

ORDINANCE NO. 2016-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA, AMENDING CERTAIN TRAFFIC AND PARKING REGULATIONS BY AMENDING THE FLAGSTAFF CITY CODE TITLE 9, *TRANSPORTATION*, BY AMENDING CHAPTER 9-01, *TRAFFIC CODE*; SECTION 9-01-001-0001, *TRAFFIC LAWS ADOPTED*; SECTION 9-01-001-0003, *STOPPING, STANDING AND PARKING RESTRICTIONS*; SECTION 9-01-001-0007, *OFFICE OF TRAFFIC ENGINEER CREATED*; 9-01-001-0008, *MUNICIPAL PARKING LOTS*; BY ADDING SECTION 9-01-001-0014, *OFFICE OF THE PARKING MANAGER CREATED*; AND BY ADDING SECTION 9-01-001-0015, *COMPREHENSIVE PARKING MANAGEMENT PROGRAM SPECIAL REVENUE FUND*, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AND EFFECTIVE DATES

RECITALS:

WHEREAS, the City Council is authorized pursuant to the general powers enumerated in A.R.S. § 9-240 to control and regulate right-of-way including roads and streets within the City; and

WHEREAS, the City Council is more specifically authorized by the City Charter Article I, Section 3; and Article VIII, Section 10(4) to regulate streets used by the public within the City; and

WHEREAS, the City has identified issues related to parking in the downtown area, the southside area, and areas surrounding downtown and southside; and

WHEREAS, the City of Flagstaff has an interest in regulating parking within the downtown area, southside area and those areas surrounding downtown and southside in order to meet the needs of the community; and

WHEREAS, the City has created a Comprehensive Parking Management Program to manage and regulate parking within the downtown area, southside area and those areas surrounding downtown and southside, which will require amendments and additions to Title 9 of the Flagstaff City Code; and

WHEREAS, the City of Flagstaff has an interest in establishing a special revenue fund for revenues generated by the implementation of the Comprehensive Parking Management Program; and

WHEREAS, the City now desires to implement the Comprehensive Parking Management Program and create the Office of the Parking Manager and authorize the Parking Manager to manage and regulate parking within the downtown area, southside area and those areas surrounding downtown and southside; and

WHEREAS, the City now desires to establish a special revenue fund for revenues generated by implementation of the Comprehensive Parking Management Program.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That City Code, Title 9, Transportation, heading index under Chapter 9-01, "Traffic Code", is hereby amended by adding the following:

9-01-001-0014 OFFICE OF PARKING MANAGER CREATED

9-01-001-0015 COMPREHENSIVE PARKING MANAGEMENT PROGRAM SPECIAL REVENUE FUND CREATED

SECTION 2. That certain Sections of the City Code, Title 9, Transportation, Chapter 9-01, "Traffic Code", is further amended as follows:

9-01-001-0001 TRAFFIC LAWS ADOPTED

- B. Definitions: Whenever any words and phrases used in this chapter are not defined herein but are defined in the state laws regulating the operation of vehicles, the definitions therein shall be deemed to apply to such words and phrases used herein.

In this chapter, unless the context otherwise requires:

