

## **ORDINANCE NO. 3556**

### **AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE 8 – TRAFFIC, OF THE ROSEBURG MUNICIPAL CODE**

**WHEREAS**, parking enforcement in the downtown area and Laurelwood neighborhood was performed by Park Smart, an organization operated by the Downtown Roseburg Association, through a parking enforcement agreement with the City entered into July 1, 2016.

**WHEREAS**, the City of Roseburg and the Downtown Roseburg Association agreed to terminate the parking enforcement agreement March 31, 2020; and

**WHEREAS**, the City of Roseburg solicited a request for proposal (RFP) in the spring of 2020 for a consultant service to perform a parking assessment of the downtown area and Laurelwood neighborhood; and

**WHEREAS**, the City entered into a contract with Rick Williams Consulting on July 23, 2020, to complete a parking assessment of the downtown area and Laurelwood neighborhood; and

**WHEREAS**, the City Council was presented the Downtown Parking Assessment and Plan March 22, 2021, and voted to accept the plan as presented by Rick Williams Consulting and City staff; and

**WHEREAS**, the Downtown Parking Assessment Plan recommends updating portions of the parking code as provided in Title 8 of the Roseburg Municipal Code.

### **NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:**

**SECTION 1.** Roseburg Municipal Code Section 8.02.005, "Definitions" is hereby amended to read as follows:

#### **8.02.005 - Definitions.**

In addition to those definitions contained in the adopted sections of the Motor Vehicle Laws of Oregon, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

"Bicycle" means every device propelled by human power upon which any person may ride, having two or more tandem wheels either of which is over fourteen inches in diameter.

"Bus stand" means a fixed area in the roadway adjacent to the curb to be occupied exclusively by buses for layovers in operating schedules or waiting for passengers.

"Curb" means the extreme edge of the roadway.

"Fee" means the dollar amount to be charged to park in metered or permitted parking as outlined in the fee schedule.

"High turnover parking stall" means any parking stall signed or metered for stays of less than one (1) hour.

"Loading zone" means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials or freight.

"Long-term parking stall" means any parking stall signed or metered for stays of more than four (4) hours.

"Metered parking" means any time limited parking stall or parking area where use of parking is limited by a posted maximum time allowance and requires payment of a stated fee for use, to include but not limited to coin, credit/debit card or virtual payment (on-line payment or data base record).

"Park" or "parking" means the standing of a vehicle, whether occupied or not, except when a vehicle is temporarily standing for the purpose of and while actually engaged in loading or unloading.

"Parking permit" means a document, card, hang-tag, sticker or chip for display in a vehicle, as well as virtual (data base record), showing the driver of the vehicle has permission to park in a designated area for specific periods of use (e.g., hours, day(s)).

"Passenger loading zone" means reserved only for the loading or unloading of passengers and their luggage.

"Pedestrian" means any person afoot.

"Short-term parking stall" means any parking stall signed or metered for stays of one (1) to four (4) hours.

"Stand" or "Standing" means to temporarily stop a vehicle.

"Stop" means complete cessation of movement.

"Time limited parking" means any parking stall or parking area where use of parking is limited by a posted maximum time allowance. Time limited parking may or may not require payment of a fee.

"Traffic lane" means that portion of the roadway used for the movement of a single line of vehicles.

**SECTION 2.** Roseburg Municipal Code Section 8.02.030, "City Manager powers" is hereby amended to read as follows:

**8.02.030 - City Manager Powers.**

The City Manager or designee shall exercise the following duties by administrative actions:

- A. Implement the ordinances, resolutions and motions of the Council and the Manager's own orders by installing traffic control devices;
- B. Except as limited by Section 8.02.040, restrict the use of or parking on certain streets by any class or kind of vehicle to protect the streets from damage, preserve the character of the neighborhood, require turnover in parking spaces, establish clear vision areas or reduce traffic hazards;

- C. Authorize by permit or regulation greater maximum weights or lengths for vehicles using City streets than specified by State law where not deleterious to City streets or public safety;
- D. Impose conditions upon which the streets and other public property may be used for parking;
- E. Establish, maintain, remove or alter the following classes of traffic controls:
  - 1. Traffic control signals;
  - 2. Crosswalks, safety zones and traffic lanes;
  - 3. Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns and the time when the prohibition applies;
  - 4. Parking areas and time limitations, including the form of permissible parking and any fees therefor. This authority does not include establishing parking meter zones or parking meter fees;
  - 5. Loading zones; and
  - 6. Yield and stops for all vehicles.
- F. Cause a continual check to be made of traffic movement, congestion and accidents on the streets of the City, and after appropriate study, submit from time to time recommendations to the Council;
- G. Temporarily close to vehicular or pedestrian traffic any street, when in the Manager's opinion, it is necessary to do so because of an emergency or for the protection of lives, limb, public safety or property, or for the more expeditious movement of either vehicular or pedestrian traffic, or for special events of community interest, parades or construction in a street right-of-way. The City Manager shall cause to be placed and maintained during such temporary closure "No Parking," "No Walking," "Street Closed" or other appropriate directional signs; and
- H. Enforce parking and traffic control regulations or all regulated parking areas or districts. Enforcement will include state laws and City ordinances regarding motor vehicle operations and all parking and traffic control devices where parking is regulated, including the Roseburg Regional Airport.
- I. Implement guidelines for when an unlawfully parked vehicle may be towed.

