a few months of the entry of the order.

The ordinance is summarized in the following pages. Here are some of the proposals you may be more interested in than the others. The ordinance would:

- Reduce speed on West 3rd between Rogers and Walker to 25 mph (Section 6);
- Increase the speed on Tapp Road from Adams to SR 37 from 30 mph to 40 mph (Section 6);
- Make Smith Avenue One-Way west from Washington to Walnut (at the request of the Project School) (Section 5);
- Clarify the 2-hour parking rule (Section 11);
- Broaden where special event parking may occur (Section 12);
- Remove various loading zones (Sections 16 & 17);
- Create an annual permit for Construction and Service vehicles as well as one for Delivery vehicles which need to park in the downtown and residential parking zones (Sections 24 & 25);
- Raise the All Zone Permit and the Reserved and Non-Reserved Parking permit fees between 5% and 10% (Sections 32 & 40);
- Lengthen the notice requirement for towing to 72 hours for areas with unrestricted parking (at the request of Council members) (Section 41);
- Simplify what is required for a person to recover a towed vehicle without paying for the towing and storage fee (Section 42);
- Provide for bicycle parking in the right-of-way (when an a approved rack is present) and set forth procedures for removing, impounding, reclaiming and disposing of abandoned vehicles (Sections 45 – 46); and
- Remove the Nota/Maxwell Bike Path (Section 43).

STOP, YIELD AND SIGNALIZED INTERSECTIONS
(CHAPTER 15.12)
STOP INTERSECTIONS (SCHEDULE A) AND
MULTI-STOP INTERSECTIONS (SCHEDULE B)
(Section 1 - 4 of the Ordinance)

LOCATION(S)	**ACTION and RATIONALE**
Cardinal Ct, Harmony Place, Susie Street intersecting with what is now to be called RCA Park Drive *(Map 1)*	Thomson Park Drive, in the Autumn View Subdivision, has been renamed the RCA Park Drive. These sections, in part, reflect that change.
Windsor Drive and Wilton Drive *(Map 2)*	These changes provide for two stops for traffic on Windsor and Wilton Drives: a two-way stop at the north end of Wilton; and a 3-Way Stop on the south end of Wilton. Rationale: They reflect the installation of traffic calming devices in this area and the re-alignment of the streets.
Anita Lee Lane at Intersections with Hunter Avenue and Second Street *(Map 3)*	These changes reflect stop signs at these two intersections that were overlooked in previous codifications.
Arbor Ridge Court and Arbor Ridge Way at the south end of Sudbury Drive *(Map 4)*	These changes add two stops to our code for newly-accepted streets.

ONE-WAY STREETS AND ALLEYS
(CHAPTER 15.16)
ONE WAY STREETS (SCHEDULE E)
(Sections 4 & 5of the Ordinance)

LOCATION	**ACTION and RATIONALE**
Smith Avenue from Walnut to Lincoln *(Map 5)*	Smith Avenue is currently a one-way street for eastward traffic from the mid-block east of Walnut to Lincoln Street. Section 5 would make Smith one way for eastwardly traffic from Washington to Lincoln and one way for westward traffic from Washington to Walnut. Rationale: The Project School wanted safer and more efficient access to their school from Smith Avenue.

Lindbergh south of 17th Street *(Map 6)*	These sections, in part, convert 70' of Lindbergh just south of 17th Street from a two-way street to a one-way segment for southward traffic. Rationale: The view of traffic on 17th west of this intersection is poor and this will make the intersection safer by prohibiting cars from entering the street from Lindbergh.

SPEED REGULATIONS
(CHAPTER 15.24)
INCREASED OR DECREASED STATE SPEED LIMITS (SCHEDULE I)
(Section 6 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
Tapp Road from Adams Street to SR 37 *(Map 7)*	Section 6 increases the speed limit on this segment of Tapp Road from the State default speed limit in urban areas of 30 mph to 40 mph. Rationale: This will return the speed limit to the speed limit when it was in the County and better approximates the 85 Percentile Speed of 50 mph. Please note that a pedestrian bridge is planned for Tapp Road in the next few years. *Note: The Council has received emails from residents opposed to increasing the speed limit here because of the access to the Clear Creek Trail and you should expect to hear from them during your deliberation of this matter.*
West 3rd Street from Rogers to Walker Streets *(Map 8)*	Section 6 decreases the speed limit on this segment of W. 3rd Street from the State default speed limit in urban areas of 30 mph to 25 mph. Rationale: This segment is mostly a narrow street with considerable through-traffic. Much of it has been modified with traffic-calming devices that reinforce the lower limit.

SPEED REGULATIONS
(CHAPTER 15.24)
SCHOOL, PARK AND PLAYGROUND SPEED ZONES (SCHEDULE J)
(Section 7 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
RCA (formerly Thomson) Park Drive *(Map 1)*	Section 7 reflects the change in name for what is now called RCA Park Drive in the part of the code that lists school speed zones.

NO PARKING ZONES
SCHEDULE M
(SECTION 15.32.060 PARKING OF EQUIPMENT OR MACHINERY)
(Section 8 of the Ordinance)

BMC 15.32 (Parking of Equipment or Machinery) currently prohibits equipment or machinery from parking or being permitted to stand on the street without a permit from the Police Department. Under this code provision the Chief of Police may issue permits for such parking at a designated site for a limited period of time to persons who show a reasonable necessity for parking temporarily on the street while engaged in construction. It also allows service trucks to park on the streets while the operators are engaged in repair or service work when there is no suitable off-street parking. The violation is a Class C Infraction - $50.
Change: Section 8 converts the permit to an approval and shifts the approval from the Chief of Police to the Department of Public Works and allows for such parking without prior approval in the event of an emergency. The rest of the provision remains unchanged.
Rationale: This change reflects current practice.

NO PARKING ZONES
SCHEDULE M
(CHAPTER 15.32)
(Sections 9 and 10 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
Eighth Street from Rogers to the western end of the street (South Side) *(Map 9)*	The code currently prohibits parking on this segment of W. 8th Street on the south side at any time. However, it allows parking on that side of the street between Rogers and Fairview on Sundays and holidays. Sections 9 and 10 of the ordinance keep the prohibition west of Fairview and lift the prohibition east of Fairview. Rationale: This change accommodates the use of the street after construction of the new Fairview School.
Seventh Street from Rogers to Adams (North Side) *(Map 9)*	The code currently prohibits parking on the north side of W. 7th from 187' west of Rogers to Adams Street. These sections of the ordinance narrow that prohibition on the eastern end of the segment by about one block – ending at Fairview. Rationale: As with the previous entry, this change reflects usage of the street after construction of the new Fairview School.
Monroe Street from Cottage Grove to Eleventh Street (East Side) *(Map 10)*	The code currently prohibits parking on the east side of the street for this one block. This section would now allow it. Rationale: Residents wanted more parking and the street is wide enough to provide it.

Sixteenth Street 59' feet west of Dunn (North Side) *(Map 11)*	Section 10 adds a no parking zone on the north side of this street for the first 59' on the west side of Dunn. Rationale: This will provide more room for cars entering 16th from Dunn.
Willis Drive and Westfield Drive to 80' north of the intersection (East Side) *(Map 12)*	Section 10 adds a no parking zone for 80' north of the intersection on the east side. Rationale: This will provide better sight distance for cars traveling on Westfield Drive.
Rogers Street from Third to 145' north of Third (East Side) *(Map 8)*	Section 10 adds no parking zone on the east side of Rogers for 145' north of 3rd Street. Rationale: There is no room for parking along this portion of the street.
Arbor Ridge Way from Sudburry Drive to the end of street (Both Sides) *(Map 4)*	Section 10 brings existing no parking regulations for this newly-acquired street into our code.

LIMITED PARKING ZONES
SCHEDULE N
(SECTION 15.32.090 LIMITED PARKING ZONES)
(Sections 11- 13 of the Ordinance)

ACTION AND RATIONALE:

BMC 15.32.090 (b) states the City's rule against parking in downtown areas more than once on the same block on same day. The new wording in Section 11 of the ordinance is as follows: "Vehicles may be parked for one occurrence only, per day, in the designated limited parking zones within the same one hundred block of any street or parts of streets described in Schedule N during any calendar day during the hours that the restrictions on parking are in effect."
Rationale: This is intended to clarify the prohibition by referring to vehicles and not persons and by emphasizing the same-day requirement.
Note: The City Clerk notes that parking ticket appellants find the signs themselves misleading which is not addressed by this ordinance.

BMC 15.32.090 (f) authorizes permits for "Special Event Parking" so vehicles (e.g. buses) associated with a special event may park nearby the event. Applications must be made at least 7 days in advance of the event. Permits must specify the day(s) and space(s) covered by the permit. Notice of the permit must be posted at least 24 hours before the permit goes into effect. The fee is $10 per vehicle space per day. Currently, these special permits may only be used on 2-hour parking spaces on College and Walnut between 2nd and 10th Street and on Kirkwood between Indiana and Morton.
Change: Section 12 would allow these permits outside of the current area and beyond 2-hour parking spaces.
Rationale: Past experience has shown that the vehicles need to park outside the area and in the 15 or 30 minute spaces.

Section 13 adds a new item to the Legend following Schedule N (Limited Parking Zones). The Legend modifies or conditions the limited parking zones found in the table.
Change: In this case, the change will allow a Zone 9 (an area south and west of the IU campus) Residential Parking Permit to be used in 2-hour spaces that are in effect from 8:00 – 5:00 p.m. on Monday through Friday.
Rationale: This will help accommodate businesses and residents on Grant Street between 3rd and 4th Street. *(See Section 14-15 for those changes.)*

LIMITED PARKING ZONES
SCHEDULE N
(SECTION 15.32.090)
(Sections 14 - 15 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
Gentry Avenue from Fourth Street to just north of the first alley north of Fourth Street (East Side) *(Map 13)*	The code currently provides two parking zones for the east side of Gentry Avenue between 4th and 5th. There is a 15-minute parking space just north of the alley in effect from 5:00 a.m. – 5:00 p.m. on Monday – Saturday. For the same days and times, there is also a 2-hour parking zone for all but one space south of the alley. These sections of the ordinance would remove the 15 minute space north of the alley and impose a 2-hour zone for all of the spaces south of the alley. Rationale: The 15-minute parking zone is difficult to enforce and no longer needed in the block.
Grant Street between Third and Fourth Street (West Side) *(Map 14)*	The code currently imposes a 2-hour parking zone for the west side of Grant on this block in effect from 8:00 a.m. to 5:00 p.m. from Monday – Saturday. Section 15 of the ordinance converts that side of the block into a 2-hour parking zone for the same times of the day for Monday – Friday. It also allows residents on the block with Zone 9 Residential Parking permits to park their cars when the 2-hour parking limits are in effect. Rationale: This helps balance interests of businesses in area with residents of the block.
Kirkwood Avenue between Walnut and Washington Street (South Side) *(Map 14)*	The code currently imposes a 2-hour parking zone on the south side of this block of East Kirkwood from 8:00 a.m. – 5:00 p.m. on Monday – Friday. Section 15 of the ordinance, divides parking on this side of the block into three segments. The first 57' feet east of Walnut is undesignated, but the memo indicates that it will be used, in part, to park bicycles once a bike rack is in place (See Section 45 – BMC 15.56.090 "Bicycle Parking"). Except for one parking space 167' east of

	Walnut, the rest of the block will be set aside for 2-hour parking from 5:00 a.m. to 5:00 p.m. from Monday – Saturday. The one remaining parking space will be set aside for a 30-minute parking zone for the same times of the day and days of the week. Rationale: This will introduce parking for bicycles on the street in that block.
Rogers Street from Third to Fourth Street (East Side) *(Map 8)*	The code currently imposes a 2-hour parking zone for the east side of this block of Rogers from 7:00 a.m. to 9:00 a.m. for everyday except Sunday. These sections of the ordinance clarify that this 2-hour parking applies to the area starting at 145' north of Third Street to Fourth Street. Rationale: There is no room for parking along this segment of the street.
Seventh Street from Rogers Street to Fairview Street (North Side) *(Map 8)*	The code currently allows Zone 10 Residential Permit Parking and 2-hour parking for about 100' of this side of Seventh Street from 8:00 a.m. to 5:00 p.m. from Monday – Friday. This section extends this parking for the whole block. Rationale: This accommodates the parking usage after construction of the new Fairview School.
Washington Street from Smith Avenue to 40' north of the first alley north of Smith Avenue (West Side) *(Map 5)*	The Code currently delineates this area as both a 2-hour zone and a 15- minute zone. These sections and section 16 of this ordinance remove the 15-minute zone (also a Loading Zone). Rationale: This corrects inconsistencies in the code.

LOADING ZONES
SCHEDULE O
(SECTION 15.32.100)
(Sections 16 and 17 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
110 East Kirkwood (South Side) (by Buskirk Chumley Theatre) *(Map 14)*	The code currently provides for a loading zone on this block for the Buskirk Chumley Theatre. The change specifies the distance this space is from Walnut rather than the address of the building next to the space. Rationale: This is consistent with the manner of identifying parking zones in the code by feet rather than parking spaces.
200 Block of West 6th Street (North Side) (by Relish) *(Map 15)*	The code currently provides for a loading zone on this block at the request of Relish. These sections of the ordinance move this space further east. Rationale: This will provide better view of the intersection and stop sign for motorists.

300 Block of South Washington (West Side) (by former Master Rental Store) *(Map 15)*	This section deletes this loading zone because the business has moved and the zone is no longer needed.
Eighth Street just west of College (South Side) (by the Justice Building) *(Map 15)*	This section deletes a loading zone on 8th Street by the Justice Building because Parking Enforcement determined it wasn't being used.

BUS ZONES
SCHEDULE P
(SECTION 15.32.110)
(Sections 18 - 19 of the Ordinance)

LOCATION	**ACTION and RATIONALE**
Eighth just west of Jackson (South Side) *(Map 9)* Seventh west of Rogers (for most of the block) (North Side) *(Map 8)*	The code currently designates the area on Eighth as bus zone. These sections of the ordinance remove that area and add a larger area along Seventh. Rationale: This reflects the school bus area at the newly-constructed Fairview School

Schedule P (Bus Zones) – Section 19 of the ordinance adds a column to this table which indicates the times during which the zones are in effect. Those times include "All Time" for the Bloomington Transit stops and 8:00 a.m. to 9:30 a.m. and 2:30 p.m. to 3:45 p.m. during the months of August through May for the school bus stops. *(See Maps 8, 9, 14, 15, 16, 17 &18)*

PARKING CONTROLS
(CHAPTER 15.32)
(SECTION 15.32.170 PARKING PROHIBITED FACING TRAFFIC)
(SECTION 15.32.175 PARALLEL AND ANGLE PARKING)
(SECTION 15.32.180 CONTRACTOR/CONSTRUCTION DELAY PARKING PERMIT – NEW)
(SECTION 15.32.185 DELIVERY PARKING PERMITS – NEW)
(Sections 21-25 of the Ordinance)

ACTION AND RATIONALE:

BMC 15.32.170 is currently entitled "Parking prohibited facing traffic" and establishes the rules regarding orientation of the vehicle when parked on the street. This includes a prohibition against parking with the car facing traffic as well as rules for parallel and angle parking. Sections 21 – 23 divide the language into two provisions. BMC 15.32.170 addresses the prohibition against parking with car facing traffic and **BMC 15.32.175** addresses parallel and angle parking. Rationale: This change will help those who use the code know these provisions exist and where to find them.

Section 24 of the ordinance creates BMC 15.32.180 which provides for Contractor/Construction Daily Parking Permits. Under this provision persons who are constructing, reconstructing, remodeling, servicing, maintaining or repairing buildings or structures may apply to the Department of Public Works for a permit to park in limited parking and residential parking zones when performing that work. The permit will cost $5 per day and allow the user to park for a designated period of time at a specified site. Rationale: This change will make it more convenient for these persons to perform necessary functions that enhance the value of property in the City.