- (1) "Alley" and "alleyways" mean lanes or passageways for use as a means of access to the rear of lots or buildings. Alleys and alleyways are not in any way to be considered thoroughfares.
- (2) "COMPREHENSIVE PARKING MANAGEMENT PROGRAM" MEANS THE PLAN ADOPTED BY RESOLUTION 2016-01, AND ALL ATTACHMENTS THERETO, BY THE CITY COUNCIL TO MANAGE THE HIGH PARKING DEMAND AREAS ONLY OF THE DOWNTOWN AREA, SOUTHSIDE AREA, AND THOSE SURROUNDING AREAS IMPACTED BY THE DEMAND IN DOWNTOWN AND SOUTHSIDE AREAS.
- ~~(2)~~(3) "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.
- (4) "PUBLIC PARKING" MEANS PARKING SPACES WITHIN THE RIGHT-OF-WAY AND PARKING SPACES WITHIN PARKING LOTS OWNED, LEASED, OR OTHERWISE UNDER THE CONTROL OF THE CITY OUTSIDE OF THE RIGHT-OF-WAY BUT NOT ASSOCIATED WITH A PARTICULAR FACILITY SUCH AS A BUILDING, PARK, OR TRAIL HEAD.
- (5) "PARKING METERS" MEANS ANY PAY-TO-PARK EQUIPMENT LEASED OR OWNED BY THE CITY, INCLUDING BUT NOT LIMITED TO MECHANICAL DEVICES, KIOSKS, OR OTHER MULTI-SPACE METERING EQUIPMENT, WHICH MAY OR MAY NOT BE ADJACENT TO THE PARKING SPACE, THAT ACCEPTS PAYMENT FOR THE USE OF PARKING SPACES.

- (6) "PARKING PERMIT" MEANS ANY VALID PERMIT ISSUED TO AN EMPLOYEE, RESIDENT, GUEST, OR OTHERWISE AS AUTHORIZED BY THE CITY OF FLAGSTAFF. IN THE EVENT THAT SAID PERMIT IS A DIGITAL REGISTRY OF THE LICENSE PLATES OF VEHICLES PERMITTED TO PARK IN PARKING-PERMIT-REQUIRED AREAS THE LICENSE PLATE ITSELF IS THE PARKING PERMIT FOR THE PURPOSES OF THIS CHAPTER.
- (7) "PARKING-PERMIT-REQUIRED AREAS" MEANS ANY AREAS THAT ARE DESIGNATED OR MARKED BY SIGNS INDICATING THE AREAS ARE SUBJECT TO PARKING RESTRICTIONS.
- (8) "PAY-TO-PARK AREAS" MEANS ANY AREAS WHERE A TIME PERIOD MUST BE PURCHASED AT A PARKING METER BY A PERSON FOR A VEHICLE TO REMAIN WITHIN A PARKING SPACE.

9-01-001-0003 STOPPING, STANDING AND PARKING RESTRICTIONS

- A. Applicability: The provisions of this chapter prohibiting the standing, stopping or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs or parking meters, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with directions of a police officer or official traffic-control devices.

ANY STOPPING, STANDING, OR PARKING RESTRICTIONS PROVIDED IN THIS CHAPTER SHALL NOT APPLY TO ANY POLICE OFFICER, PEACE OFFICER, OR PARKING ENFORCEMENT AGENT WHEN SUCH STOPPING, STANDING, OR PARKING IS FOR THE PURPOSE OF ACTUAL PERFORMANCE OF LAW ENFORCEMENT DUTY.

The provisions of this chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the standing, stopping or parking of vehicles in specified places or at specified times.

E Parking Meters:

- ~~1. Establishment: The Council may, by official action, establish portions of streets as parking meter zones, which zones shall become effective on the installation of metering devices.~~
- ~~2. Authority to Install Meters: The superintendent of streets is hereby authorized and directed to install meters in all parking meter zones hereby established or hereinafter established by the Council for the purpose of and in such numbers and at such places as may be necessary to the regulation, control and inspection of the parking of vehicles therein.~~
- ~~3. Location: Parking meters installed in parking meter zones shall be installed upon the curb immediately adjacent to individual parking spaces or at every other space or centrally located on the curb. Each parking meter shall be so constructed and adjusted as to show when properly operated a signal indicating that the space which that meter controls is or is not legally in use.~~

- ~~4. Legal Parking Fees: Parking meters, when installed and properly operated, shall be so adjusted as to show a legal parking period. Only the amount and form of legal tender as indicated on the meters may be inserted in the meters.~~
- ~~5. Collections: It shall be the duty of the Chief of Police to designate some person or persons to make regular collections of the legal tender deposited in the parking meters and deliver it to the City Treasurer for accounting and depositing.~~

