ORDINANCE NO. 5531

AN ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-44 "PARKING METERS", OF THE CODE OF ORDINANCES, CITY OF MEMPHIS

WHEREAS, the City of Memphis will be upgrading the parking meter systems in the downtown area and medical district to include multi-space kiosks and single-space meters that are capable of accepting multiple forms of payment; and

WHEREAS, the current code only makes reference to coin payment and only provides installation and marking guidance for traditional single-space and double-space meters; and

WHEREAS, the City of Memphis, Division of Engineering wishes to update the current code to reflect the change to more modern parking meter systems

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That the current Title 11 – Vehicles and Traffic – Chapter 11-44 "Parking Meters", of the Code of Ordinances, City of Memphis, is hereby amended to read as follows:

Sec. 11-44-1 - Duties of the director of public works.

The director of public works is directed to provide for the installation, regulation, control, operation, and use of parking meters and multi-space kiosks at such locations as shall be necessary, reasonable and proper, and shall make regulations covering the time which a vehicle may be parked at such locations and the compensation to be paid for the parking of such vehicle.

(Code 1985 § 21-176; Code 1967 § 23-243)

Sec. 11-44-2 - Installation and operation generally.

A. Single-Space Parking Meters

Single-space parking meters installed shall be placed behind and adjacent to the curb immediately adjacent to the front or rear of the individual parking meter spaces. Each single-space parking meter shall be placed or set in such a manner as to show or display by a signal that the parking meter space adjacent to such meter is or is not legally in use. Each single-space parking meter shall be installed and set to display, upon the deposit of the appropriate form of payment, a signal indicating legal parking for that period of time, conforming to the limit of parking time which has been or may be established for the street upon which such single-space parking meter is installed, and shall continue to operate from

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the time of the deposit of such payment therein until the expiration of the time fixed as the parking limit for the part of the street upon which such meter is placed. Each single-space meter shall also be arranged so that upon the expiration of the legal parking time, such meter will indicate by mechanical operation or signal that the lawful parking period has expired.

B. Multi-Space Kiosk

A "multi-space kiosk" refers to a parking meter for a parking zone in which there is space for more than one vehicle to park. Multi-space kiosks shall be placed behind and adjacent to the curb within the parking zone such multi-space kiosk shall control. Where a multi-space kiosk has been installed, every vehicle shall park adjacent to the curb, (head-in where pavement stall markings dictate angled parking) in the zone controlled by the multi-space kiosk. Each vehicle operator shall deposit in the kiosk the appropriate form and the required amount of payment for the time the vehicle operator intends to park, up to the maximum time limit available. Unless otherwise specified or directed by a kiosk's instructions, each vehicle operator parking in a zone controlled by a multi-space kiosk must obtain and properly display a receipt, ticket, or display device issued by the multi-space kiosk which displays the date and period of time for which parking is legal, up to the maximum time limit available. Proper display of the receipt, ticket, or display device issued by a multi-space kiosk shall consist of displaying the receipt, ticket, or display device on the curbside of the vehicle dashboard in a publicly visible location or affixing the receipt, ticket, or display device to the front lamp of a motorcycle or a motor scooter. A receipt, ticket, or display device issued by a multi-space kiosk may be used to park the operator's vehicle in a parking zone controlled by a different multi-space kiosk prior to the expiration of time on the receipt, ticket, or display device if the parking zone has an equal or greater maximum allowable time limit and the same hourly rate as the parking zone controlled by the multi-space kiosk where the original payment was made.

(Code 1985 § 21-177; Code 1967 § 23-244)

Sec. 11-44-3 - Marking of and parking within metered spaces.

A. Single-Space Parking Meters

Lines or markings shall be painted or placed upon the curb or upon the street adjacent to each single-space parking meter for the purpose of designating the parking meter space for which such meter is to be used, and each vehicle parked alongside or next to any single-space parking meter shall park within the lines or markings so established. It is unlawful to park any vehicle across any such line or marking, or to park any vehicle in such a position that the same shall not be wholly within the area so designated by such lines or markings.