Section 25 of the ordinance creates BMC 15.32.185 which provides for annual Delivery Parking Permits. Under this provision entities which deliver merchandice or supplies in the ordinary course of business may obtain annual an permit to park vehicles which clearly identify the entity in limited parking and residential parking zones for no more than 15 minutes when performing those tasks. The entities will pay $100 for the annual permit and may obtain additional upon showing the need for them. Violations of either of these permits would result in a Class D Traffic Violation with an escalating fine of $20/$40. Rationale: This change will make it more convenient for this form of commerce to occur in those zones.

RESIDENTIAL NEIGHBORHOOD PERMIT PARKING
(CHAPTER 15.37)
(SECTION 15.37.040 - ELIGIBILITY)
(SECTION 15.37.050 – FEES)
(SECTION 15.37.060 – EXPIRATION OF PERMITS)
(SECTION 15.37.190 – ALL ZONE PERMITS)
(SECTION 15.37.200 – ZONE 7 FRATERNATIES AND SORORITIES)
(SECTION 15.37.220 – COLLINS CENTER RESIDENTS)
(Sections 26 - 34 of the Ordinance)

ACTION AND RATIONALE:

BMC 15.37.040 “Eligibility” entitles each single household and multiple household dwelling to one residential parking permit per motor vehicle along with one visitor permit. It also allows the Parking Enforcement Manager to issue additional permits upon written request. Section 26 of the ordinance changes the word “entitle” to “eligible” to dispel the notion that issuing the permits is automatic. Section 27 then bars permits from being issued to cars or owners of cars with outstanding debts to the City and its agencies. Rationale: Persons obtaining a permit should not have debts to the City.

BMC 15.37.050 “Fees” sets a standard fee of $25 for the annual residential parking permit. However, provisions for Zone 7 fraternities and sororities (BMC 15.37.200) and residents of Collins Center (BMC 15.37.200) listed a lower fee, which hadn’t been corrected. Section 33 and 34 of the ordinance corrects that inconsistency by removing reference to the fee. There are also special All Zone Permits (BMC 15.37.190) and permits for Walnut and Kirkwood employees (BMC 15.37.210) with higher fees. Section 28 excepts those permit holders from the standard fee. Rationale: These changes clarify that there is a standard fee of $25 for these permits. *(See Map 19 for Zone 7 area.)*

BMC 15.37.060 "Expiration of permits" sets August 15th as the expiration date for the permits. Section 29 adds a sentence making the permits invalid if the permit holder moves from the residence for which the permit was issued. Rationale: This makes clear that permit holders who move in the course of the year cannot use the permit to park at their former residences. Please note that, during that time, permit holders who move to another property within a residential parking zoned area of the City may apply for a change of residency for the permit (BMC 15.37.110).

BMC 15.37.190 "All Zone Permits" provides for landlords, property managers, realty companies, and verified service companies to obtain a limited number of "All Zone" permits to allow them to serve properties within these areas. Sections 30 and 31 corrects a grammatical error and allows the Director of Parking Enforcement to issue more if need is shown by the permit applicant. Section 32 raises the fee for these annual permits from $50 to $55.

CHAPTER 15.40
MUNICIPAL PARKING LOTS, GARAGES AND ON-STREET METERED PARKING
(SECTION 15.40.010 – LOCATIONS)
(SECTION 15.40.020 - APPLICABLE TIMES AND CHARGES – SCHEDULE V – PERMITS)
(Section 35 – 40 of the Ordinance)

ACTION and RATIONALE

Section 40 of the ordinance raises the permit fees for parking in the City's garages and lots which will go into effect on January 1, 2011. The increase is about 5% for the non-reserved permits and about 10% for the reserved permits. [1] Here is a breakdown of the increases:

	24/7	6 am – 6 pm M-F
Reserved Permits	$69 to $76/month	$52 to $57/month
	24/7	6 am – 6 pm M-F & 6 am - Noon on S & S
Non- Reserved Permits	$38 - $40/month	$64 - $67/month

Sections 35 through 39 reflect the new names of our three garages: Lot 2, formerly Walnut Center, is now Garage Band, Lot 7, formerly Register Center Parking Facility, is now Garage Market; and Lot 9, formerly Fourth and Walnut Street Parking Garage, is now Garage Art. (Affecting BMC 15.40.010 and BMC 15.40.020 – Schedule V. *(See Map 20 for map of garages.)*

[1] There are two kinds of permits: reserved permits, which entitle the holder to occupy a particular space; and non-reserved permits, which allows holders to park in one of several spaces (if a space is available). For each of these permits, there are ones that are in effect at all times (i.e. 24/7 permits) and ones that are in effect during times closer to the typical business day. For reserved permits, the business day alternative runs from 6:00 a.m. – 6:00 p.m. Monday – Friday. For non-reserved permits, the business day alternative runs 6:00 a.m. – 6:00 p.m. on Monday – Friday and from 6:00 a.m. to noon on Saturday & Sunday.

CHAPTER 15.48
REMOVAL AND IMPOUNDMENT OF VEHICLES
(SECTION 15.48.010 – GENERAL PROVISIONS)
(SECTION 15.48.020 – REMOVAL AND IMPOUNDMENT PROCEDURE)
(Section 41 – 42 of the Ordinance)

ACTION and RATIONALE

BMC 15.48.010 "General Provisions," part (a), sets forth the circumstances in which a parked vehicle becomes a public nuisance and may be removed and impounded (in addition to being fined). Part (a)(14) authorizes towing when a vehicle is parked at a space where a "No Parking" sign is posted and in effect. Section 41 adds notice requirements to this provision. Under this provision, the notice generally must be posted at least 72 hours before a vehicle may be towed, unless there is an emergency which requires immediate action. However, only 24-hour notice is required for towing cars from parking in metered spaces or limited parking zones. Rationale: This is meant to give motorists more time to become aware of the parking prohibition before their car can be towed.

BMC 15.48.020 "Removal and impoundment procedure," part (a), provides for a police officer to have a vehicle towed in the event the vehicle becomes a public nuisance by violating the previous section. It currently allows for the release of the vehicle at the time of removal, if the owner or operator of the vehicle executes a written promise to appear in court. Section 42 of the ordinance allows for release of the vehicle at the scene if the owner or last operator merely provides their name and address. Once the vehicle is impounded, part (b) of that code section currently allows for the vehicle's release without the paying of the towing and storage charges upon order of the police department or judge, or upon the owner's written promise to appear in court. Section 42 modifies that latter condition so that the vehicle may be released without payment once the owner or last operator provides the relevant names and addresses. Rationale. This comports with a new practice on part of the City. Rather than enforce the towing fees on behalf of the towing companies, the City now leaves the collection up to companies.

CHAPTER 15.56
BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES
(SECTION 15.48.010 – GENERAL PROVISIONS)
(SECTION 15.56.080 – BICYCLE PATHS)
(SECTION 15.56.085 – RIGHT-OF-WAY OF BICYCLE RIDERS – FORMERLY 15.56.090)
(SECTION 15.56.090 – BICYCLE PARKING)
(SECTION 15.56.095 – ABANDONED BICYCLES)
(Section 43 – 46 of the Ordinance)

ACTION and RATIONALE

BMC 15.56.080 "Bicycle paths established" currently defines bicycle paths and establishes five of them. Bicycle paths are "on a strip four feet wide, …separated from the automobile traffic by a solid lane marking strip, … (and) designated by signs and/or appropriate markings." They include the: 1) East side bicycle path; 2) 10th Street; 3) Path running between Nota and Maxwell Lane; 4) Path running between Maxwell Lane and Binford Middle School; and 5) Path running between Wexley Road and Winslow Sports Complex. Section 43 takes the path between Nota and Maxwell Lane off of the list. Rationale: The Nota/Maxwell route is in a "walk" easement established in the 1970s, which precludes the riding of a bicycle.

Section 44 renumbers BMC 15.56.090 "Right-of-Way of Bicycle Riders" as BMC 15.56.085 and inserts two new sections.
The new BMC 15.56.090 is entitled "Bicycle Parking" and prohibits persons from parking a bike: 1) in a manner that hinders pedestrian traffic or damages public property; or 2) in a space intended for use by a motor vehicle, unless the City has authorized the placement of a bike rack on the space. It then sets up a procedure for the installation of bike racks within the City's right-of-way. Persons may apply for the installation of bike racks through the Engineering Department at no cost who will submit the application to the Board of Public Works and establish specifications for their location, construction and maintenance. Bicycles that violate this provision or are abandoned may be removed and impounded by the City which is not responsible for damage done to the locks during the impoundment.
Rationale: This is another effort to encourage and accommodate the increase in use of bicycles in the City.

The new BMC 15.56.095 is entitled "Abandoned bicycles" and prohibits the abandonment of bicycles on any public way. Bicycles are deemed abandoned if they: 1) are incapable of being operated at that time; 2) have not been moved for at least two weeks; or 3) bear other indicia of being abandoned. The Parking Enforcement Manager or designee may place a notice on the bicycle in the event they believe it to be abandoned. The notice must indicate that the bicycle appears abandoned, provide a phone number, and state that the City intends to impound it after a certain date if not informed otherwise by the bicycle owner. If the bike is not relocated or claimed within 7 days of the placing of notice on the bicycle, the City may remove and impound it. Owners may reclaim their bicycles after paying a fee of $30 and bicycles which are unclaimed after one year may be disposed of in accordance with State law.
Rationale: The increase in abandoned bicycles led to establishing procedures for dealing with them.

CHAPTERS 15.60 & 15.64
MISCELLANEOUS TRAFFIC RULES & TRAFFIC VIOLATION SCHEDULE
DRIVING OR PARKING IN PARK, PICNIC GROUND OR GOLF COURSE
(Sections 47-49 of the Ordinance)

ACTION AND RATIONALE

Currently, the Code prohibits the *operation* of motor vehicles on any part of a public park, picnic ground, golf course, or other public property not designated and intended to be used by motor vehicles. However, the Code is silent when it comes to *parking* motor vehicles in these areas. This change makes it clear that neither driving nor parking a motor vehicle on public property not intended for such is prohibited. Like other most other parking violations, violation of this new prohibition is a Class D Traffic Violation, subject to a $20 fine if paid within seven calendar days or a $40 fine if paid after the seven-day period. A violation of driving under this section remains a Class C Violation, subject to a $50 fine.

CHAPTER 15.60
MISCELLANEOUS TRAFFIC RULES
SECTION 15.60.050 PEDESTRIANS (CROSSWALKS)
(Section 50 of the Ordinance)

LOCATION	ACTION and RATIONALE
2000 South Liberty Drive	The addition of this mid-block pedestrian crossing comes at the request of IVY Tech Community College. The cross walk on South Liberty is located between Constitution Ave. and W. SR 45.

CHAPTER 15.64
TRAFFIC VIOLATION SCHEDULE – CLASS D
(Section 51 of the Ordinance)

ACTION and RATIONALE

This change corrects a scrivener's error in the Class D traffic violation for "Parking on a Sidewalk." The citation is changed from "15.64.040" to the correct citation, "15.6**0**.040."

CHAPTER 15.64.010(h)
TRAFFIC VIOLATION SCHEDULE
CLASS G (Bicycle Safety Violations)
(Section 52 of the Ordinance)

ACTION and RATIONALE

This section corrects an oversight by adding "Operating a bicycle on a sidewalk" (15.56.020(a)) to the Class G Schedule of violations. While the text of 15.56.020(a) makes it clear that violation of the section is a Class G violation, the violation was not included in the schedule itself. The fine for this violation is $10.

(For reference, 15.56.020(a) provides: "No person shall operate a two-wheeled bicycle on a sidewalk if the wheel diameter of the bicycle exceeds fourteen inches. All persons riding bicycles on sidewalks permitted by this section shall yield to pedestrians. Such restrictions do not apply to officers of the Bloomington police department who are in the act of performing their duties. A violation of this provision shall be a Class G Traffic Violation, which bears a penalty listed in Section 15.64.010(h).")

Happy Birthday Regina Moore – October 28th

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION & COMMITTEE OF THE WHOLE
7:30 P.M., WEDNESDAY, OCTOBER 27, 2010
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. LEGISLATION FOR FIRST READING

1. Ordinance 10-15 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

V. ADJOURNMENT

(and immediately reconvene for)

COMMITTEE OF THE WHOLE

Chair: Susan Sandberg

1. Ordinance 10-15 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

Asked to Attend: Susie Johnson, Director, Public Works
Justin Wykoff, Manager of Engineering Services
Jacquelyn Moore, Assistant City Attorney

Posted & Distributed: Friday, October 22, 2010

City of Bloomington
Office of the Common Council

To: Council Members
From: Council Office
Re: Calendar for the Week of 25-30 October 2010

Monday, 25 October 2010

5:30 pm Bloomington Human Rights Commission, McCloskey

Tuesday, 26 October 2010

4:00 pm Board of Park Commissioners, Council Chambers
5:00 pm Utilities Service Board, Board Room, 600 E Miller Dr
5:30 pm Bloomington Public Transportation Corporation, Public Transportation Center, 130 W Grimes Lane
5:30 pm Board of Public Works, Council Chambers
5:30 pm ArtsWork Indiana, McCloskey

Wednesday, 27 October 2010

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W 4th Street
10:00 am Metropolitan Planning Organization Technical Advisory Committee, McCloskey
4:00 pm Dr. Martin Luther King, Jr. Birthday Commission, McCloskey
5:15 pm Tapp Road & Rockport Road Public Meeting, Council Chambers
6:30 pm Metropolitan Planning Organization Citizens Advisory Committee, McCloskey
7:30 pm Common Council Special Session *immediately followed by a* Committee of the Whole, Council Chambers

Thursday, 28 October 2010

10:30 am County Address Coordination Meeting, McCloskey
12:00 noon Bloomington Platinum Biking Task Force, Hooker Room

Happy Birthday, Regina Moore, City Clerk!

Friday, 29 October 2010

12:00 noon Common Council Internal Work Session, McCloskey

Saturday, 30 October 2010

8:00 am Bloomington Community Farmers' Market, Showers Common, 401 N. Morton

Posted and Distributed: Friday, 22 October 2010

401 N. Morton Street • Bloomington, IN 47404 **City Hall** **Phone: (812) 349-3409 • Fax: (812) 349-3570**
www.bloomington.in.gov/council
council@bloomington.in.gov

City of Bloomington
Office of the Common Council

NOTICE OF SPECIAL SESSION

THE COMMON COUNCIL WILL HOLD
A SPECIAL SESSION
ON WEDNESDAY, 27 OCTOBER 2010

THIS MEETING WILL HELD AT 7:30 PM,
IN COUNCIL CHAMBERS – ROOM 115
401 N. MORTON STREET

Per Indiana Open Door Law, this statement provides notice that this meeting will occur and is open for the public to attend, observe and record what transpires.