~~(Amended, Ord. No. 2007-42, 11/20/2007)~~

FE. Violations:

1. VIOLATION OF ANY PROVISION OF THIS CHAPTER WHICH REGULATES THE TIME, PLACE, OR METHOD OF PARKING SHALL BE A VIOLATION SUBJECT TO CIVIL PENALTY NOT TO EXCEED THE AMOUNTS PRESCRIBED UNDER PARAGRAPH (H) OF THIS SECTION. A SEPARATE FEE SCHEDULE FOR FINES IN LESSER AMOUNTS MAY ALSO BE ADOPTED BY THE CITY COUNCIL BY RESOLUTION.
- 4.2. Separate and Distinct Violations: Violations of this chapter regulating the time, place or method of parking which are continuous in nature shall constitute a separate and distinct violation for each full hour thereof.
- 2.3. Parking Prohibited:
 - a. A person shall not stop, stand or park a vehicle in any of the following places:
 - (1) On a sidewalk.
 - (2) In front of a public or private driveway, except that this subsection does not apply to a vehicle or the driver of a vehicle engaged in the official delivery of the United States mail if the driver does not leave the vehicle and the vehicle is stopped only momentarily.
 - (3) Within an intersection.
 - (4) Within fifteen feet of a fire hydrant.
 - (5) On a crosswalk.
 - (6) Within twenty feet of a crosswalk at an intersection.
 - (7) Within thirty feet of the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway.
 - (8) At any place where official signs prohibit standing or stopping.

- b. A person who stops or parks a vehicle on a roadway where there are adjacent curbs shall stop or park the vehicle with its right-hand CURB SIDE wheels parallel to and within eighteen inches of the right-hand curb, OR WITHIN EIGHTEEN INCHES OF THE LEFT-HAND, OR RIGHT- HAND CURB IF THE ROADWAY IS A ONE-WAY ROADWAY.

(Ord. 2012-02, Amended, 03/06/2012)

34. Limited Time Parking Areas: It is unlawful to park any vehicle in violation of any restriction so signed or marked.
5. PAY-TO-PARK AREAS:
 - A. OPERATIONAL PROCEDURE TO BE FOLLOWED: IMMEDIATELY AFTER PARKING A VEHICLE WITHIN A PAY-TO-PARK PARKING SPACE, THE PERSON IN THE VEHICLE SHALL PURCHASE A TIME PERIOD FOR THE VEHICLE TO REMAIN WITHIN SAID PARKING SPACE. TO PURCHASE A TIME PERIOD A PERSON MUST DEPOSIT AN ACCEPTABLE FORM OF PAYMENT IN THE NEAREST PARKING METER AS INDICATED ON THE PARKING METER AND FOLLOW OPERATIONAL PROCEDURES IN ACCORDANCE WITH THE INSTRUCTIONS POSTED ON THE PARKING METER. THE VEHICLE MAY REMAIN WITHIN SAID PARKING SPACE ONLY FOR THE TIME PERIOD(S) PURCHASED. FAILURE TO DEPOSIT PAYMENT OR FOLLOW THE OPERATIONAL PROCEDURES SHALL CONSTITUTE A VIOLATION OF THIS CHAPTER.
 - B. OVERTIME PARKING VIOLATIONS: IT IS UNLAWFUL FOR ANY PERSON TO CAUSE, ALLOW, PERMIT OR SUFFER ANY VEHICLE REGISTERED IN THE NAME OF, OR OPERATED BY SUCH PERSON TO REMAIN PARKED WITHIN IN ANY PAY-TO-PARK PARKING SPACE BEYOND THE TIME FOR WHICH PAYMENT HAS BEEN MADE. ANY PERSON WHO CAUSES A VEHICLE TO REMAIN WITH THE A PAY-TO-PARK PARKING SPACE OVERTIME, OR FOR MORE TIME THAN PURCHASED SHALL BE IN VIOLATION OF THIS CHAPTER AND SUBJECT TO THE PENALTIES PRESCRIBED IN PARAGRAPH (H) BELOW.
 - C. OTHER PARKING METER VIOLATIONS: THE FOLLOWING SHALL CONSTITUTE VIOLATIONS RELATING TO PARKING METERS:
 - (1) TO DEFACE, DAMAGE, TAMPER WITH, OPEN OR WILLFULLY BREAK, DESTROY OR ATTEMPT IN ANY MANNER TO IMPAIR THE FUNCTION OF ANY PARKING METER.
 - (2) TO DEPOSIT OR CAUSE TO BE DEPOSITED IN ANY PARKING METER ANY SLUGS, DEVICES, OR OTHER SUBSTITUTES FOR LAWFUL PAYMENT AS INDICATED ON THE PARKING METER.