B. Multi-Space Kiosk

When parking stall markings designating parking spaces are present, the provisions for single space parking meters shall apply. If parking stall markings are not present, official signs shall designate the physical limits or boundaries of the parking zone for multi-space kiosks.

(Code 1985 § 21-178; Code 1967 § 23-245)

Sec. 11-44-4 - Deposit of payment—Overtime parking.

A.

When any vehicle is parked in any parking meter space next to which a single-space parking meter is located, or in a parking zone controlled by a multi-space kiosk, in accordance with the provisions of this chapter and Chapter 11-40, the operator of such vehicle shall, upon entering the parking meter space or parking zone, immediately deposit, or cause to be deposited, the payment indicated on such parking meter or kiosk, and the parking space may then be lawfully occupied by such vehicle during the period of parking time prescribed for the part of the street in which such parking space is located. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the single-space parking meter shall display a sign or signal showing illegal parking. The receipt, ticket, or display device issued by a multi-space kiosk shall indicate that the time for legal parking has expired. In that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time in any such part of a street where any such meter or kiosk is located and shall be a violation of this title. Each period of overtime parking beyond the duration of time specified by the parking meter or kiosk shall be considered a separate offense.

B.

No person shall permit a vehicle to remain or to be placed in any parking space adjacent to any single-space parking meter or in a zone controlled by a multi-space kiosk while such meter, or the receipt, ticket, or display device issued by a multi-space kiosk is indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

C.

The provisions of this section shall be enforced between the hours of eight a.m., and six p.m., on every day of the week except on Saturday, Sunday and the following holidays:

1. Christmas Day;
2. New Year's Day;
3. July Fourth;
4. Thanksgiving Day;

However, the above provisions shall not apply to those areas designated by the city engineer as areas of public necessity. In such areas so designated, parking meters or kiosks shall specify "twenty-four (24) hours per day each day of the week, holidays included."

D.

No person shall permit a vehicle to remain in any parking space adjacent to any single-space parking meter or parking zone controlled by a multi-space kiosk for a consecutive period of time longer than the maximum period of time provided by the meter or kiosk following a single occurrence of depositing payment. The intent of this provision is to make illegal the practice of purchasing additional time on the meter or kiosk for a single parked vehicle by successive occurrences of depositing payment. This practice is commonly described as "meter feeding."

(Ord. 3586 § 24, 9-2-86; Code 1985 § 21-179; Ord. 3110 § 1, 5-12-81; Ord. 2250 § 1, 5-6-75; Code 1967 § 23-246)

Sec. 11-44-5 - Deposit of slugs prohibited.

No person shall deposit or cause to be deposited in any parking meter or kiosk, any slug, device or metallic substitute for the coin or other accepted form of payment indicated on the parking meter or kiosk as being required.

(Code 1985 § 21-180; Code 1967 § 23-247)

Sec. 11-44-6 - Injuring or tampering with meters.

No person shall deface, injure, interfere with, open or willfully break, destroy or impair the usefulness of any parking meter or kiosk installed under the provision of this chapter.

(Code 1985 § 21-181; Code 1967 § 23-248)

Sec. 11-44-7 - Daily deposit of route collections required.

The daily route collections of the division of public works shall be deposited daily with the treasurer's office.

(Code 1985 § 21-182)

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect on the later of after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

SHEA FLINN
Council Member

EDMUND FORD JR.
Council Chairman

Attest:

Patrice Thomas, Comptroller

THE FOREGOING ORDINANCE
5531 PASSED
1st Reading 7-16-13
2nd Reading 8-6-13
3rd Reading _____

Approved _____
Chairman of Council

Date Signed: _____

Approved: _____
Mayor, City of Memphis

Date Signed: _____

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

_____
Comptroller