Dated and Posted: Friday, October 22, 2010

401 N. Morton Street • Bloomington, IN 47404 **City Hall** **Phone: (812) 349-3409 • Fax: (812) 349-3570**
www.bloomington.in.gov/council
council@bloomington.in.gov

ORDINANCE 10- 15

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"

WHEREAS, the Traffic Commission has recommended certain changes be made in Title 15 of Bloomington Municipal Code entitled "Vehicles and Traffic"; and

WHEREAS, Other changes in Title 15 are ready for consideration at this time;

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

SECTION 1. Section 15.12.010 Schedule A shall be amended to delete the following:

STOP INTERSECTIONS

Traffic on	**Shall Stop for Traffic on**
Cardinal Court	Thomson Park Drive
Harmony Place	Thomson Park Drive
Susie Street	Thomson Park Drive
Thomson Park Drive	Countryside Lane
Windsor Drive	Wilton Drive

SECTION 2. Section 15.12.010 Schedule A shall be amended to add the following:

STOP INTERSECTIONS

Traffic on	**Shall Stop for Traffic on**
Anita Street	Hunter Avenue
Anita Street	Second Street
Arbor Ridge Court	Arbor Ridge Way
Arbor Ridge Way	Sudbury Drive
Cardinal Court	RCA Park Drive
Harmony Place	RCA Park Drive
Susie Street	RCA Park Drive
RCA Park Drive	Countryside Lane
Windsor Drive	Wilton Drive (north end)

SECTION 3. Section 15.12.010 Schedule B shall be amended to add the following:

MULTI-STOP INTERSECTIONS

Windsor Drive & Wilton Drive (south end) 3-Way

SECTION 4. Section 15.16.010 Schedule E shall be amended to delete the following:

ONE-WAY STREETS

Street	**From**	**To**	**Direction of Travel**
Smith Avenue	First Alley East of Walnut Street	Lincoln Street	East

SECTION 5. Section 15.16.010 Schedule E shall be amended to add the following:

ONE-WAY STREETS

Street	**From**	**To**	**Direction of Travel**
Lindbergh Drive	17th Street	70' South of 17th Street	South
Smith Avenue	Washington Street	Lincoln Street	East
Smith Avenue	Washington Street	Walnut Street	West

SECTION 6. Section 15.24.020 Schedule I shall be amended to add the following:

INCREASED OR DECREASED STATE SPEED LIMITS

Street	**From**	**To**	**Posted Speed**
Tapp Road	Adams Street	SR 37	40 M.P.H.
Third Street	Rogers Street	Walker Street	25 M.P.H.

SECTION 7. Section 15.24.030 School speed zones shall be amended to change the words "Thomson Park Drive" with "RCA Park Drive" so it reads as follows:

SCHOOL, PARK AND PLAYGROUND SPEED ZONES

Street	**From**	**To**	**Posted Speed**
RCA Park Drive	Countryside Lane	End of Street	20 M.P.H.

SECTION 8. Section 15.32.060 Parking of equipment or machinery shall be amended by deleting the existing section and replacing it with the following:

(a) No equipment or machinery, whether self-propelled or towed, shall be parked or permitted to stand on a street without prior approval from the Department of Public Works. Prior approval is not necessary in the event of an emergency.

(b) Service trucks may be parked on the streets while the operators are engaged in the repair or service of utilities if no suitable off-street parking is available.

(c) Violation and Penalty. Any violation of this section is a Class C violation and subject to the penalty listed in Section 15.64.010(c).

SECTION 9. Section 15.32.080 Schedule M shall be amended to delete the following:

NO PARKING ZONES

Street	**From**	**To**	**Side of Street**	**Time of Restrict.**
Eighth Street	End of Eighth Street West of Elm Street	Rogers Street	South	Any Time
Monroe Street	Cottage Grove Avenue	Eleventh Street	East	Any Time
Eighth Street	Rogers Street	Fairview Street	South	Except Sundays & Holidays
Seventh Street	187' W. of Rogers St.	Adams Street	North	Any Time

SECTION 10. Section 15.32.080 Schedule M shall be amended to add the following:

NO PARKING ZONES

Street	**From**	**To**	**Side of Street**	**Time of Restrict.**
Arbor Ridge Way	Sudbury Drive	End of City Street	North/South	Any Time
Eighth Street	End of Eighth Street West of Elm Street	Fairview Street	South	Any Time
Rogers Street	Third Street	145' North of Third Street	East	Any Time
Sixteenth Street	59' West of Dunn Street	Dunn Street	North	Any Time
Seventh Street	Fairview Street	Adams Street	North	Any Time
Willis Drive	Westfield Drive	80' North of Westfield Drive	East	Any Time

SECTION 11. Section 15.32.090 Limited Parking Zones, subsection (b), shall be amended by deleting this subsection and replacing it with the following:

(b) Vehicles may be parked for one occurrence only, per day, in the designated limited parking zones within the same one hundred block of any street or parts of streets described in Schedule N during any calendar day during the hours that the restrictions on parking are in effect.

SECTION 12. Section 15.32.090 Limited Parking Zones, subsection (f) "Special Events Parking Permits," shall be amended by deleting this subsection and replacing it with the following:

Special Events Parking Permits. Upon approval of application, the department of public works may issue a special events parking permit which temporarily exempts for specified time periods certain vehicles and uses from the parking control listed elsewhere in this section.

(1) Applications for such permits shall be submitted to the department of public works at least seven days prior to the time that reserved parking spaces are needed.

(2) The special events parking permits are valid only for the specific parking spaces and the specific dates designated on an approved application.

(3) The department of public works shall post notice of the parking space reservation at least twenty-four hours in advance of the time the reservation shall become effective.

(4) Permitted uses for a special events parking permit shall include, but are not limited to, buses transporting guests to and from lodging establishments, and buses and other vehicles used in association with the production or presentation of performances at entertainment venues.

(5) A special events parking permit issued under the authority of this section shall exempt permit holders from prohibitions listed in Bloomington Municipal Code Sections 15.32.070 and 15.48.010.

(6) The fee for a special events parking permit shall be ten dollars per vehicle per day or ten dollars per vehicle parking space per day if the vehicle is to occupy more than one parking space.

SECTION 13. Section 15.32.090 Limited Parking Zones under "Legend" as it appears after Schedule N "Limited Parking Zones" shall be amended by adding the following time restriction:

(14) 8:00 a.m. to 5:00 p.m. Monday through Friday except with a Zone 9 Residential Permit.

SECTION 14. Section 15.32.090 Schedule N shall be amended to delete the following:

LIMITED PARKING ZONES

Street	**From**	**To**	**Side of Street**	**Time of Restrict.**
Gentry Avenue	1st space south of the first alley north of Fourth Street	The first alley north of Fourth Street	East	15 Min. (8)
Gentry Avenue	Fourth Street	1st space south of the first alley north of Fourth Street	East	2 Hr. (8)
Grant Street	Third Street	Fourth Street	West	2 Hr. (3)
Kirkwood Avenue	Washington Street	Walnut Street	South	2 Hr. (3)
Rogers Street	Third Street	Fourth Street	East	2 Hr. (4)
Seventh Street	42' West of Rogers	142' West of Rogers	North	2 Hr. (13)
Washington Street	Smith Avenue	40' N of 1st Alley N. of Smith Avenue	West	15 Min. (2)

SECTION 15. Section 15.32.090 Schedule N shall be amended to add the following:

LIMITED PARKING ZONES

Street	**From**	**To**	**Side of Street**	**Time of Restrict.**
Gentry Street	Fourth Street	The 1st alley north of Fourth Street	East	2 Hr. (8)
Grant Street	Third Street	Fourth Street	West	2 Hr. (14)
Kirkwood Avenue	57' East of Walnut Street	167' East of Walnut Street	South	2 Hr. (8)
Kirkwood Avenue	167' East of Walnut Street	189' East of Walnut Street	South	30 Min. (8)
Kirkwood Avenue	189' East of Walnut Street	Washington Street	South	2 Hr. (8)
Rogers Street	145' North of Third Street	Fourth Street	East	2 Hr. (4)
Seventh Street	Rogers Street	Fairview Street	North	2 Hr. (13)

SECTION 16. Section 15.32.100 Schedule O shall be amended to delete the following:

LOADING ZONES

200 Block of West Sixth Street, first space east of Morton Street on the north side from the hours of 5:00 a.m. to 5:00 p.m., Monday through Saturday.
300 Block of South Washington, on the west side, at property line between 340-318 South Washington and for 2 parking spaces north of that line
110 East Kirkwood Avenue

Eighth Street, first space west of College on south side.

SECTION 17. Section 15.32.100 Schedule O shall be amended by inserting the following into the Schedule in first numeric, and then alphabetical, order:

LOADING ZONES

100 Block of East Kirkwood Avenue, from 167' to 189' east of Walnut Street on the south side
200 Block of West Sixth Street, first space west of the mid-block alley on the north side from the hours of 5:00 a.m. to 5:00 p.m., Monday through Saturday

SECTION 18. Section 15.32.110 Schedule P shall be amended to delete the following:

BUS ZONES

Street	**From**	**To**	**Side of Street**
Eighth Street	60 West of Jackson	140 W. of Jackson	South

SECTION 19. Section 15.32.110 Schedule P shall be amended to add a new column entitled "time restriction" and add a new area on Seventh Street so the schedule now reads:

BUS ZONES

Street	**From**	**To**	**Side of Street**	**Time of Restriction**
Blair Avenue	1 space 70 E. of 14th Street	The 1st alley north of Fourth Street	South	All Time
College Avenue	65' South of Ninth Street	Ninth Street	West	All Time
College Avenue	212' North of Tenth Street	The first alley North of Tenth Street	West	All Time
Fourth Street	Washington Street	Entrance to Municipal Lot No. 3	North	All Time
Seventh Street	Walnut Street	First space East of Walnut Street	North	All Time
Seventh Street	Rogers Street	115' East of Fairview Street	North	8:00 a.m. to 9:30 a.m. and 2:30 p.m. to 3:45 p.m. during the months of August thru May
Sixth Street	1 space 50' East of Morton Street		North	All Time
Sixth Street	Elm Street	50' West of Elm Street	South	All Time
Washington Street	Kirkwood Avenue	Fourth Street	West	All Time
Winding Way	1 space 60' East of Kingsley Drive			All Time
Woodside Drive	1 space North of Gifford Road		East	All Time

SECTION 20. *(The contents of this section have been deleted, but the number of the section has been preserved to keep the references in the Memo to Council accurate.)*

SECTION 21. Section 15.32.170 Parking prohibited facing traffic shall be amended by deleting it and replacing it with a part of the former provision so that it now reads:

15.32.170 Parking prohibited facing traffic. No person shall stand or park a vehicle on the street or roadway other than in the direction of lawful traffic movement.

SECTION 22. *(The contents of this section have been deleted, but the number of the section has been preserved to keep the references in the Memo to Council accurate.)*

SECTION 23 CHAPTER 15.32 PARKING CONTROLS shall be amended by adding "Section 15.32.175 Parallel and angle parking" to the table of contents of Chapter 15.32 and by adding the following new section:

15.32.175 Parallel and angle parking. Where parallel parking is required, vehicles shall park with the curbside wheels of the vehicle parallel with and within one foot of the curb or within the marked space. Where angled parking is required, vehicles shall be parked with the front wheel nearer the curb touching or within one foot of the curb or within the marked space.

SECTION 24. CHAPTER 15.32 PARKING CONTROLS shall be amended by adding the section title, "15.32.180 Contractor/Construction Daily Parking Permit" to the table of contents of Chapter 15.32 and by adding the following new section:

15.32.180 Contractor/ Construction Daily Parking Permit.

(a) Upon approval of application, the Department of Public Works may issue permits for parking temporarily on a street to any person who, in the ordinary course of trade or business, is engaged in the construction, reconstruction, remodeling, servicing, maintenance or repair of buildings or other structures. Such permit shall be for a limited period of time at a specifically designated site.

(b) This permit shall allow parking within the limited parking zones designated in Schedule N or the residential neighborhood zones designated in Bloomington Municipal Code chapter 15.37 while performing the work described above.

(c) A Contractor/Construction Daily Parking Permit issued under the authority of this section shall exempt permit holders from prohibitions listed in Bloomington Municipal Code 15.32.070.

(d) Fee. The cost for a Contractor/Construction Daily Parking Permit shall be five dollars per vehicle per day.

SECTION 25. CHAPTER 15.32 PARKING CONTROLS shall be amended by adding the section title, "15.32.185 Delivery Parking Permits" to the table of contents of Chapter 15.32 and by adding the following new section:

15.32.185 Delivery Parking Permits

(a) Upon approval of application, the parking enforcement manager or designee may issue a permit to any entity that, in the ordinary course of trade or business, is engaged in the delivery of merchandise or supplies. Delivery vehicles eligible for this permit must be visually identified with the name of the entity engaged in the delivery.

(b) The delivery permit shall allow temporary parking, not to exceed fifteen minutes, within the limited parking zones designated in Schedule N or the residential neighborhood zones designated in Bloomington Municipal Code chapter 15.37 while performing the delivery.

(c) Fee. The cost for a Delivery Parking Permit shall be one hundred dollars per permit per year. The director of parking enforcement or designee may issue additional permits if such need is shown by permit applicant.

SECTION 26. Section 15.37.040 Eligibility shall be amended by deleting the word "entitled" as it appears and replacing it with the word "eligible".

SECTION 27. Section 15.37.040 Eligibility shall be amended to add the following at the end of the provision:

No permit will be issued until all outstanding debts, related to the vehicle associated with the permit or the vehicle's owner, owed to the city of Bloomington or any of its agencies, have been paid. This includes, but is not limited to, all outstanding penalties for parking violations.

SECTION 28. Section 15.37.050 Fees shall be amended by deleting this section as it appears and replacing it with the following:

15.37.050 Fees. All parking permits and visitor permits issued under this chapter, except those issued under 15.37.190 and 15.37.210, shall cost twenty-five dollars per permit.

SECTION 29. Section 15.37.060 Expiration of permits shall be amended to add the following at the end of the provision:

Permits issued under this chapter shall be invalid if the permit holder moves from the residence address contained in the application for a residential neighborhood parking permit.

SECTION 30. Section 15.37.190 All Zone permits, subsection (a) entitled "Eligibility", shall be amended by replacing the word "property" as it appears in the first sentence after the phrase "for every ten units or" so that the first sentence shall now read:

Landlords and property managers registered with the city will be allowed to purchase one sticker for every ten units or properties within the residential zones. Landlords and property managers with fewer than twenty units will be allowed a maximum of two permits.

SECTION 31. Section 15.37.190 All Zone permits, subsection (a) entitled "Eligibility", shall be amended by adding a new final sentence so that the provision now reads:

(a) Eligibility. Landlords and property managers registered with the city will be allowed to purchase one sticker for every ten units or properties within the residential zones. Landlords and property managers with fewer than twenty units will be allowed a maximum of two permits. Realty companies who show property in the residential zones will be allowed a maximum of one All Zone permit per ten realtors employed by the company. Properly registered and verified service companies will be allowed a maximum of two permits per company. The director of parking enforcement or designee may issue additional permits if such need is shown by permit applicant.

SECTION 32. Section 15.37.190 All Zone permits, subsection (b) shall be amended by deleting the word "fifty" and replacing it with "fifty-five."

SECTION 33. Section 15.37.200 Zone 7 fraternities and sororities shall be amended by deleting the last sentence so that the section now reads:

15.37.200 Zone 7 fraternities and sororities. The board of public works may provide up to one hundred Zone 7 parking permits annually to residents of fraternity and sorority houses on 7th Street and Woodlawn Avenue.

SECTION 34. Section 15.37.220 Collins Center residents shall be amended by deleting the last sentence so that the section now reads:

15.37.220 Collins Center residents. The board of public works may provide up to one hundred Zone 7 parking permits annually to residents of the Collins Center dormitory.

SECTION 35. Section 15.40.010 Locations, subsection (2) shall be amended by deleting the words “Walnut Center Parking Garage” and replacing it with “Garage Band” so that the provision now reads:

(2) Lot 2: Garage Band: located at the northeast corner of Seventh and Walnut Streets.

SECTION 36. Section 15.40.010 Locations, subsection (6) shall be amended by deleting the words “Regester Center Parking Facility” and replacing it with “Garage Market” so that the provision now reads:

(6) Lot 7: Garage Market: located at the northwest corner of the square bounded on the east by College Avenue, on the north by Seventh Street, on the west by Morton Street and on the south by Sixth Street on in-lots 265 and 266 of the city.

SECTION 37. Section 15.40.010 Locations, subsection (7) shall be amended by deleting the words “Fourth and Walnut Street Parking Garage” and replacing it with “Garage Art” so that the provision now reads:

(7) Lot 9: Garage Art: located at the southwest corner of Walnut and Fourth Streets, on lots 34, 35, 36, and the north one-half of lot 33 in the original plat of the city.