- (3) TO MAKE USE OF OR OPERATE ANY PARKING METER FOR THE PURPOSE OF ADVERTISING OR SOLICITATION OF BUSINESS, EITHER DIRECTLY OR INDIRECTLY.
- (4) TO PERMIT, CAUSE, OR ALLOW A BICYCLE, NEWS RACK, ANIMAL, OR ANY OTHER THING TO BE ATTACHED TO OR TO BE LEANED AGAINST A PARKING METER.
- (5) TO PERMIT, CAUSE OR ALLOW ANY SIGN, SYMBOL, STICKER, GRAFFITI OR SIMILAR WRITINGS, PHOTOS OR ARTWORK TO BE WRITTEN, ETCHED, ATTACHED, HUNG OR POSTED IN ANY MANNER ON A PARKING METER WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CITY.

6. PARKING-PERMIT-REQUIRED AREAS:

- A. IT IS UNLAWFUL TO PARK ANY VEHICLE IN VIOLATION OF ANY PARKING RESTRICTION AS INDICATED AND MARKED WITH SIGNAGE.
- B. OTHER PARKING PERMIT VIOLATIONS: THE FOLLOWING SHALL CONSTITUTE VIOLATIONS RELATING TO PERMIT PARKING:
 - (1) TO FALSELY REPRESENT ONESELF AS ELIGIBLE FOR A PARKING PERMIT OR TO FURNISH FALSE INFORMATION IN AN APPLICATION FOR A PARKING PERMIT.
 - (2) TO ASSIGN OR TRANSFER A PARKING PERMIT, WITH OR WITHOUT CONSIDERATION, MONETARY OR OTHERWISE.
 - (3) TO COPY, PRODUCE, OR CREATE A FACSIMILE OF OR COUNTERFEIT OF A PARKING PERMIT, OR TO DISPLAY A FACSIMILE OR COUNTERFEIT PARKING PERMIT FOR PURPOSES OF PARKING IN PARKING-PERMIT-REQUIRED AREAS.
 - (4) TO USE, OR TO ALLOW THE USE OF A PARKING PERMIT FOR A VEHICLE OTHER THAN THE SPECIFIC VEHICLE FOR WHICH THE PERMIT WAS ISSUED.

4-7. Seasonal Parking Restriction:

5-8. Reparking Prohibited:

6-9. Parking Within Lines or Markings:

7-10. Large Vehicle Parking Prohibited:

~~8. Expired Meter Parking Prohibited: It is unlawful for any person to cause, allow, permit or suffer any vehicle registered in his/her name, or operated or controlled by him/her to be upon any street in a parking space controlled by a parking meter~~

~~at any time during which the meter is showing a signal indicating that the time has expired and that such space is illegally in use at such times as restricted parking is in effect.~~

- ~~9. Slugs Prohibited: It is unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for the legal tender required by said meter.~~
- ~~10. Damaging Meters Prohibited: It is unlawful for any unauthorized person to open, or for any person to deface, injure, tamper with or willfully break, destroy or impair the usefulness of any parking meter installed pursuant to this section, or to hitch any animal thereto.~~