**SECTION 3.** Roseburg Municipal Code Section 8.02.070, "Limitation for historic structures" is hereby removed:

**SECTION 4.** Roseburg Municipal Code Section 8.02.090, "General parking regulations" is hereby amended to read as follows:

8.02.090 - General parking regulations.

A. Private Marking Unlawful.

It is unlawful for any person to letter, mark or paint in any manner, any letters, marks or signs on any sidewalk, curb, street or alley, or to post on a parking strip, anything

designed or intended to prohibit or restrict parking in front of any sidewalk, private residence, business or in any alley, except in compliance with the provisions of this Chapter.

**B. Required Methods of Parking.**

1. Unless permitted by the Public Works Director, Police Chief or their designee, no person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the curbside wheels of the vehicle within twelve inches of the edge of the curb, except where the street is marked or signed for angle parking.
2. No person shall stand or park a vehicle other than at the indicated direction.
3. Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of, or too close to a building to which the Fire Department has been summoned, such person shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers.

**E. Bus Stops.**

1. Buses. The driver of a bus shall not stand or park such vehicle upon any street in any business district at any place other than at a bus stop.
2. Vehicles other than Buses. No person shall stop, stand or park a vehicle, other than a bus in a bus stand except that the driver of a passenger vehicle may temporarily stop for the purpose of, and while actually engaged in, loading or unloading passengers, when such stopping does not interfere with any bus waiting to enter or about to enter such zone.

**SECTION 5.** Roseburg Municipal Code Section 8.02.100, "Parking meter regulations" is hereby amended to read as follows:

**8.02.100 –Use of regulated parking.**

- A. Payment for parking.** No person shall park any vehicle in any metered parking space, except as otherwise permitted by this Chapter, without immediately depositing in the parking meter assigned to such space, such lawful payment methods (to include but not limited to coin, credit/debit or virtual payment) as are required by such meter and as designated by directions on the meter, and when required by the directions of the meter unless the parking meter indicates at the time such vehicle is parked that an unexpired portion of the period for which a payment-has been previously deposited remains.
- B. Legal Time Limit.** Except as otherwise permitted by this Chapter, no person shall park a vehicle or allow a vehicle to remain parked in any time limited parking space beyond the maximum time limit for parking in such space.

Continued parking beyond the single time limit for any meter parking space shall constitute a separate offense for each period or portion of a single time limit for any such meter parking space during which the vehicle remains so parked.

- C. Owner Responsibility. The registered owner on the records of the Department of Motor Vehicles is responsible for all parking violations issued by the City.
- D. Mechanical Defect. Any unintentional violation of any provision of this Chapter by reason of a mechanical failure of a parking meter is not an offense within the meaning of this Chapter.
- E. Collection Authority. It shall be the duty of the Finance Director to direct the collecting of all payment methods from parking meters.
- F. Parking Exemption Permits.
  - 1. Issuance. The Police Chief or the City's agent may issue parking exemption permits to contractors engaged in the construction, reconstruction or repair of a building or installation of equipment in a building adjacent to a street where time limited parking is in place. Such exemption permits shall be issued only where available, including alleys which might be used or blocked off without interference with commerce, are not found reasonably close to the place where such persons are engaged and may be issued for use of each particular construction job. The fees for a parking exemption permit shall be set by Council resolution. At termination of use, the exemption permit shall be returned to the Police Chief or the City's agent.
  - 2. Use. Persons with a properly issued parking exemption permit shall have the permit visibly displayed. Display of such permit reserves such parking space while occupied for use by such person while actually engaged in the task for which the parking exemption permit was issued.
  - 3. Violation Prohibited. No person shall use a parking exemption permit except for the purpose and period of time for which such permit was issued.

**SECTION 6.** Roseburg Municipal Code Section 8.02.110, "Special parking permits" is hereby amended to read as follows:

8.02.110 - Special parking permits.

A. Disabled Person Parking Permit.

- 1. Privileges Granted. All of the following apply to the parking privileges granted to disabled persons under a disabled person parking permit other than a program placard described in ORS 811.607:
  - a. Subject to the limitations under the following Paragraph (b), the permit allows its holder, or another person while transporting its holder to or from the parking location, to exercise the following privileges:
    - (i) Park a motor vehicle in any public parking zone restricted as to the length of time permitted therein without incurring penalties imposed for overtime parking in such zones; and
    - (ii) Park a motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee.