SECTION 38. Chapter 15.40.020 Schedule V of Bloomington Municipal Code Chapter 13.40 “Municipal Parking Lots, Garages and On-Street Metered Parking” shall be amended to delete from the following descriptions of lots from the column entitled “Municipal Lot”:

Lot 2 Walnut Center Garage 7th and Walnut
Lot 7 Regester Parking Garage
Lot 9 4th & Walnut Parking Garage

SECTION 39. Chapter 15.40.020 Schedule V of Bloomington Municipal Code Chapter 13.40 “Municipal Parking Lots, Garages and On-Street Metered Parking” shall be amended to add the following descriptions of lots contained in the column entitled “Municipal Lot”:

Lot 2 Garage Band
Lot 7 Garage Market
Lot 9 Garage Art

SECTION 40. Section 15.40.020 Applicable times and charges shall be amended by deleting Schedule V and replacing it with the following:

SCHEDULE V – PERMITS

Municipal Lot	**Nonreserved permit per month** **Admission Monday - Friday 6:00 am - 6:00 pm, Sat. & Sun 6:00 am - Noon**	**Nonreserved permit per month** **Admission 7 days per week 24 hours per day**	**Reserved space lease per month** **Monday through Friday 6:00 a.m. -6:00 p.m.**	**Reserved space lease per month** **7 days per week 24 hours per day**
Lot 2 Garage Band	$ 40.00	$ 67.00	$ 57.00	$ 76.00

Lot 5 (6th and Lincoln)	$ 40.00		$ 57.00	$ 76.00
Lot 7 Garage Market	$ 40.00	$ 67.00	$ 57.00	$ 76.00
Lot 9 Garage Art	$ 40.00	$ 67.00	$ 57.00	$ 76.00

SECTION 41. Section 15.48.010 General provisions subsection (a)(14) shall be amended by deleting this subsection as it appears and replacing it with the following:

(14) Any vehicle parked in a location and at a time that parking is prohibited by a posted "No Parking" sign. Notice shall be posted at least 72 hours before the parking restriction becomes effective, except when an emergency requires immediate action. Notice shall be posted at least 24 hours before the parking restriction becomes effective at any parking meter or at any street or part of a street described in Schedule N.

SECTION 42. Section 15.48.020 Removal and impoundment procedure shall be amended by deleting this section as it appears and replacing it with the following:

(a) Any officer of the Bloomington police department discovering a public nuisance as described in Section 15.48.010 shall cause the vehicle to be removed by an authorized towing service. If the vehicle owner or last operator appears at the site of the violation before the vehicle is removed and provides to the towing service the vehicle owner's and last operator's names and addresses, if different, then the vehicle shall be released.

(b) Impounded vehicles shall be released without payment of the towing and storage charges upon: provision to the towing service of names and addresses of the vehicle owner and last operator, if different; order of the Bloomington police department; or order by the judge of a court of competent jurisdiction.

SECTION 43. Section 15.56.080 Bicycle paths established shall be amended by deleting subsection (3) and renumbering the remaining subsections.

SECTION 44. CHAPTER 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by renumbering section "15.56.090 Right-of-way of bicycle riders" as "15.56.085 Right-of-way of bicycle riders" and inserting the new section title in the table of contents of Chapter 15.56.

SECTION 45. CHAPTER 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by adding the section title, "15.56.090 Bicycle parking" to the table of contents of Chapter 15.56 and by adding the following new section:

15.56.090 Bicycle parking

(a) No person shall park a bicycle:

(1) in a manner as to hinder or obstruct pedestrian traffic or to damage public property in any manner; or

(2) in any space designed and intended for use by motor vehicles unless such area shall be specifically allocated to bicycle parking by placement of a bicycle rack.

(b) Bicycle racks may be installed in the public rights-of-way upon application for a no-charge permit from the office of the city engineer and approval of the board of public works. All bicycle racks constructed pursuant to this section shall be located, constructed and maintained in accordance with the specifications of the city engineer who shall be responsible for keeping sufficient records of permits and specifications.

(c) Any bicycle parked in violation of this chapter or abandoned pursuant to section 15.56.095 is subject to impoundment. It is lawful for the city to remove locking devices in order to impound a bicycle. The City shall not responsible for damage done to locks during impoundment.

SECTION 46. Chapter 15.56 BICYCLES, SKATEBOARDS AND OTHER FOOT-PROPELLED VEHICLES shall be amended by adding the section title, "15.56.095 Abandoned bicycles" to the table of contents of Chapter 15.56 and by adding the following new section:

15.56.095 Abandoned bicycles.

(a) Abandoned bicycles:

(1) No person shall abandon any bicycle on any public way within the city. A bicycle shall be deemed abandoned if it: (i) is in such a state of disrepair as to be incapable of being operated in its present condition, (ii) has not been moved for at least two weeks; or (iii) bears physical indicia of having been abandoned.

(2) Any bicycle deemed abandoned pursuant to subsection (1) of this section may have a notice affixed to it which informs the bicycle's owner that the bicycle appears to be abandoned. The manager of parking enforcement or designee is authorized to affix such notices upon bicycles. This notice shall indicate: (i) a telephone number for the owner to call to inform the department of parking enforcement that the bicycle is not abandoned; and (ii) the date after which the bicycle may be removed if it is not claimed by its owner. A bicycle shall not be deemed to be abandoned if the owner of the bicycle, within seven days of the affixing of a notice of abandonment, notifies the department of parking enforcement that the bicycle is not abandoned.

(3) If a bicycle is not relocated or claimed by its owner within seven days of the affixing of a notice of abandonment, that bicycle may be removed and impounded by the department of parking enforcement.

(b) Reclaiming impounded bicycle:
Impounded bicycles may be reclaimed by the owner of the bicycle. A fee of $30.00 shall be paid before the bicycle is released to the owner.

(c) An impounded bicycle shall be subject to disposal in accordance with state law if the bicycle has remained unclaimed for at least one year.

SECTION 47. Chapter 15.60 MISCELLANEOUS TRAFFIC RULES shall be amended by renaming section number 15.60.020 in the table of contents for this Chapter to the following:

15.60.020 Driving or parking in park, picnic ground or golf course

SECTION 48. Section 15.60.020 Driving or parking in park, picnic ground or golf course shall be amended by deleting this section and replacing it with the following:

15.60.020 Driving or parking in park, picnic ground or golf course. No person shall operate or park a motor vehicle, motorcycle or motorized bicycle across any part of a public park, picnic ground, golf course, or other public property not designed and intended to be used by motor vehicles. Any driving violation under this section is a Class C Traffic Violation and subject to the penalty listed in Section 15.64.010(c). Any parking violation under this section is a Class D Traffic Violation and subject to the penalty listed in Section 15.64.010(d).

SECTION 49. Section 15.64.010 Violations and penalties, subsection (d) "Class D Traffic Violations (most parking violations)" shall be amended by adding the following to the list of violations:

15.60.020 Parking illegally in park, picnic ground, or golf course

SECTION 50. Section 15.60.050 entitled Pedestrians shall be amended to add the following:

2000 South Liberty Drive

SECTION 51. Section 15.64.010 Violations and penalties, subsection (d) "Class D Traffic Violations (most parking violations)" shall be amended by deleting the reference to 15.64.040 (and the accompanying description) from the list of violations and replacing it with the following:

15.60.040 Parking on sidewalk

SECTION 52. Section 15.64.010 Violations and penalties, subsection (h) "Class G. Traffic Violations (Bicycle safety violations)" shall be amended by adding the following to the list of violations:

15.56.020(a) Operating bicycle on sidewalk

SECTION 53. 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 54. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor, and publication in accordance with State law. However, parking garage and lot fees found in Section 40 (regarding Schedule V of BMC 15.40.020) shall be not be effective until January 1, 2011.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2010.

_____
ISABEL PIEDMONT-SMITH, 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 _____ day of _____, 2010.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2010.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance makes several changes to the Bloomington Municipal Code. This includes stop intersections, multi-stop intersections, one-way streets, increased or decreased state speed limits, school, park and playground speed zones, no parking zones, limited parking zones, loading zones, bus zones, on street metered parking, permits, impounded vehicles, bicycles, pedestrian crosswalks, and violations and penalties.

INTEROFFICE MEMORANDUM

TO: CITY COUNCIL MEMBERS

FROM: JUSTIN WYKOFF, MANAGER OF ENGINEERING

JACQUELYN MOORE, ASSISTANT CITY ATTORNEY

SUBJECT: ORDINANCE 10-15

DATE: 10/22/2010

CC: SUSIE JOHNSON, DIRECTOR OF PUBLIC WORKS

This Ordinance makes certain changes in Title 15 of Bloomington Municipal Code entitled "Vehicles and Traffic" including, but not limited to street name changes, stop intersections, speed limits, school and park speed zones, no parking zones, limited parking zones, loading zones, bus zones, parking controls, parking permit fees, and bicycles.

Section 1

This section deletes several stop intersections in the Autumn View Subdivision as the name 'Thomson Park Drive' has been recently changed to 'RCA Park Drive', and these subsequent intersections will be replaced in the next section. Additionally, the intersection of Windsor Drive and Wilton Drive is being deleted as a stop intersection due to the installation of traffic calming at that intersection.

Section 2

This section adds the newly named 'RCA Park Drive' intersections back into the code under stop intersections as well as adds the intersection of Windsor Drive and Wilton Drive into the code as a stop intersection due to the installation of traffic calming.

Section 3

This section adds the southern intersection of Windsor Drive and Wilton Drive to Schedule 'B' for Multi-Stop Intersections. This change was necessitated by the re-alignment of the intersection as part of the approved traffic calming project.

Section 4

This section deletes a code reference regarding a section of Smith Avenue that is designated as one way east. This is part of an overall change requested by the 'Project School' to better accommodate safe and efficient access to their school along Smith Avenue.

Section 5

This Section adds back into the Bloomington Municipal Code changes to Smith Avenue as requested by the 'Project School' to better accommodate safe and efficient access to their school along Smith Avenue.

Additionally, changes are made to a section of Lindbergh Drive to increase the safety at its intersection with West 17th Street. This change makes a small section one-way south, just south of the intersection of Lindbergh Drive and West 17th Street.

Section 6

This section makes changes to the posted speed limit along two streets; West Third Street between Rogers Street and Walker Street will be made to have a maximum posted limit of 25mph, and Tapp Road between Adams Street and State Road 37 would have a maximum posted limit of 40mph.

Section 7

This section adds the newly renamed section of 'RCA Park Drive' to a reduced speed limit within a School, Park and Playground Speed Zone area, which would be 20mph.

Section 8

This section makes changes to allow permissions to be established by the Department of Public Works as opposed to the Police Department for the parking of equipment or machinery within the public right of way. This change reflects current practice.

Section 9

This section makes changes to 'No Parking Zones' to accommodate needed changes in the newly completed Fairview School Area.

Section 10

This section makes changes to add 'No Parking Zones' on newly accepted streets, streets within the newly completed Fairview School area, and changes to parking on Willis Drive just north of Westfield Drive.

Section 11

This section clarifies existing Bloomington Municipal Code with regard to limited parking within the same block during a calendar day.

Section 12

This section makes changes with regard to 'Special Events Parking Permits' outlining the procedures, notification, permit issuance, cost associated with obtaining a special event parking permit, and removes the requirement limiting use of the permits to specifically named streets.

Section 13

This section adds a new item to the parking "Legend" which accommodates for a combination 2 hour parking and residential Zone 9 parking permit between 8:00a.m. and 5:00p.m. Monday through Friday. This was necessary to accommodate both businesses and residents along Grant Street between 3rd Street and 4th Street.

Section 14

This section deletes several limited parking zone areas that will be modified and added back in the next section.

Section 15

This section adds several limited parking zones that were previously deleted due to the need to make modifications to the time or location of the spaces. The 15 minute space on Gentry was reverted to a 2 hour parking space; parking on Grant Street was changed to allow for both 2 hour parking, as well as Residential Zone 9 Parking for area residents; Changes to Kirkwood Avenue to allow for increased on-street bicycle parking spaces; changes on Rogers Street to correct errors to the existing code; and additional changes to the newly completed Fairview School area.

Section 16

This section deletes loading zones in front of 'Relish' located on West 6th Street; a loading zone that was used by the Master Rentall Store formerly located on South Washington Street; a loading zone that was in front of the Buskirk Chumley Theater; and a loading zone that was adjacent to the Monroe County Justice Building on West 8th Street.

Section 17

This section adds back the relocated loading zone in front of the Buskirk Chumley Theater with specific location measurements as it formerly was referenced only by address; and adds back the relocated loading zone adjacent to 'Relish' as it was needed to be moved to allow improved visibility close to the intersection and to not block the stop sign.

Section 18

This section deletes bus zones previously used by the old Fairview School along West 8th Street.

Section 19

This section adds several newly defined bus zones for both Bloomington Transit, as well as for the Monroe County Community School Corporation in the area adjacent to the newly completed Fairview School along West 7th Street; and along College Avenue and East 7th Street for Bloomington Transit. Additionally times of restriction have been added to allow for multi-use capabilities for both the school system and area residents along West 7th Street.

Section 20

This section allows for the creation of an accessible parking space on the West side of South Grant Street just south of 4th Street.

Section 21

This section is deleted and will be rewritten as two new sections.

Section 22

This section regarding parking facing traffic is added back and is limited to that issue.

Section 23

This new section includes the language regarding parallel and angle parking.

Section 24

This section allows for provisions of contractors to obtain Daily Parking Permit when needing to perform construction, reconstruction, remodeling, servicing, maintenance, or repair of buildings or other structures.

Section 25

This section allows for provisions for vendors to obtain a Delivery Parking Permit for their delivery personnel to use while engaged in the delivery of merchandise or supplies.

Section 26

This section makes corrections to existing Bloomington Municipal Code for the specific change of deleting 'entitled' and replacing it with 'eligible' with regard to obtaining parking permits.

Section 27

This section provides for the provision to deny parking permits unless all money owed to the City is paid, including outstanding penalties for parking violations.

Section 28

This section states the fees for parking permits and visitor permits issued under this chapter, with two exceptions.

Section 29

This section provides for a neighborhood parking permit to become invalid if the permit holder moves from the residence address associated with the permit.

Section 30

This section makes corrections to existing Bloomington Municipal Code for the specific change of deleting 'property' and replacing it with 'properties' with regard to eligibility for parking permits.

Section 31

This section allows for the provision of the Parking Enforcement Division to allow additional permits if such need is shown by the applicant.

Section 32

This section changes the amount from 'fifty' to 'fifty-five' for the cost of All Zone Permits. This is a 10% increase in cost.

Section 33

This section deletes the fee for this permit, as that is contained in another section.

Section 34

This section deletes the fee for this permit, as it is contained in another section.

Section 35

This section formally changes the name reference of the 'Walnut Center Garage' to 'Garage Band'.

Section 36

This section formally changes the name reference of the 'Regester Center Parking Facility' to 'Garage Market'.

Section 37

This section formally changes the name reference of the 'Fourth and Walnut Street Parking Garage' to 'Garage Art'.

Section 38

This section deletes the reference from the previously named parking lots.

Section 39

This section adds the reference to the renamed parking lots.

Section 40

This section proposes the rate increases for the garages and lot in Schedule V. The increase, rounding to the nearest dollar, on non-reserved spaces is 4%, and the increase on reserved spaces is 10%.

Section 41

This section provides the addition of notice timeframes where “no parking” signs are posted.

Seciton 42

This section clarifies the tow procedures.

Section 43

This section deletes reference to established bicycle paths being established along the ‘pedestrian easement’ between Maxwell Lane and Nota Drive.

Section 44

This section is renumbered in order to allow for the addition of new sections.

Section 45

This section provides for parking restrictions with regard to bicycles parking in a manner that obstructs pedestrian traffic, or damages public property, as well as parking within a space designated for a motor vehicle, unless specifically designated for bicycle parking.

Section 46

This section allows for the provision of removing and impounding bicycles that are deemed to be abandoned and setting up a process for reclamation or disposal.

Section 47

This section amends the section title to include parking in a park, picnic ground or golf course, in addition to driving in those locations.