(Amended, Ord. No. 2007-42, 11/20/2007)

- GF. Notice of Violation:
 HG. Response to Notice of Violation, Review and Hearing:
 IH. Penalties and Enforcement:
 JI. Immobilizing and Impounding of Vehicles:
 KJ. Immobilized and Impounded Vehicles--Release:
 LK. Impounded Vehicles--Record:

9-01-001-0007 OFFICE OF TRAFFIC ENGINEER CREATED

A. GENEREAL POWERS:

1. ~~General Powers, Duties:~~ The office of Traffic Engineer is hereby established with the Engineering Division. The duties of the Traffic Engineer shall be to regulate traffic under the provisions of this chapter and the traffic ordinances of the City. It shall be the duty of the Traffic Engineer to establish, change, remove, or prohibit as conditions may require, boulevard stops, rights of way at intersections, speed limits, school crossings, pedestrian and bicycle lanes and routes, parking, and parking time limits, safety and loading zone, U-turns, left and right hand turns, traffic lanes, public carrier stands, construction traffic control and other necessities of traffic subject to the approval of the City Engineer and City Manager; and to order installation of traffic-control devices to implement such regulations.
2. LIMITED SCOPE OF AUTHORITY: THE REGULATION OF PARKING AND PARKING TIME LIMITS, SAFETY AND LOADING ZONES, AND PUBLIC CARRIER STANDS SHALL BE THE DUTY OF THE TRAFFIC ENGINEER ONLY IN THOSE AREAS OF THE CITY THAT ARE NOT UNDER THE AUTHORITY OF THE PARKING MANAGER AS DETERMINED BY THE CITY COUNCIL AND UNDER THE PROVISIONS OF THIS CHAPTER AND THE ORDINANCES OF THE CITY.

9-01-001-0008 MUNICIPAL PARKING LOTS

- A. EXCEPT FOR PUBLIC PARKING UNDER THE AUTHORITY OF THE PARKING MANAGER AS DETERMINED BY THE CITY COUNCIL AND UNDER THE PROVISIONS OF THIS CHAPTER AND THE ORDINANCES OF THE CITY, municipal parking lots now or hereafter acquired or established by the City shall be under the

supervision and regulation of the Traffic Engineer, pursuant to Section 9-01-001-0007 of the Flagstaff City Code. Regulation by the Traffic Engineer of traffic and public parking at Flagstaff Pulliam Airport shall be subject to the approval of the Airport Manager and Public Works Director.