B. Delivery or Service Permits.

1. The Police Chief or the City's agent may issue delivery or service permits to persons regularly using passenger-type vehicles for the delivery of service or delivery or pickup of merchandise. Upon proof of necessity, the Police Chief or the City's agent may also issue such permits for commercial-type vehicles, if such vehicles are performing an essential service. The fees for such a permit shall be set by Council resolution. No time limited parking space shall be used by any permit holder for any continuous period of time longer than the time provided on the space in question. No person shall use a delivery or service permit for any purpose other than that authorized by the permit. Willful violation of these provisions will result in forfeiture of the permit and denial of future permits.
- C. Courtesy Visitor Permits. The City Manager may, at their discretion, make courtesy permits available to visitors of the City. Such permits shall be free and limited to specific periods of use (e.g., hours, day(s)). These permits, if properly displayed in accordance with the direction prescribed by the City Manager, shall authorize the permittee to park their vehicle without regard to time limits and without having to pay the fees in any parking space.

**SECTION 6.** Roseburg Municipal Code Section 8.02.140, "Regulations relating to recreational type devices or toy vehicles" is hereby amended to read as follows:

8.02.140 - Regulations relating to recreational-type devices or toy vehicles.

- A. Roller Skates, In-Line Skates, Skateboards, Bicycles and Other Devices. Excepting Police employees operating their bicycles in the course and scope of their duties, no person shall operate or ride upon, in or by means of, a bicycle, scooter, roller skates, in-line skates, skateboard, coaster, toy vehicle or other similar device in or upon any if the following areas:
  1. Any public street or sidewalk in a manner dangerous to persons or property;
  2. The off-street parking facility located at 555 SE Rose Street; or
  3. Any public or private property, driveway or parking area that is posted with a "No (name of prohibited device)" sign. Signs posted pursuant to this Subsection shall be posted at or near the boundaries of the area restricted in a visible location. Signs must be no smaller than 6" X 8" in dimension and must contain the words "No (name of prohibited device)".

**SECTION 7.** Roseburg Municipal Code Chapter 8.04, "Parking in Downtown Parking District" is hereby removed:

**SECTION 8.** Roseburg Municipal Code Section 8.06.010, "Purpose" is hereby amended to read as follows:

8.06.010 - Purpose.

The purpose of this Chapter is to provide permanent residents, and their legitimate house-guests, exemption from certain restrictions placed on on-street vehicle parking when such restrictions are placed on residentially zoned streets fronting their primary residences.

**SECTION 9.** Roseburg Municipal Code Section 8.08.010, "Purpose" is hereby amended to read as follows:

**8.08.010 - Purpose.**

The purpose of this Chapter is to authorize fines as set by the Municipal Judge and to establish additional remedies for the violation of any provision of Chapters 8.02 and 8.06 of this Code. Fines for such violations shall be as set by the Municipal Judge and additional remedies shall be as set forth by this Chapter.

**SECTION 10.** Roseburg Municipal Code Section 8.08.020, "Immobilization of vehicles involved in traffic or parking citations" is hereby amended to read as follows:

**8.08.020 - Immobilization of vehicles involved in traffic or parking citations resulting in outstanding fines.**

- A. For citations issued for violation of any provision of Chapters 8.02 or 8.06 of this Code:
  - 1. Bail is outstanding if it is not posted within the time specified on the citation and remains outstanding until entry of judgment in the judicial proceedings based on the citation;
  - 2. A fine is outstanding if unpaid and overdue and remains outstanding until discharged by payment, judicial action, or confinement in jail.
- B. No operator of a vehicle shall cause, and no owner of a vehicle shall allow, a vehicle which has been involved in five or more parking violations under the applicable Chapters of this Code, and for which there are outstanding bail, fines, or both for which notice has been sent to the vehicle owner that such outstanding bail or fines may result in immobilization of the vehicle, to be on a public right-of-way, public property or other property upon which the City enforces parking regulations pursuant to a contract or agreement.
- C. Upon finding an owner of a vehicle, which has been involved in five or more parking violations under the applicable Chapters of this Code, has outstanding bail, fines or both, the Finance Director shall direct a notice to be sent to said vehicle owner. Such notice shall specify that if the outstanding bail and/or fines are not paid within ten (10) days of the date of the notice, the vehicle involved in such parking violations shall be considered subject to booting upon being found parked upon a City street or upon property owned or controlled by the City.

**SECTION 11.** All other sections and subsections of Title 8 of the Roseburg Municipal Code shall remain in full force and effect as written.

**ADOPTED BY THE ROSEBURG CITY COUNCIL THIS 24TH DAY OF MAY, 2021.**

**APPROVED BY THE MAYOR THIS 24TH DAY OF MAY, 2021.**

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**LARRY RICH, MAYOR**

**ATTEST:**

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**AMY L. SOWA**  
**ASSISTANT CITY MANAGER/CITY RECORDER**