Section 48

This section modifies the existing Bloomington Municipal Code language to add language concerning a violation for parking in a park, picnic ground or golf course. The violations for parking or driving in those locations are provided.

Section 49

This section adds the description for the violation regarding parking illegally in a park, picnic ground or golf course to the list of Class D violations.

Section 50

This section allows for the addition of a mid-block pedestrian crossing in the 2000 block of South Liberty Drive between Constitution Avenue and West State Road 45 (West 2nd Street) per the request of IVY Tech Community College.

Section 51

This section corrects a citation numbering error regarding to the violation of parking on a sidewalk.

Section 52

This section adds the omitted description for the violation of riding a bicycle on a sidewalk.

If you have any questions regarding this ordinance please let us know at your earliest convenience.

Thanks,

Map 1

By: ecclese
22 Oct 10

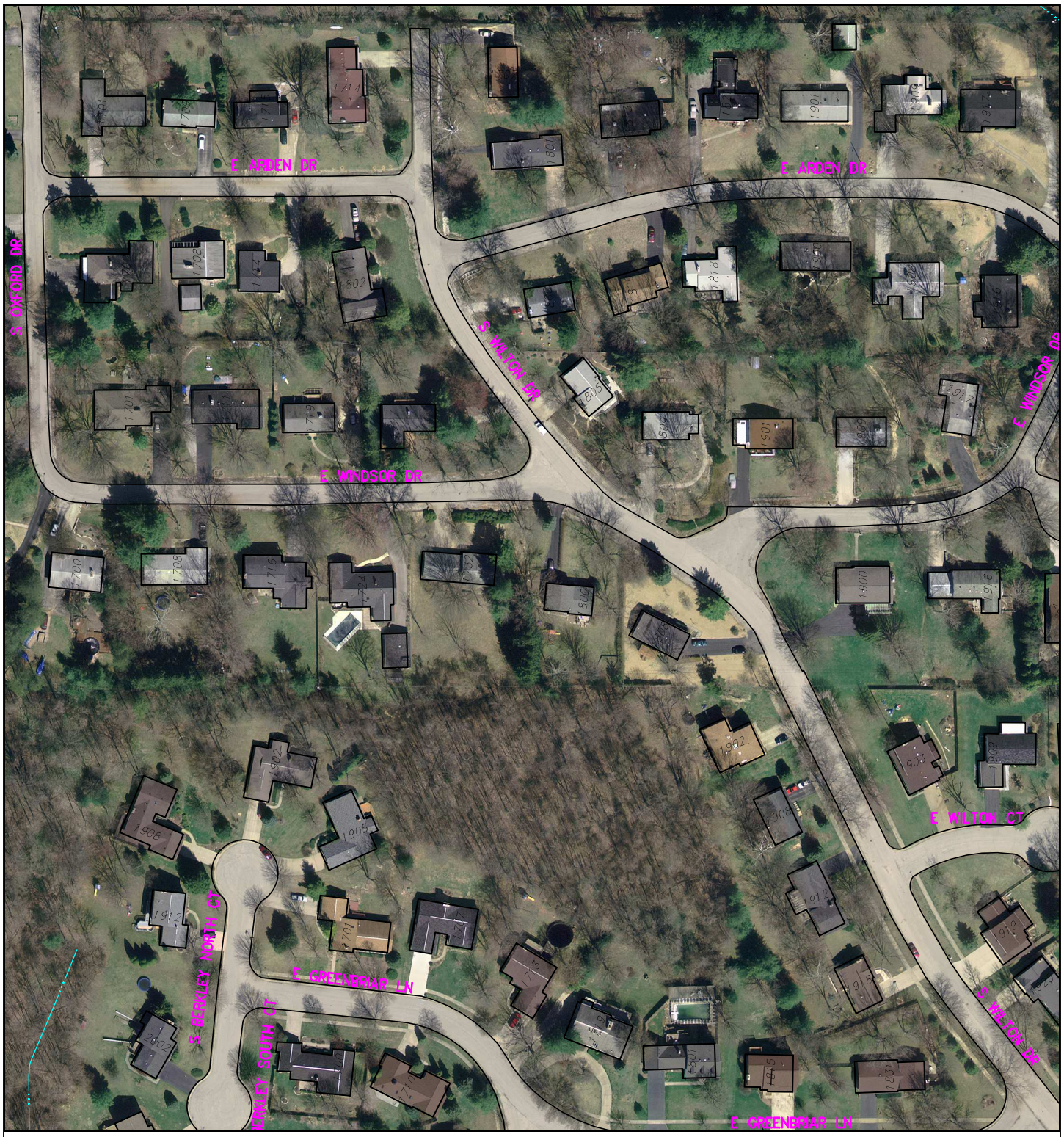
150 0 150 300 450

N

City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.



Map 2

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

Scale: 1" = 150'

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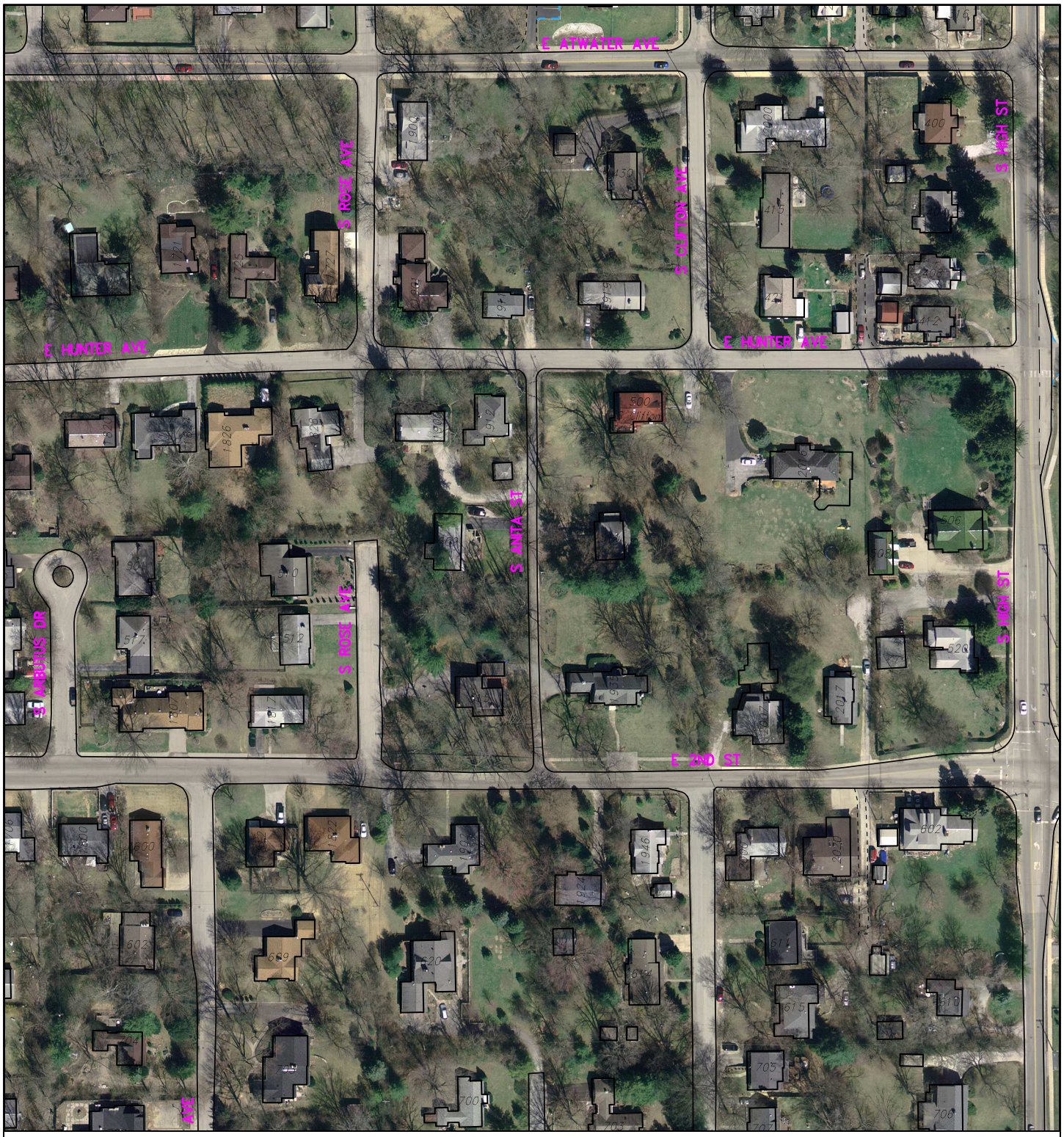

Map 3

By: ecclese
22 Oct 10

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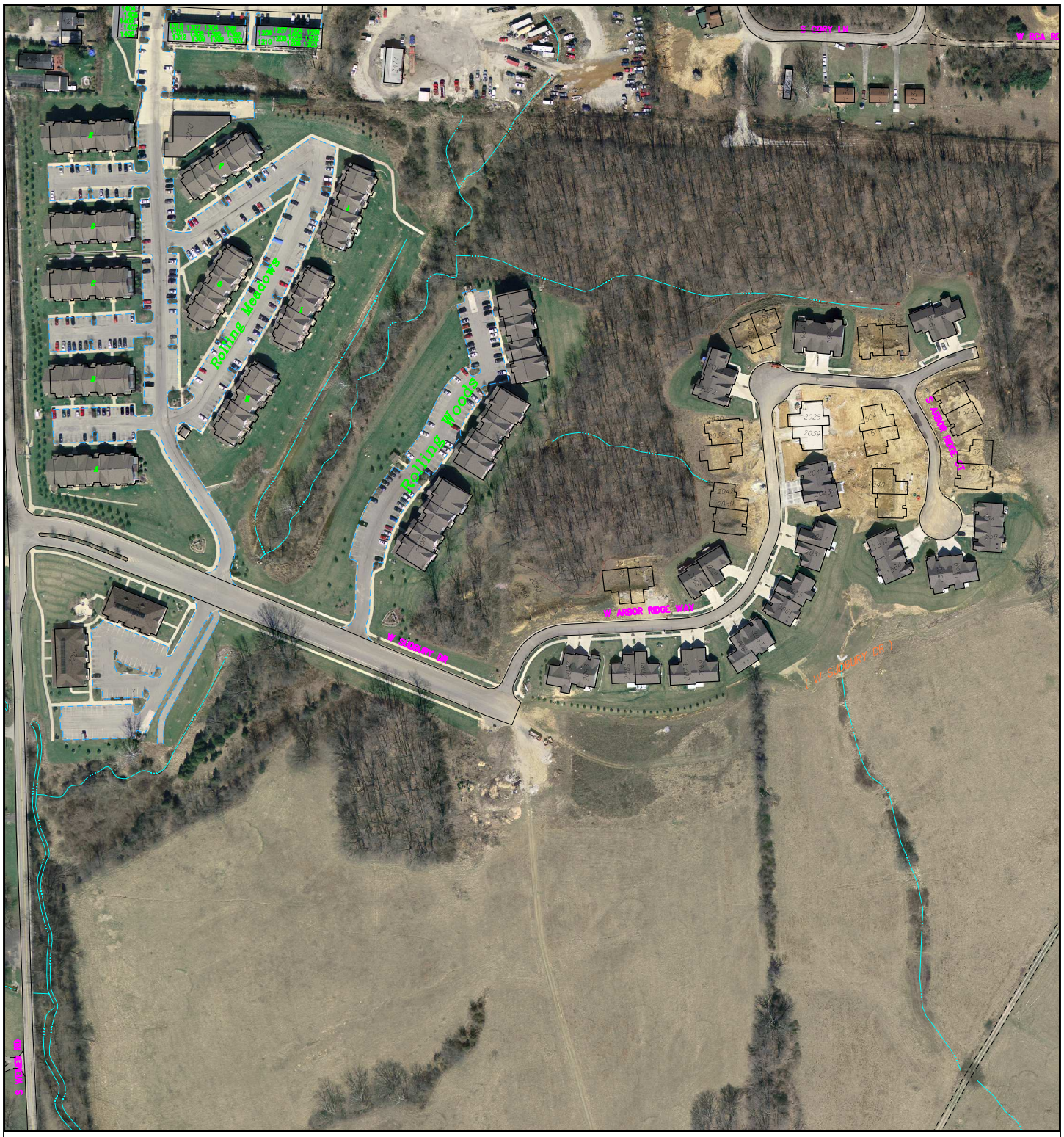
City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.



Map 4

By: ecclese
22 Oct 10

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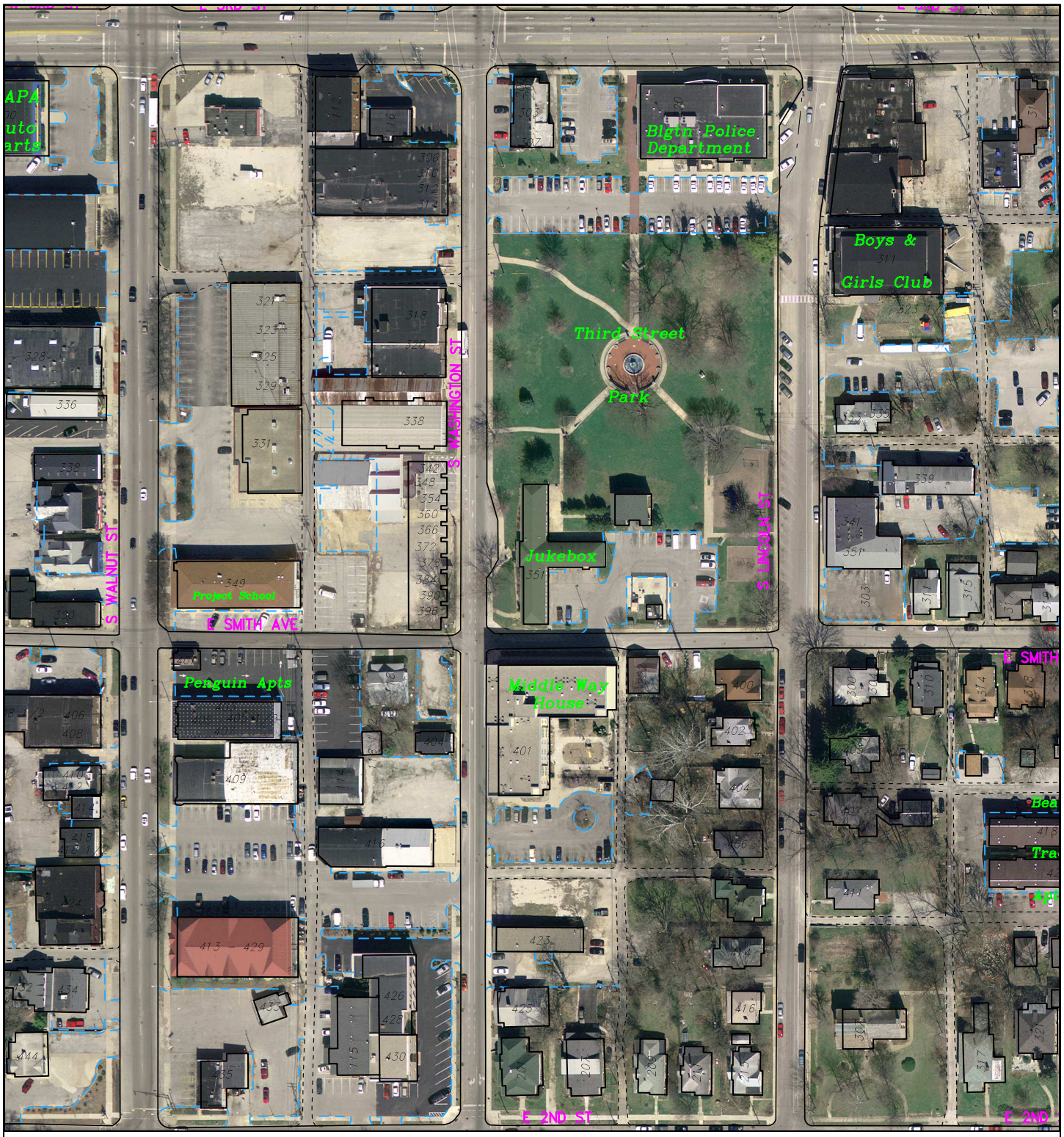
City of Bloomington
Engineering

Scale: 1" = 250'

For reference only; map information NOT warranted.



Map 5

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

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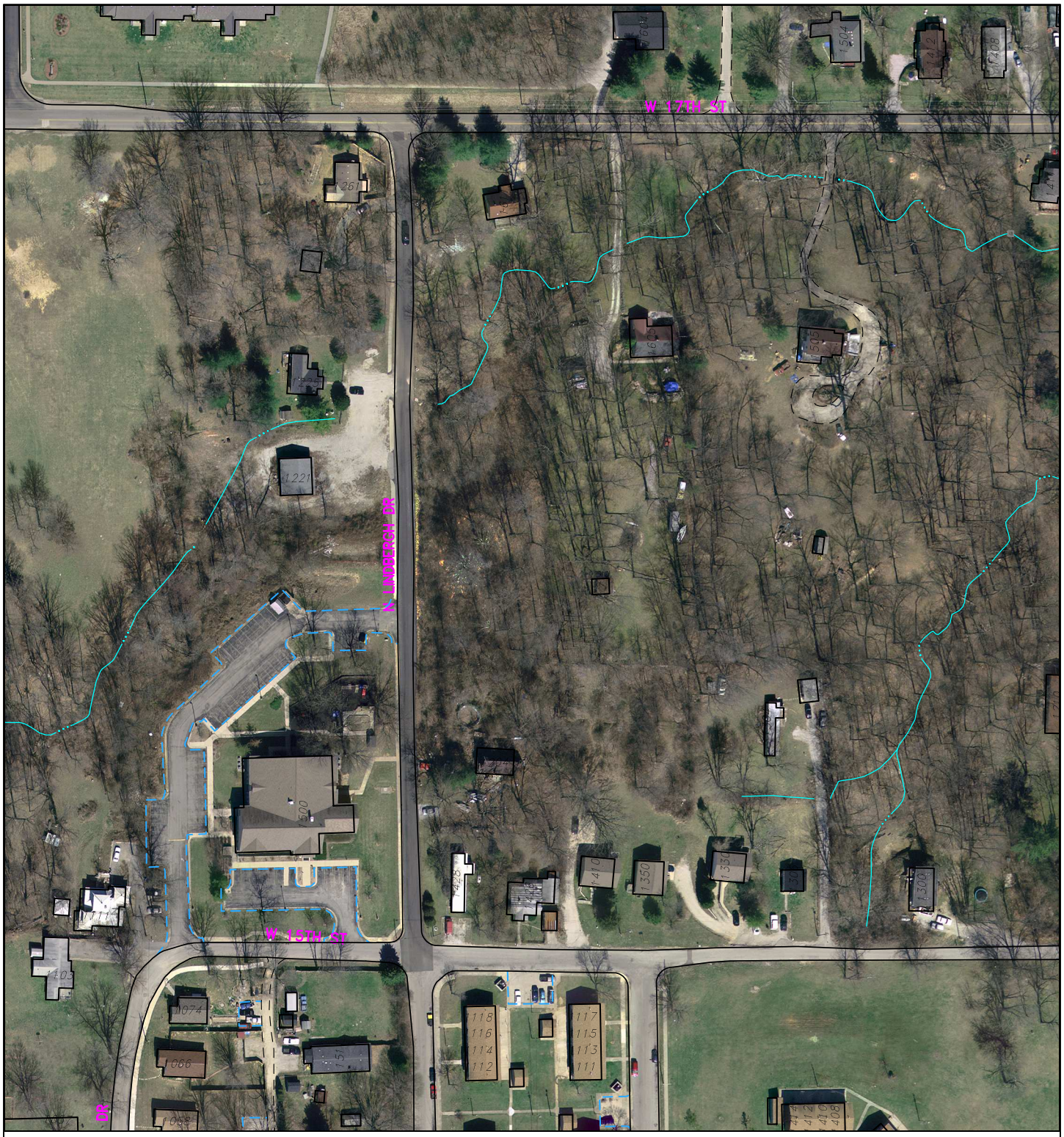
For reference only; map information NOT warranted.



Map 6

By: ecclese
22 Oct 10

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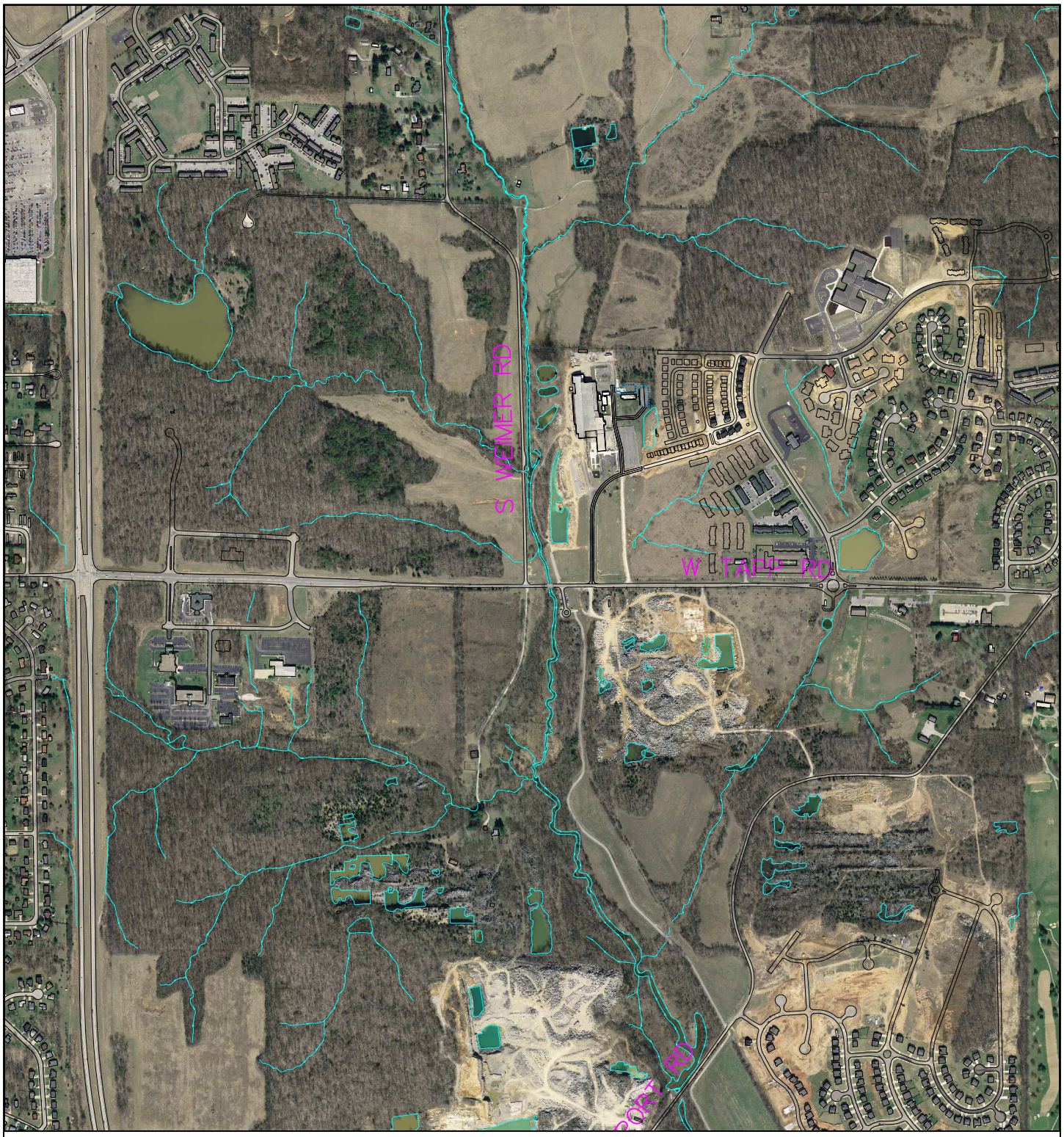
City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.



Map 7

By: ecclese
22 Oct 10

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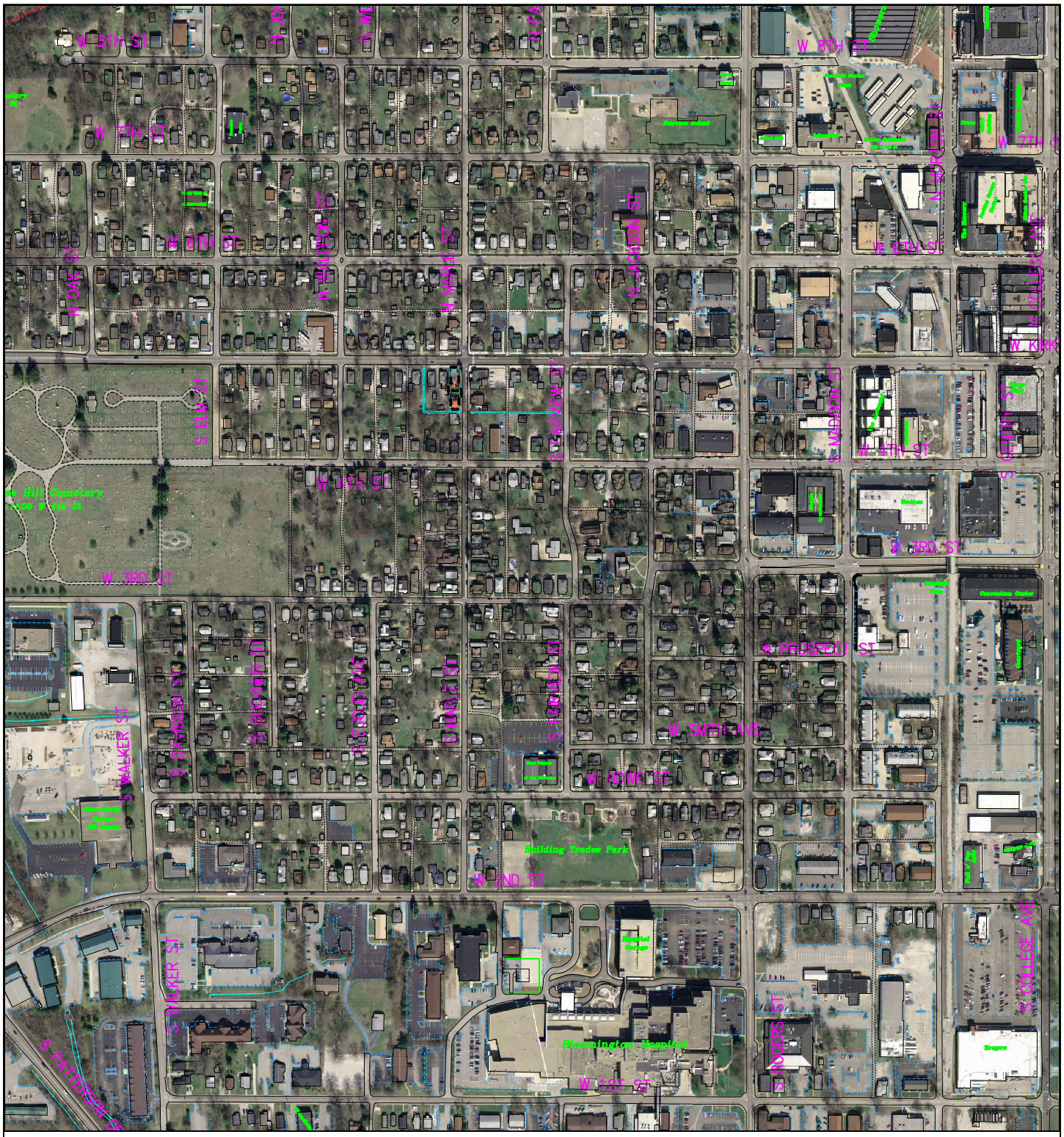
City of Bloomington
Engineering

Scale: 1" = 1000'

For reference only; map information NOT warranted.



Map 8

By: ecclese
22 Oct 10

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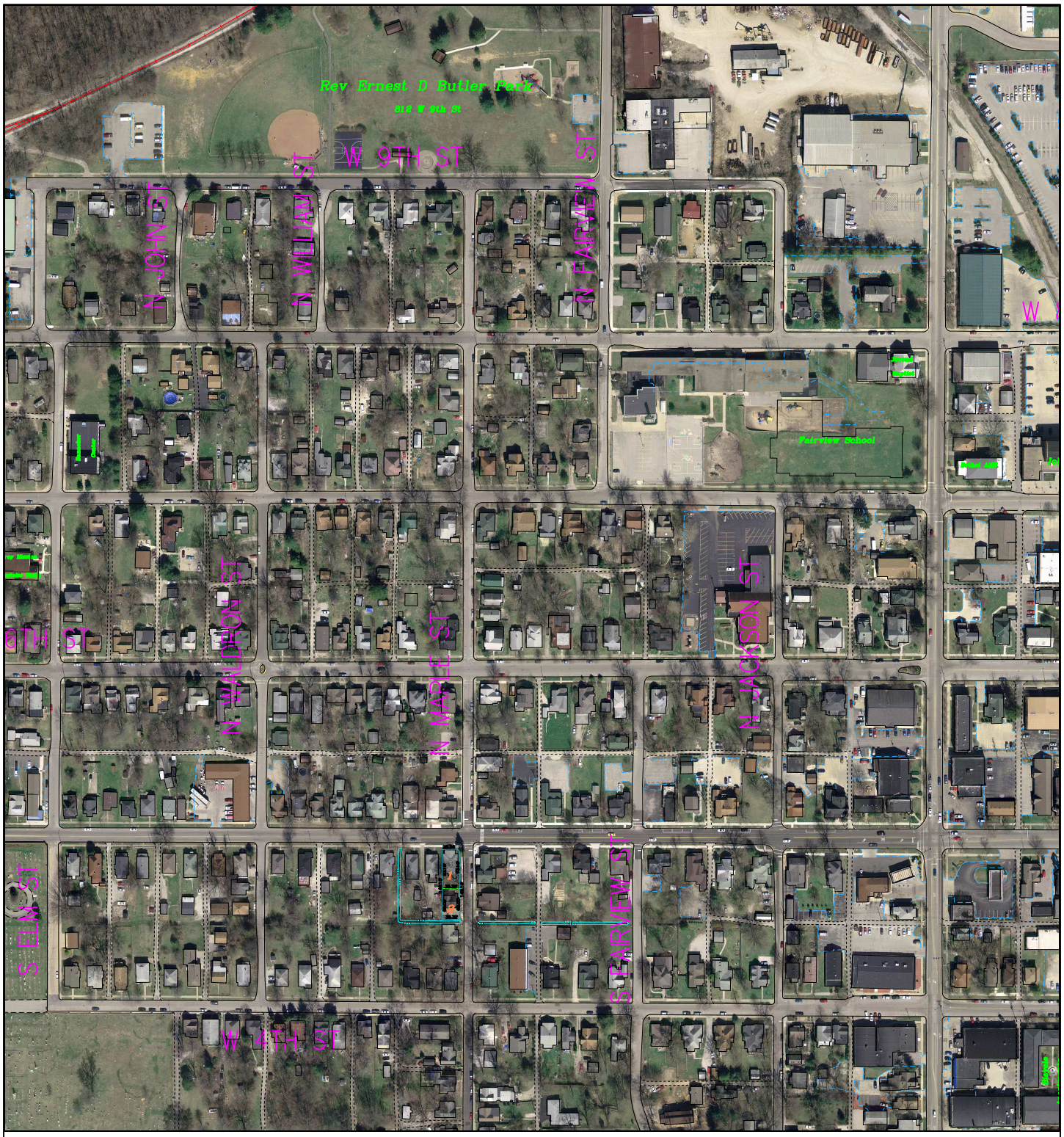
City of Bloomington
Engineering

Scale: 1" = 500'

For reference only; map information NOT warranted.



Map 9

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22 Oct 10

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City of Bloomington
Engineering

Scale: 1" = 300'

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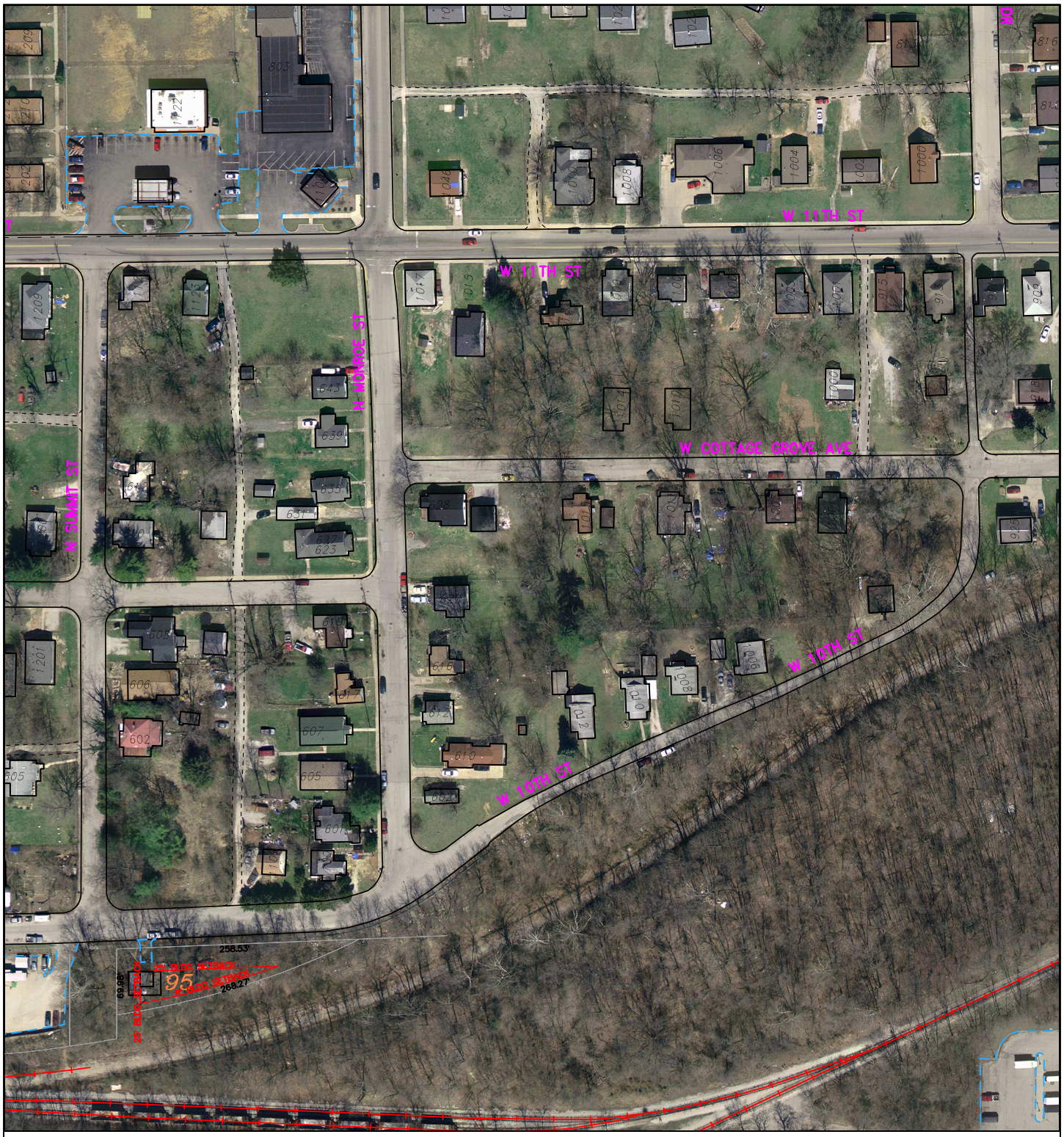

Map 10

By: ecclese

22 Oct 10

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City of Bloomington
Engineering

Scale: 1" = 150'

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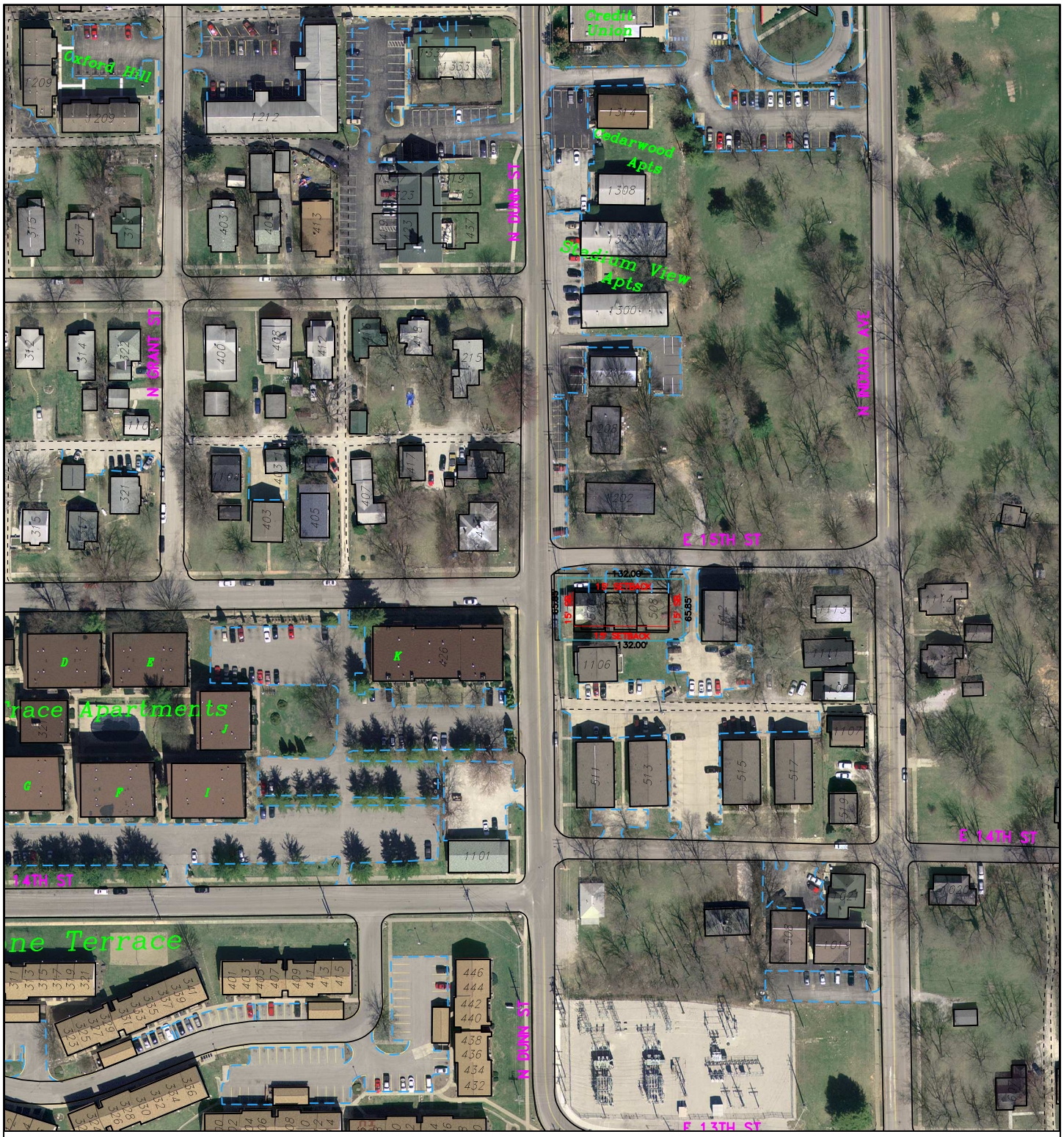

Map 11

By: ecclese
22 Oct 10

150 0 150 300 450

N

City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.

Map 12

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

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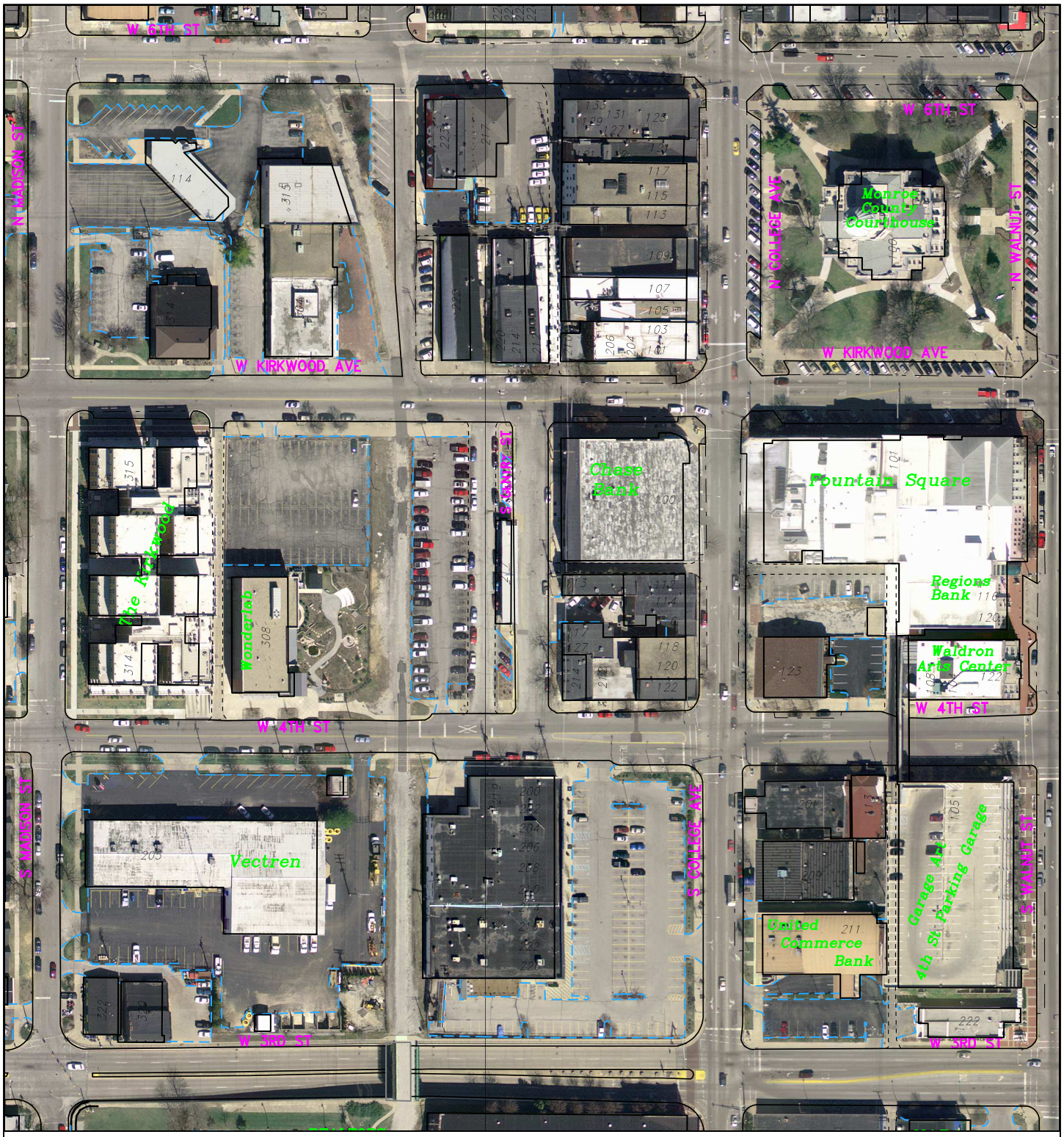

Map 13

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

Scale: 1" = 150'

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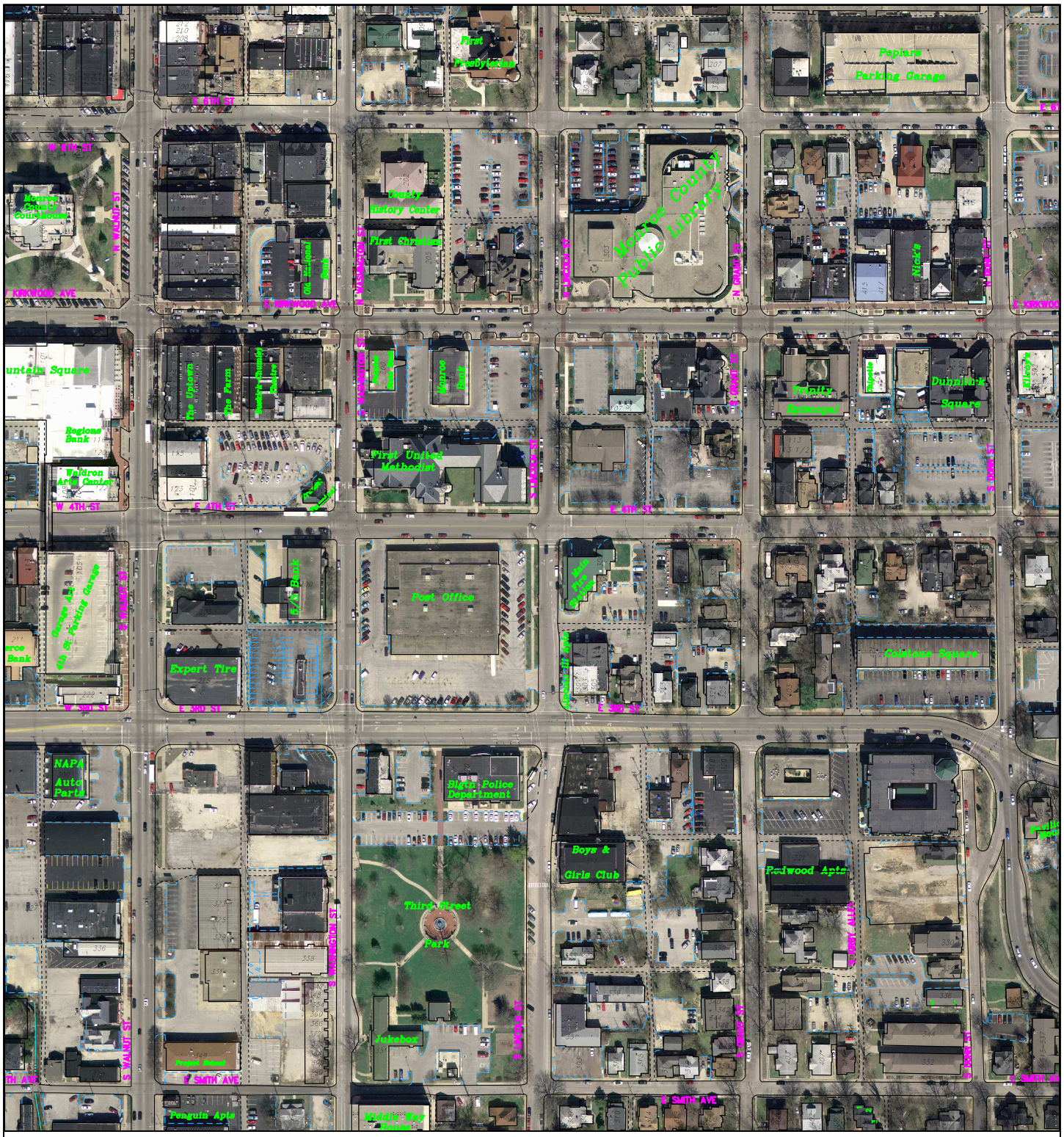

Map 14

By: ecclese

22 Oct 10

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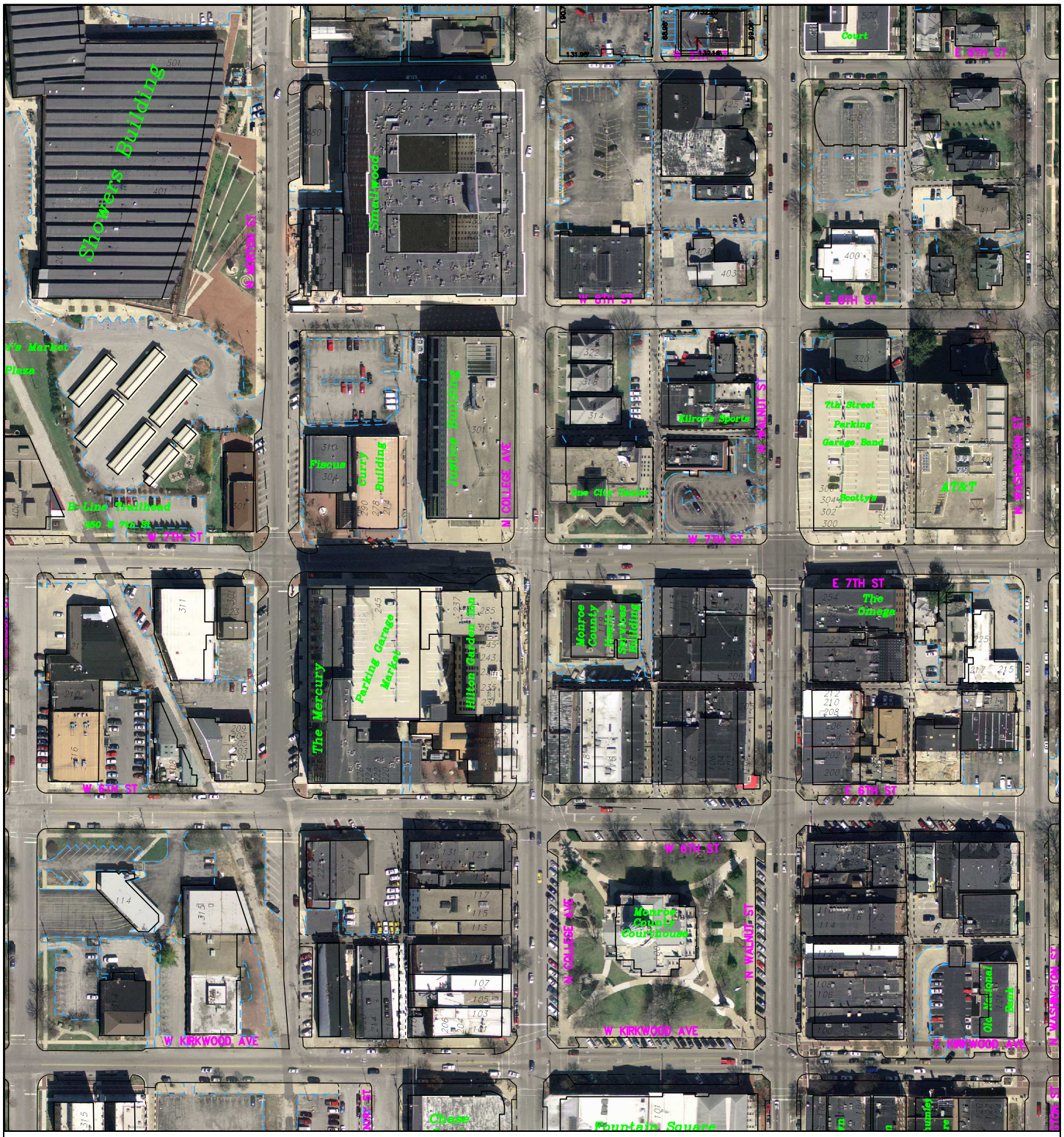
City of Bloomington Engineering

Scale: 1" = 250'

For reference only; map information NOT warranted.



Map 15

By: ecclese
22 Oct 10

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N

City of Bloomington
Engineering

Scale: 1" = 200'

For reference only; map information NOT warranted.

Map 16

By: ecclese
22 Oct 10

150 0 150 300 450

N

City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.

Map 17

By: ecclese
22 Oct 10

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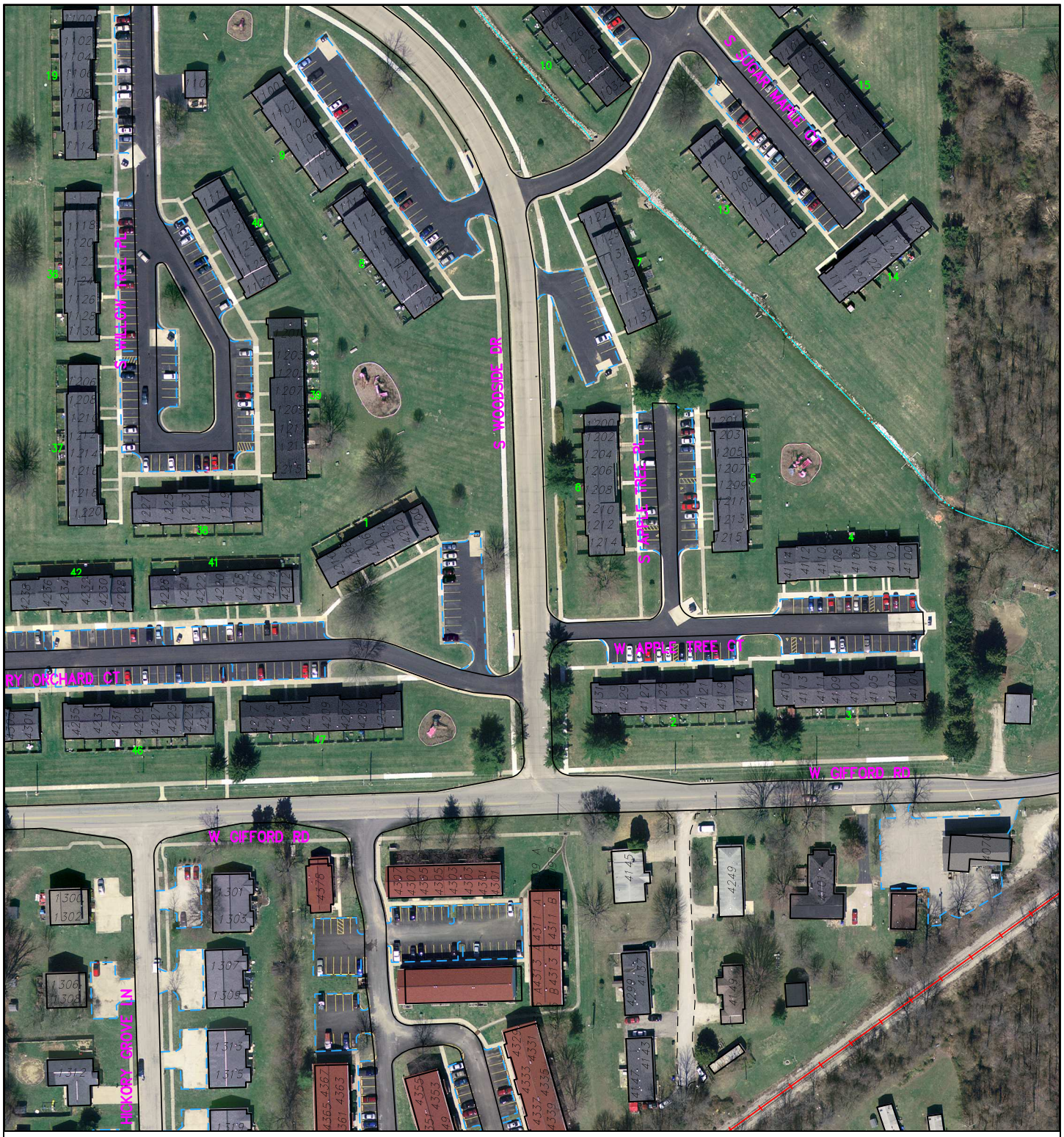
City of Bloomington
Engineering

Scale: 1" = 150'

For reference only; map information NOT warranted.



Map 18

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

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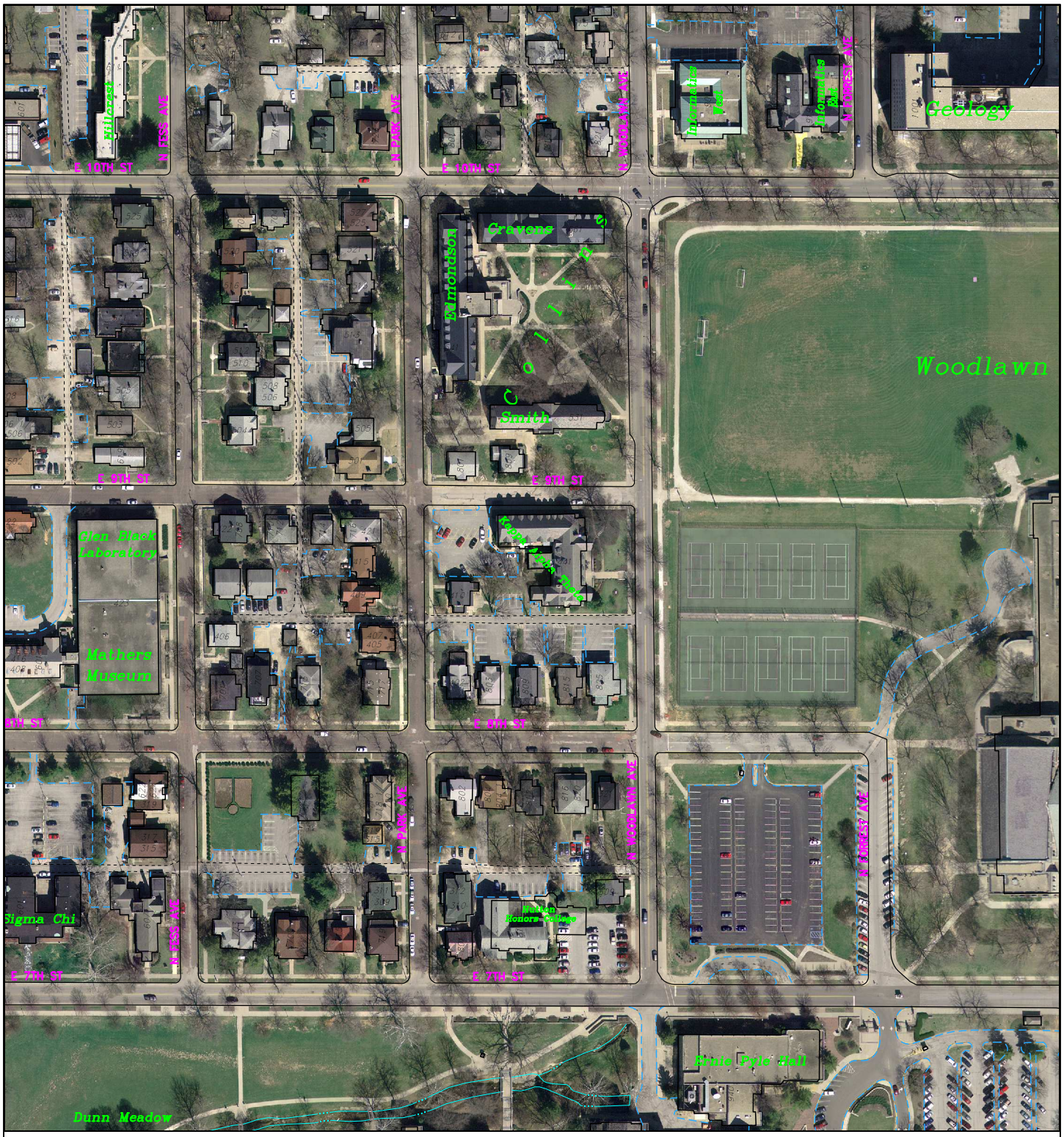
For reference only; map information NOT warranted.



Map 19

By: ecclese
22 Oct 10

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City of Bloomington
Engineering

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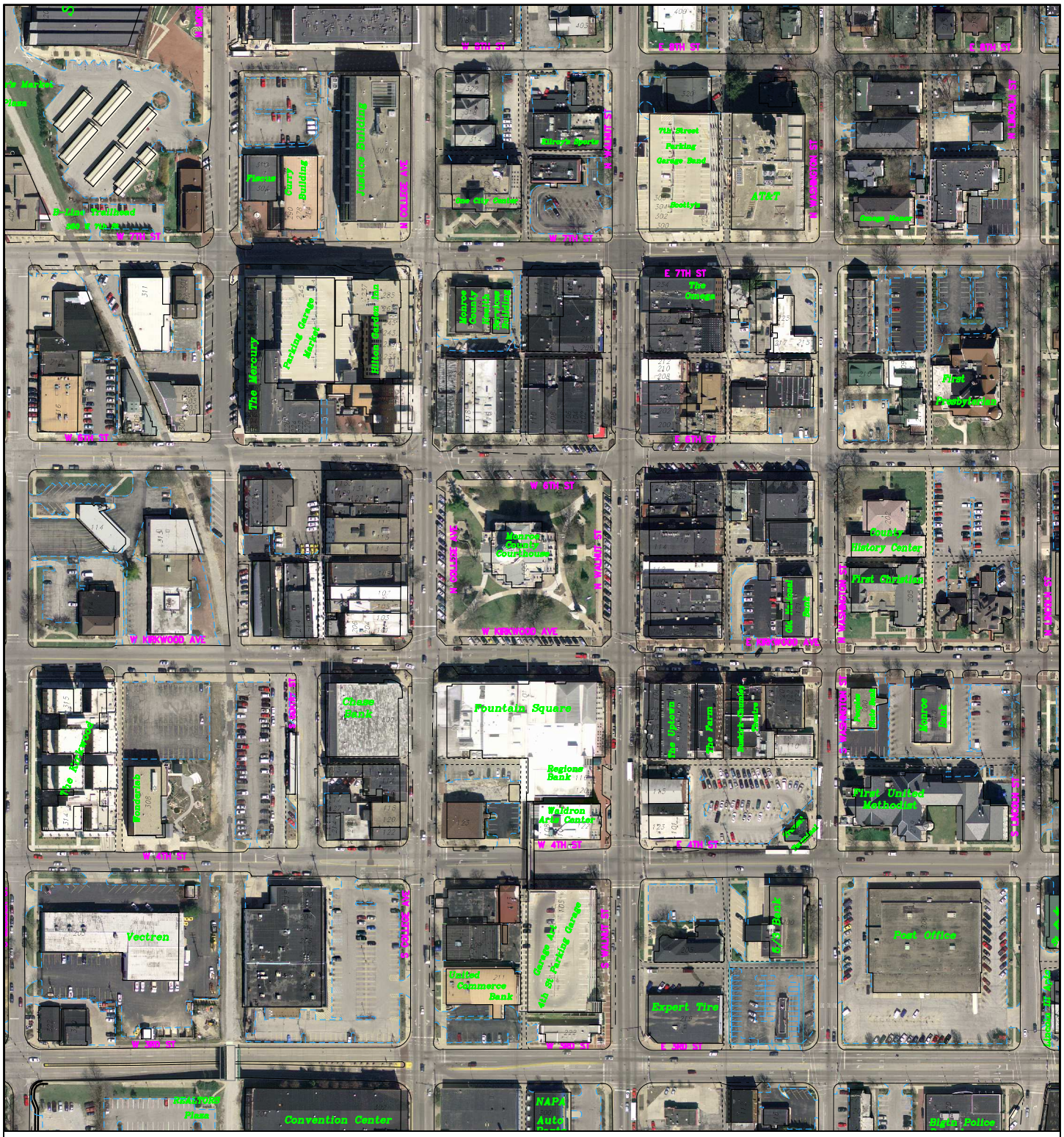

Map 20

By: ecclese

22 Oct 10

250 0 250 500 750

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City of Bloomington Engineering

Scale: 1" = 250'

For reference only; map information NOT warranted.