9-01-001-0014 OFFICE OF PARKING MANAGER CREATED

- A. THE OFFICE OF PARKING MANAGER IS HEREBY ESTABLISHED WITHIN THE ECONOMIC VITALITY DIVISION.
- B. GENERAL POWERS:
 - 1. DUTIES: THE PARKING MANAGER, OR HIS OR HER DESIGNEE, SHALL REGULATE AND MANAGE ALL PUBLIC PARKING AS AUTHORIZED BY THE CITY COUNCIL THROUGH THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM ADOPTED BY RESOLUTION 2016-01 AND ALL ATTACHEMENTS THERETO, BY THE CITY COUNCIL AND OTHER PROVISIONS OF THIS CODE, INCLUDING BUT NOT LIMITED TO ESTABLISHING, CHANGING, SUSPENDING OR REMOVING:
 - A. ADMINISTRATIVE GUIDELINES, INCLUDING PERMIT PARKING, TIME-LIMITED PARKING, OR PAY-TO-PARK REQUIREMENTS AND PROGRAMS, AND OTHER PROCEDURES, PROTOCOLS, OR REQUIREMENTS AS MAY BE DEEMED NECESSARY AND DESIRABLE TO IMPLEMENT THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM. CURRENT ADMINISTRATIVE GUIDELINES SHALL BE FILED WITH THE CITY CLERK.
 - B. PAY-TO-PARK RATES, INCLUDING PARKING PERMIT FEES. CURRENT PARKING RATE SCHEDULES SHALL BE FILED WITH THE CITY CLERK.
 - C. PARKING LOTS OR SPACES, SAFETY AND LOADING ZONES, AND OTHER PARKING AREAS, FACILITIES, MARKINGS AND SIGNS, OR EQUIPMENT, INCLUDING PARKING METERS OR OTHER PAY-TO-PARK EQUIPMENT.
 - 2. LIMITED SCOPE OF AUTHORITY:
 - A. THE DUTIES OF THE PARKING MANAGER SHALL INCLUDE ONLY THOSE AREAS OF THE CITY WITH PAY-TO-PARK REQUIREMENTS OR PERMIT-PARKING PROGRAMS. UNLESS MUTUALLY DEFINED OTHERWISE BY THE TRAFFIC ENGINEER AND THE PARKING MANAGER, SAID AREA IS FORMALLY DEFINED BY A RECTANGULAR BOUNDARY THAT ENCOMPASSES ALL AREAS WITH PAY-TO-PARK REQUIREMENTS OR PERMIT-PARKING PROGRAMS. UPON RECOMMENDATION OF THE PARKING MANAGER, IMPLEMENTATION OF NEW OR ADDITIONAL PAY-TO-PARK REQUIREMENTS OR PERMIT-PARKING PROGRAMS OUTSIDE OF SAID AREA SHALL BE DETERMINED BY THE CITY COUNCIL IN ITS SOLE DISCRETION.

- B. THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM ADOPTED BY RESOLUTION 2016-01, AND ALL ATTACHMENTS THERETO, BY THE CITY COUNCIL WHICH ADDRESSES THE HIGH PARKING DEMAND AREAS ONLY OF THE DOWNTOWN AREAS, SOUTHSIDE AREA, AND THOSE SURROUNDING AREAS IMPACTED BY THE DEMAND IN DOWNTOWN AND SOUTHSIDE AREAS.
 - C. PARKING MANAGEMENT IN AND AROUND OTHER HIGH PARKING DEMAND AREAS IN FLAGSTAFF MAY BE ADDED TO THE DUTIES OF THE PARKING MANAGER BY CITY COUNCIL ADOPTION OF A REVISED COMPREHENSIVE PARKING MANAGEMENT PROGRAM.
- C. APPEAL PROCEDURE: DECISIONS OF THE PARKING MANAGER MAY BE APPEALED BY ANY AGGRIEVED PARTY THROUGH EITHER OR BOTH OF THE FOLLOWING STEPS:
- 1. ADMINISTRATIVE REVIEW: THE AGGRIEVED PARTY MAY APPEAL A DECISION OF THE PARKING MANAGER TO THE CITY MANAGER BY WRITTEN REQUEST WITHIN TEN (10) DAYS FOLLOWING THE ACTUAL DATE THE DECISION WAS RENDERED. THE CITY MANAGER SHALL REVIEW THE PARKING MANAGER'S DECISION AND MAKE A DETERMINATION SUPPORTING, OVERRIDING, OR MODIFYING THAT DECISION WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THE REQUEST.
 - 2. APPEAL TO THE CITY COUNCIL: DECISIONS OF EITHER THE PARKING MANAGER OR CITY MANAGER IN THE ADMINISTRATIVE REVIEW MAY BE APPEALED TO THE CITY COUNCIL BY PRESENTATION OF A WRITTEN REQUEST FOR SUCH AN APPEAL TO THE OFFICE OF THE CITY CLERK, WITHIN TEN (10) DAYS FOLLOWING THE ACTUAL DATE THE DECISION WAS RENDERED.
 - 3. APPEAL OF A REGULATION SHALL NOT STAY THE ENFORCEMENT OF VIOLATION NOTICES ISSUED PRIOR TO THE DATE OF ANY CHANGE IN THE REGULATION.
- D. THE PARKING MANAGER SHALL REPORT PERIODICALLY TO THE CITY COUNCIL ON THE PARKING MANAGEMENT ACTIVITIES OF THE OFFICE AND MAKE RECOMMENDATIONS REGARDING ADDITIONAL AREAS THAT MAY, IN THE CITY COUNCIL'S DISCRETION, BECOME SUBJECT TO PAY-TO-PARK REQUIREMENTS OR PERMIT-PARKING PROGRAMS.
- E. THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM ADOPTED BY RESOLUTION 2016-01 ADDRESSES THE HIGH PARKING DEMAND AREAS OF DOWNTOWN AND SOUTHSIDE AND THE SURROUNDING AREAS IMPACTED BY THE DEMAND IN DOWNTOWN AND SOUTHSIDE. MANAGING PARKING IN AND AROUND OTHER HIGH PARKING DEMAND AREAS MAY BE ADDED TO THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM BY CITY COUNCIL ADOPTION OF A REVISED COMPREHENSIVE PARKING MANAGEMENT PROGRAM

AND THERE SHALL BE SEPARATE ACCOUNTING FOR EACH SUCH AREA THAT MAY BE ADDED.

9-01-001-0015 COMPREHENSIVE PARKING MANAGEMENT PROGRAM SPECIAL REVENUE FUND CREATED

- A. THERE SHALL BE A SEPARATE ACCOUNTING FOR ALL FUNDS COLLECTED PURSUANT TO THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM. THE USE OF SAID FUNDS SHALL BE RESTRICTED TO:
1. AREAS OF THE CITY UNDER THE AUTHORITY OF THE PARKING MANAGER (AREAS OF THE CITY WITH PAY-TO-PARK REQUIREMENTS OR PERMIT-PARKING PROGRAMS), AND
 2. PROGRAMS IDENTIFIED IN THE COMPREHENSIVE PARKING MANAGEMENT PROGRAM, INCLUDING CAPITAL DEVELOPMENT OR IMPROVEMENT OF PARKING FACILITIES, LAND ACQUISITION FOR PARKING, PARKING SYSTEM MANAGEMENT AND OPERATIONAL EXPENSES, AND DEBT.
 3. UNTIL 450 NEW PUBLIC PARKING SPACES HAVE BEEN ADDED TO SERVE THE DOWNTOWN AREA, TWENTY PERCENT (20%) OF THE ANNUAL REVENUES IN THE SPECIAL REVENUE FUND SHALL BE USED ONLY FOR THE ACQUISITION AND/OR DEVELOPMENT OF NEW PUBLIC PARKING SPACES SERVING THE DOWNTOWN AREA, SPECIFICALLY ANY EXPENSES DIRECTLY RELATED TO THE ACQUISITION AND DEVELOPMENT OF PUBLIC PARKING FACILITIES TO SERVE THE DOWNTOWN AREA AND SHALL NOT BE DIVERTED OR APPROPRIATED TO ANY OTHER FUND INCLUDING BUT NOT LIMITED TO THE GENERAL FUND.
 4. PROMOTING THE USE OF ALTERNATIVE MODES OF TRANSPORTATION AND OTHER PARKING DEMAND REDUCTION EXPENSES.
- B. AT LEAST 60 DAYS PRIOR TO CONSIDERATION OF ANY CHANGE TO ANY PROVISION OF THIS SECTION (9-01-001-0015), NOTICE OF A PUBLIC MEETING TO CONSIDER A PROPOSED CHANGE SHALL BE CONSPICUOUSLY POSTED ON THE CITY WEBSITE, PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, AND MAILED BY FIRST CLASS MAIL TO ANY PERSON WHO HAS REGISTERED WITH THE CITY CLERK'S OFFICE TO RECEIVE SUCH NOTICE, AT THE LAST KNOWN ADDRESS ON FILE WITH THE CITY CLERK'S OFFICE.

SECTION 3. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

SECTION 4. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by

the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Clerical Corrections.

The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 6. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the Council of the City of Flagstaff, this 2nd day of February, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY