

ORDINANCE 18-11

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

- Re: Amending Chapter 15.32 (Parking Controls) to Make Changes to Limited Parking Zones and to Modify Parking Allowances for Certain Vehicles; Chapter 15.36 (Resident-Only Parking Permits) to Clarify Placement on On-Street Parking Spaces; Chapter 15.37 (Residential Neighborhood Permit Parking) to Adjust the Boundaries of Neighborhood Parking Zones and the Fees Associated With the Same; Chapter 15.40 (Municipal Parking Lots, Garages and On-Street Metered Parking) to Adjust the Times and Rates for Parking in Off-Street Facilities; Chapter 15.48 (Removal and Impoundment of Vehicles) to Make Minor Changes Reflecting the Administration of this Section; and, Chapter 15.64 (Traffic Violation Schedule) to Increase the Fine for a Class D Traffic Violation

- WHEREAS, the City has adopted ordinances to create parking controls in Residential Neighborhood Zones, municipal garages and lots, and on-street parking in the Downtown business district; and
- WHEREAS, in November of 2016 the Common Council established the Bloomington Parking Commission whose primary purpose is to develop, implement, maintain, and promote a comprehensive policy on parking that furthers the objectives of the City's Comprehensive Plan; and
- WHEREAS, the Common Council wishes to encourage and support a comprehensive parking policy that is financially self-sustaining and supports the goals of the Comprehensive Plan, supports the continuation of owner-occupied single-family housing in core neighborhoods, and supports a vibrant commercial environment in the downtown business district; and
- WHEREAS, rates in the City's Residential Neighborhood Permit Parking Zone program have not been adjusted since 2001; and
- WHEREAS, rates in the City's Municipal Garages and Lots have not been adjusted since 2008; and
- WHEREAS, in addition to the foregoing, and in the interest of accessibility, the City should develop a policy making clear that when it comes to reserved residential on-street parking permits, the placement of such on-street parking spaces, in the absence of a sidewalk, should be aligned with access improvements that run from the street to the permitted residence; and
- WHEREAS, the Administration indicated during the 2019 Civil City Budget hearings that it intends to add a Parking Services Director as a new position to oversee strategic planning and implementation of municipal parking operations who will serve as a key advisor to the Common Council and Parking Commission concerning management of the City's parking system; and
- WHEREAS, the Parking Commission is authorized to recommend to the Common Council and to appropriate city officials methods for achieving the City's Comprehensive Plan objectives through the administration of parking policies and the enforcement of parking regulations; and
- WHEREAS, in December of 2017 the Parking Commission released a comprehensive report ("Parking Commission Report") on the financial status of the City's parking system; and
- WHEREAS, in June 2018, the Parking Commission voted to forward to the Common Council recommendations for improving parking; and
- WHEREAS, in June 2018, parking consultants Desman Design Management issued a *Downtown Area Parking Study* ("Desman Study") and both the Parking Commission and the Common Council have reviewed the study; and
- WHEREAS, based on the Desman Study, the Parking Commission Report, the recommendation of the Parking Commission, and resident concerns, the Common Council finds certain changes to the City's parking regulations are necessary and desirable;

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

SECTION 1. Section 15.04.160 entitled "Special Events Parking Permit" shall be deleted in its entirety and the Table of Contents for this Chapter shall be amended to indicate that Section 15.04.160 is reserved.

SECTION 2. Section 15.32.070 entitled "Certain vehicles — Two hour limit" by deleting the entire subsection as it appears and replacing it with the following:

No person shall allow a truck, trailer, tractor, bus, house, trailer, semi-trailer, dumpster, moving pod, or other vehicle having a load capacity in excess of one ton, or a length in excess of nineteen feet, or a height in excess of six feet six inches, or a width in excess of seven feet to be parked upon the streets of the city in excess of two hours unless authorized by the Parking Services Director or his or her designee. This prohibition shall not apply to pick-up type campers. Any violation of this section is a Class C Violation and subject to the penalty listed in Section 15.64.010(c).

SECTION 3. Subsection 15.32.090 (f) "Limited parking zones," "Special Events Parking Permits" shall be amended by replacing the title "Special Events Parking Permits" with "Temporary Parking Permits" and by deleting and replacing the existing text such that the entire provision shall read as follows:

(f) Temporary Parking Permits. Upon approval of an application, the Parking Services Director, or his or her designee, may issue a Temporary Parking Permit which temporarily exempts for specified time periods, certain vehicles and uses from the parking controls listed elsewhere in this section.

- (1) Any person may apply for a Temporary Parking Permit by submitting an application to the Parking Services Director or his or her designee.
- (2) A separate permit shall be required for each parking space requested for any vehicle, dumpster, moving pod.
- (3) Information required on an application shall include, but not be limited to:
 - (A) The name and address of the individual, company, or organization requesting the permit;
 - (B) The name, address, and telephone number of the individual financially responsible for the planned activities for which the permit is sought;
 - (C) The address, site, or area for which the permit is requested;
 - (D) A complete description of the planned activities;
 - (E) The dates and hours for which the permit is sought; and
 - (F) Any additional information requested by the Parking Services Director.
- (4) A 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 and shall allow parking within the limited parking zones designated in Schedule N, the on-street metered parking zones designated in Schedule U, or the residential neighborhood permit parking zones designated in the Bloomington Municipal Code Chapter 15.37.
- (5) Temporary Parking permits are valid only for the specific parking spaces and the specific dates designated on an application approved by the Parking Services Director.
- (6) Notice of the parking space reservation shall be posted at least twenty-four hours in advance of the time the reservation becomes effective.
- (7) The fee for a Temporary Parking permit shall be the greater of the hourly parking rate for each hour reserved by the permit or twenty dollars per day per vehicle parking space for parking spaces reserved by the permit.
- (8) An administrative fee of ten dollars per permit application shall be levied at the issuance of a permit to offset the cost of implementing, enforcing and administering the provisions of this section.
- (9) The Parking Services Director may deny an application for a permit or under this section upon a determination that:
 - (A) The applicant has failed to supply any of the information required on an application or requested by the Parking Services Director;
 - (B) The applicant has provided false information or misrepresented a material fact in connection with an application;
 - (C) The applicant has failed to pay the required permit fee; or
 - (D) There is a conflict with prior applications or scheduled city activities, which have priority.
- (10) The Parking Services Director, or his or her designee, may revoke a permit issued under this section if:
 - (A) The permittee fails to meet the qualifications required of an applicant;
 - (B) The permittee violates any provision of this section or other ordinance of the city governing the activities facilitated by the permit; or
 - (C) The permittee obtained the permit by fraud or misrepresentation.

- (11) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later than ten (10) working days from the date of the adverse ruling.

SECTION 4. Section 15.32.180 entitled "Contractor/construction parking permit" shall be amended by deleting subsections (a), (d), (e) and (f) and replacing them with the following and by adding new subsections (g), (h), and (i) such that the entire Section 15.32.180 shall read as follows:

- (a) Upon approval of an application, the Parking Services Director, or his or her designee, may issue a temporary parking permit to allow for parking 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. A separate permit shall be required for each parking space needed for any vehicle, dumpster, moving pod, equipment or staging. Said permit shall be for a limited period of time at a specifically designated site.
- (b) The permit shall allow parking within the limited parking zones designated in Schedule N, the on-street metered parking zones designated in Schedule U, or the residential neighborhood permit parking zones designated in the Bloomington Municipal Code Chapter 15.37 while performing the work described above.
- (c) A contractor/construction parking permit issued under the authority of this section shall exempt permit holders from prohibitions listed in Bloomington Municipal Code Section 15.32.070.
- (d) Fee. The cost for a contractor/construction parking permit shall be the hourly parking rate per vehicle parking space for each hour reserved by the permit. Beginning January 1, 2019, the Fee for a contractor/construction parking permit shall be the greater of the hourly parking rate for each hour reserved by the permit or twenty dollars per day per vehicle parking space for parking spaces reserved by the permit.
- (e) Administrative Fee. An administrative fee of ten dollars per permit applicant shall be levied at the issuance of a permit to offset the cost of implementing, enforcing and administering the provisions of this section.
- (f) For permits lasting up to fourteen days, the Parking Services Director, or his or her designee, must approve the application. For permits exceeding fourteen days, the Board of Public Works must approve the application.
- (g) The Parking Services Director or his or her designee may deny an application for a permit or under this section upon a determination that:
 - (1) The applicant has failed to supply any of the information required on an application or requested by the Parking Services Director;
 - (2) The applicant has provided false information or misrepresented a material fact in connection with an application; or
 - (3) The applicant has failed to pay the required permit fee.
- (h) The Parking Services Director may revoke a permit issued under this section if:
 - (1) The permittee fails to meet the qualifications required of an applicant;
 - (2) The permittee obtained the permit by fraud or misrepresentation; or
 - (3) The permittee violates any provision of this chapter.
- (i) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later than ten (10) working days from the date of the adverse ruling.

SECTION 5. Section 15.32.185 entitled "Delivery parking permits" shall be amended by deleting the subsection in its entirety and renumbering subsequent sections within this Chapter accordingly, with such renumbering reflected in the Table of Contents for the Chapter.

SECTION 6. Subsection 15.36.010(b), Definitions, “Adjacent,” shall be amended by retitling this definition to “Adjacent to the resident permit holder’s residence” and replacing the text with the following:

"Adjacent to the resident permit holder’s residence" means as near as possible to the permit holder's residence and in compliance to the greatest extent possible with applicable accessible parking requirements. In the event there is parking but no sidewalk on the same side of the street next to the resident permit holder’s residence, and there is also a functional pedestrian improvement from the residence to the on-street parking, then the reserved on-street space for that residence shall be aligned to best serve, but not block, that walkway or access.

SECTION 7. Subsection 15.36.030(a)(3)(C) shall be amended by prefacing the provision with “Unless exempt under Bloomington Municipal Code 15.36.020(d),” such that the subsection shall read as follows:

(C) Unless exempt under Bloomington Municipal Code 15.36.020(d), has a disability parking placard or disability license plate issued by the Indiana Bureau of Motor Vehicles for their owned motor vehicle, or has a permanent disability and a designated vehicle or vehicles regularly used to transport him or her, and

SECTION 8. Section 15.36.070, Permit Regulations, shall be amended by adding new subsections (3) and (4) and renumbering subsequent subsections such that the Section shall read as follows:

15.36.070 - Permit regulations.

The following regulations shall be in effect:

- (1) No more than one reserved residential only parking permit space is permitted per single household detached dwelling.
- (2) Permits shall be restricted to one per single household detached dwelling.
- (3) Reserved residential on-street parking spaces shall be located adjacent to the permit holder’s residence where practicable.
- (4) Reserved residential on-street parking spaces shall not be located to result in the further narrowing of an existing substandard width of roadway.
- (5) Permits shall be valid only for the calendar year in which they are issued.
- (6) Reserved residential on-street parking spaces shall be used for passenger vehicles only.
- (7) Reserved residential on-street parking spaces shall not be subleased or rented, for consideration or gratuitously, to individuals outside the applicant's household.
- (8) A permit shall not be issued for any parking space on a block in which there is a parking meter installed by the city.
- (9) Permits automatically expire when the applicant is no longer a resident of the residence.

SECTION 9. Section 15.37.020 entitled “Applicability” shall be amended by deleting first two paragraphs as they appear and replacing them with the following:

The following zones are designated as Residential Neighborhood Permit Parking Zones.

Except for those streets and portions of streets designated as limited parking zones in Schedule N, it shall be unlawful to park a vehicle in any area of a Residential Neighborhood Permit Parking Zone without properly displaying a valid and appropriate permit in the manner specified by the Parking Services Director. Within on-street, metered parking zones it is lawful to park without a permit, but the restrictions of Section 15.40.020 apply. Beginning August 15th, 2019, a Residential Neighborhood Permit Parking Zone permittee shall not be exempt from the on-street metered parking fees specified in Section 15.40.020.

SECTION 10. Section 15.37.020 entitled “Applicability” shall be amended by deleting Old Northeast Downtown University Proximate Residential Neighborhood Permit Parking Zone (Zone 4), Old Northeast Downtown University Proximate Residential Neighborhood Permit Parking Zone (Zone 5), Old Northeast Downtown University Proximate Residential Neighborhood Permit Parking Zone (Zone 6), and Old Northeast Downtown University Proximate Residential Neighborhood Permit Parking Zone (Zone 7) descriptions and boundary schedules as they appear and replacing these zones with the following two zones:

High Point University Proximate Residential Neighborhood Permit Parking Zone (Zone 4) shall apply to the following streets:

Street	From	To	Side of Street
East 6th	North Washington	North Dunn	North/South
East 7th	North Washington	North Dunn	North/South
East 8th	North Walnut	North Dunn	North/South
East Alice	North Grant	North Harold	North/South
East 9th	North Walnut	North Dunn	North/South
East 10th	North Walnut	North Dunn	North
North Washington	East 6th	East 12th	East/West
North Lincoln	East 6th	Railroad Tracks North of East 12th	East/West
North Grant	East 6th	Railroad Tracks North of East 12th	East/West
North Harold	East 8th	East 9th	East/West
North Prow	East 9th	East 10th	East/West
North Dunn	East 6th	Railroad Tracks North of East 12th	West
East Cottage Grove	North Walnut	North Dunn	North/South
East 11th	North Washington	North Dunn	North/South
East 12th	North Walnut	North Dunn	North/South
North Walnut	East 10th	East 12th	East (boundary)

University Courts University Proximate Residential Neighborhood Permit Parking Zone (Zone 5) shall apply to the following streets:

Street	From	To	Side of Street
East 7th	North Dunn	North Woodlawn	North/South
East 8th	North Dunn	North Woodlawn	North/South
East 9th	North Dunn	North Woodlawn	North/South
East 10th	North Dunn	North Indiana	North
East 10th	North Indiana	North Woodlawn	North/South
East Cottage Grove	North Dunn	North Woodlawn	North/South
East 11th	North Dunn	North Woodlawn	North/South
East 12th	North Dunn	North Woodlawn	North/South
North Dunn	East 6th	Railroad Tracks North of East 12th	East
North Indiana	East 7th	East 9th	West
North Indiana	East 10th	Railroad Tracks North of East 12th	East/West

North Fess	East 7th	Railroad Tracks North of East 12th	East/West
North Park	East 7th	East 12th	East/West
North Woodlawn	East 7th	East 12th	West (boundary)

SECTION 11. Section 15.37.020 entitled "Applicability" shall be amended by adding a new residential neighborhood parking zone, entitled, "Garden Hill Residential Neighborhood Zone (Zone 6)" to be added following Zone 5 and to read as follows:

Garden Hill Residential Neighborhood Zone (Zone 6) shall apply to the following streets:

Street	From	To	Side of Street
East 13th	North Dunn	North Woodlawn	North/South
East 14th	North Walnut	North Woodlawn	North/South
East 15th	North Walnut	North Indiana	North/South
East 16th	North Walnut	North Dunn	North/South
North Dunn	East 17th	East 13th	East/West
North Fess	East 17th	East 13th	East/West
North Grant	East 17th	East 15th	East/West
North Indiana	East 17th	East 13th	East/West
North Lincoln	East 17th	East 14th	East/West
North Washington	East 17th	East 14th	East/West

SECTION 12. Section 15.37.040 entitled "Eligibility" shall be amended by deleting the entire subsection as it appears and replacing it with the following :

Each resident of a single household detached dwelling in a Neighborhood Zone defined in Bloomington Municipal Code Section 15.37.020 shall be entitled to apply for one Residential Neighborhood Zone parking permit. Each single household detached dwelling in a Neighborhood Zone is entitled to apply for one visitor permit per household. Requests for additional parking and/or visitor permits shall be made in writing, with all relevant documentation attached, to the Parking Services Director or his or her designee.

SECTION 13. Section 15.37.050 entitled "Fees" shall be amended by deleting the entire subsection as it appears and replacing it with the following:

Upon approval of an application, the Parking Services Director, or his or her designee, may issue a permit and collect a fee according to the following:

- (a) Fee for Resident and Visitor Permits. The Fee for a Residential Neighborhood Permit Parking Zone permit and visitor permit issued to a specific address, except those issued under Sections 15.37.190 and 15.37.210 shall be set according to the schedule set forth below.
- (b) Fee for Seniors and persons with a permanent disability. The Fee for parking permits and visitor permits for an applicant 65 years of age or older or for a person with a permanent disability who owns a motor vehicle and either has a disability parking placard or disability license plate issued by the Indiana Bureau of Motor Vehicles pursuant to I.C. 9-18.5-8-4 shall be set according to the following schedule.

Schedule of Permit Residential Neighborhood Parking Permit Fees		
Year	Residents	Seniors & Persons With a Disability
Prior to August 15, 2019	\$25.00	\$25.00
Beginning August 15, 2019	\$45.00	\$25.00
Beginning August 15, 2020	\$46.00	\$26.00
Beginning August 15, 2021	\$47.00	\$27.00
Beginning August 15, 2022	\$48.00	\$28.00
Beginning August 15, 2023	\$49.00	\$29.00
Beginning August 15, 2024	\$50.00	\$30.00
Beginning August 15, 2025	\$52.00	\$31.00
Beginning August 15, 2026	\$54.00	\$32.00
Beginning August 15, 2027	\$56.00	\$33.00
Beginning August 15, 2028	\$58.00	\$34.00
Beginning August 15, 2029	\$60.00	\$35.00

SECTION 14. Section 15.37.060, entitled “Expiration of Permits” shall be deleted in its entirety and new section titled “Transferability of permits” shall take its place. The title of the new section shall be reflected in the Table of Contents and the provision shall read as follows:

A permit issued pursuant to this chapter shall not be transferable to another permittee. Landlords are prohibited from obtaining permits on behalf of a tenant.

SECTION 15. Section 15.37.070 entitled “Information required on application” shall be amended by retitling the section to “Residential Neighborhood Zone Parking Permits,” and by deleting the existing provision and replacing it with the following:

Residential Neighborhood Zone Parking Permits. Upon receipt of a completed application and payment of the fees prescribed in Bloomington Municipal Code section 15.37.050, the Parking Services Director, or his or her designee, may issue a Residential Neighborhood Zone Parking Permit.

- (a) Any resident of a Residential Neighborhood zone as defined in Bloomington Municipal Code section 15.37.020 may apply for a Residential Neighborhood Zone Parking Permit by submitting an application to the Parking Services Director or his or her designee.
- (b) Information required on an application shall include, but not be limited to:
 - (1) The name and address of the individual, company, or organization requesting the permit;
 - (2) The make, model and license tag number of motor vehicle(s) for which an application is made;
 - (3) Proof of residency, where applicable;
 - (4) Proof of eligibility and proof of ownership or principal use of the motor vehicle; and
 - (5) Any additional information deemed relevant by the Parking Services Director.
- (c) Permits shall be issued only for vehicles owned by or in the principal use of residents and by persons employed by a business located within Residential Neighborhood Permit Parking Zone.
- (d) Permits issued under this section shall be specific for a single vehicle, shall not be transferred, and shall be displayed thereon only as the Parking Services Director by regulation may prescribe.
- (e) Permits will expire on August 15th of each year. The date of expiration will be clearly marked on all permits.

- (f) Permits issued under this section shall be invalid if the permit holder moves from the residence address contained in the application for a Residential Neighborhood Parking Permit.
- (g) No person shall be permitted to buy a permit for more than one Residential Neighborhood Permit Parking Zone.
- (h) In considering an application for a permit, if the Parking Services Director has reasonable suspicion to believe that the occupancy provisions of Bloomington Municipal Code Title 20 are being violated at the address associated with the permit, the Parking Services Director shall notify the Director of the Housing and Neighborhood Development Department who shall investigate the matter. Until such investigation is complete, the Parking Services Director shall not issue any Residential Neighborhood Parking Zone permits to persons at the address under investigation. Where the address is found to be in violation of the occupancy requirements of Title 20, the Parking Services Director shall not issue any further permits under this section for the address in question until the occupancy thereof is brought into compliance.
- (i) The Parking Services Director or his or her designee may deny an application for a permit under this section upon a determination that:
 - (1) The applicant has failed to supply any of the information required on an application requested by the Parking Services Director;
 - (2) The applicant has provided false information or misrepresented a material fact in connection with an application; or
 - (3) The applicant has failed to pay the required permit fee.
- (j) The Parking Services Director may revoke a permit issued under this section if:
 - (1) The permittee fails to meet the qualifications required of an applicant;
 - (2) The permittee obtained the permit by fraud or misrepresentation;
 - (3) The permittee was issued a permit for an address found to be in violation of the occupancy requirements of Title 20 as outlined in 15.37.070(h) above; or
 - (4) The permittee violates any provision of this chapter.
- (k) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, pursuant to 15.37.240.

SECTION 16. Section 15.37.080 entitled "Decal required" shall be renamed, and the current text deleted and replaced such that the entire section shall read as follows:

Section 15.37.080 "Proof of Permit Purchase Required"

Residential Neighborhood Permit Parking Zone permits and visitor permits shall be visibly displayed in a manner determined by the Parking Services Director or his or her designee. A valid license plate shall be required to be affixed to a vehicle registered in the Residential Neighborhood Permit Parking Zone in a manner consistent with Indiana law.

SECTION 17. Section 15.37.100 entitled "Replacement of permit" shall be amended by deleting the entire section as it appears and replacing it with the following:

If the make, model or license tag number of a permitted vehicle changes during the year, an applicant may bring in the new information along with the previously-issued permit to the Parking Services Director, or his or her designee, to obtain a replacement permit. The fee for a replacement permit will be ten dollars.

SECTION 18. Section 15.37.130 entitled “Precedence of no parking zones” shall be amended by deleting the entire section as it appears and replacing it with the following:

Residential Neighborhood Permit Parking Zones do not take precedence over temporary or permanent no parking zones posted by the City for tree removal, snow removal, street sweeping, or other actions deemed necessary by the city of Bloomington.

SECTION 19. Section 15.37.140 entitled “Special exceptions” shall be amended by deleting the section in its entirety and deleting the entry from the Chapter’s Table of Contents. The Table of Contents shall indicate that this section number is “reserved.” Subsequent sections within this Chapter shall not be re-numbered.

SECTION 20. Section 15.37.170 entitled “Zone 1 provisions” shall be amended by deleting the section in its entirety and replacing it with the following:

- (a) Upon approval of an application, the Parking Services Director, or his or her designee, may issue a permit and collect a fee for up to ten “Zone 1” parking permits annually to the staff of Harmony School.
- (b) Fee. The fee for a permit issued under this chapter shall be the equal to the Residential Neighborhood Zone Parking Permit Fee as specified in Section 15.37.050.

SECTION 21. Section 15.37.180 entitled “Business employees” shall be amended by deleting the section in its entirety and deleting the entry from the Chapter’s Table of Contents. The Table of Contents shall indicate that this section number is “reserved.” Subsequent sections within this Chapter shall not be re-numbered.

SECTION 22. Section 15.37.190 entitled “All-zones permits” shall be amended by deleting the entire section and replacing it with the following:

Upon approval of an application, the Parking Services Director, or his or her designee, may issue an "All-Zones" Residential Neighborhood Permit Parking Zone permit to landlords, property managers and qualified service companies, which will allow vehicles bearing this permit to park in any of the residential zones while employees are performing work in that zone. The following eligibility requirements and fee schedule attach to an “All-Zones” Permit.

- (a) Eligibility. Landlords and property managers registered with the City will be allowed to purchase one permit 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 Parking Services Director, or his or her designee, may issue additional permits to employers who could not otherwise reasonably operate under the Residential Neighborhood Zone permit system.
- (b) Fee. The annual fee of an all-zone permit issued under this chapter shall be set according to the following schedule. An all-zone permit is valid for one year from the date of purchase.

Schedule of “All Zone” Residential Neighborhood Permit Parking Zone Fees	
Year	“All Zone” Permit Fee per year
Prior to August 15, 2019	\$50.00
Beginning August 15, 2019	\$103.00
Beginning August 15, 2020	\$106.00
Beginning August 15, 2021	\$109.00
Beginning August 15, 2022	\$112.00
Beginning August 15, 2023	\$115.00
Beginning August 15, 2024	\$118.00

Beginning August 15, 2025	\$122.00
Beginning August 15, 2026	\$126.00
Beginning August 15, 2027	\$130.00
Beginning August 15, 2028	\$134.00
Beginning August 15, 2029	\$138.00

(c) The Parking Services Director or his or her designee may deny an application for a permit under this section upon a determination that:

- (1) The applicant has failed to supply any of the information required on an application or requested by the Parking Services Director;
- (2) The applicant has provided false information or misrepresented a material fact in connection with an application; or
- (3) The applicant has failed to pay the required permit fee.

(d) The Parking Services Director may revoke a permit issued under this section if:

- (1) The permittee fails to meet the qualifications required of an applicant;
- (2) The permittee obtained the permit by fraud or misrepresentation; or
- (3) The permittee violates any provision of this chapter.

(e) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later than ten (10) working days from the date of the adverse ruling.

SECTION 23. Section 15.37.200 entitled "Zone 7 fraternities and sororities" shall be amended by deleting the section in its entirety and deleting the entry from the Chapter's Table of Contents. The Table of Contents shall indicate that this number is "Reserved" and subsequent sections within this Chapter shall not be re-numbered.

SECTION 24. Section 15.37.210 entitled "Kirkwood and Walnut employees" shall be amended by deleting the entire section as it appears and replacing it with the following and retitling the section and amending the Table of Contents to reflect "Downtown Employee Parking Permits." The entire provision shall read as follows:

15.37.210 Downtown Employee Parking Permits

The Parking Services Director, or his or her designee, may issue and collect a fee for up to forty Zone 4 and up to forty Zone 5 parking permits annually to businesses or employees of businesses located within an area bounded by S. Washington Street on the west side, S. Indiana Street on the east side, and E. 3rd Street on the south side, and E. 6th Street on the north side. This area also includes the address now known as 403 E. 6th Street.

- (a) Application. Proof of employment must be submitted upon making an application for a parking permit. In addition, proof of ownership or principal use of the motor vehicle must be submitted upon making application for a parking permit.
- (b) Limitation. The Parking Services Director, or his or her designee, may issue one permit per ten employees employed by the business. The Parking Services Director, or his or her designee, may issue additional permits to employers without adequate off-street parking who also have 25 or more employees and who could not otherwise operate under the Residential Neighborhood Zone permit system.

(c) Fee. The fee for parking permits issued under this chapter shall be set according by the amount specified in the following schedule.

Schedule of Downtown Employee Parking Permits Fees	
Prior to August 15, 2019	\$75.00
Beginning August 15, 2019	\$103.00
Beginning August 15, 2020	\$106.00
Beginning August 15, 2021	\$109.00
Beginning August 15, 2022	\$112.00
Beginning August 15, 2023	\$115.00
Beginning August 15, 2024	\$118.00
Beginning August 15, 2025	\$122.00
Beginning August 15, 2026	\$126.00
Beginning August 15, 2027	\$130.00
Beginning August 15, 2028	\$134.00
Beginning August 15, 2029	\$138.00

(d) The Parking Services Director or his or her designee may deny an application for a permit under this section upon a determination that:

- (1) The applicant has failed to supply any of the information required on an application or requested by the Parking Services Director;
- (2) The applicant has provided false information or misrepresented a material fact in connection with an application; or
- (3) The applicant has failed to pay the required permit fee.

(e) The Parking Services Director may revoke a permit issued under this section if:

- (1) The permittee fails to meet the qualifications required of an applicant;
- (2) The permittee obtained the permit by fraud or misrepresentation; or
- (3) The permittee violates any provision of this chapter.

(f) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later than ten (10) working days from the date of the adverse ruling.

SECTION 25. Section 15.37.220 entitled "Collins Center Residents" shall be amended by deleting the existing section and replacing it with a section to be entitled "Special Exception for Greek Houses and Collins-Living Learning Center." The new title shall be reflected in the Table of Contents and the new section shall read as follows:

Special Exception for Greek Houses and Collins-Living Learning Center

The Parking Services Director, or his or her designee, may issue a limited number of Residential Neighborhood Parking Permits to residents of the following addresses according to the following schedule:

Schedule of Permits Allocated to Greek Houses and Collins Living-Learning Center		
Street Address	Zone	Permit Allocation
541 N Woodlawn Ave – Collins Living-Learning Center	Zone 5	70
601 E 7 th Street – Sigma Chi	Zone 5	16
431 N Woodlawn Ave - FIJI	Zone 5	29

441 N Woodlawn Ave - Theta	Zone 5	31
818 E Third Street – Delta Phi Epsilon	Zone 1	15
908 E Third Street – Alpha Phi	Zone 1	12
928 E Third Street – Pi Beta Phi	Zone 1	10
1018 E Third Street – Kappa Kappa Gamma	Zone 1	20
1200 E Third Street – Delta Upsilon	Zone 1	15
1210 E Third Street – Lambda Chi Alpha	Zone 1	5
702 E Third Street – Acacia	Zone 1	0
720 E Third Street – Delta Chi	Zone 1	0

- (a) Information required on an application shall include, but not be limited to:
- a. The name and address of the individual, company, or organization requesting the permit;
 - b. The make, model and license tag number of motor vehicle(s) for which an application is made;
 - c. Proof of residency at the address listed in the schedule entitled “Schedule of Permits Allocated to Greek Houses and Collins Living-Learning Center” is required;
 - d. Proof of eligibility and proof of ownership or principal use of the motor vehicle; and
 - e. Any additional information deemed relevant by the Parking Services Director.
- (b) Permits shall be issued only for vehicles owned by or in the principal use of residents residing at an address described in “Schedule of Permits Allocated to Greek Houses and Collins Living-Learning Center.”
- (c) Permits issued under this section shall be specific for a single vehicle, shall not be transferred, and shall be displayed thereon only as the Parking Services Director by regulation may prescribe.
- (d) Permits will expire on August 15th of each year. The date of expiration will be clearly marked on all permits.
- (e) The Fee for this permit shall be set forth by the following schedule:

Schedule of Permit Fees for Greek Houses and Collins Living-Learning Center	
Beginning August 15, 2019	\$103.00
Beginning August 15, 2020	\$106.00
Beginning August 15, 2021	\$109.00
Beginning August 15, 2022	\$112.00
Beginning August 15, 2023	\$115.00
Beginning August 15, 2024	\$118.00
Beginning August 15, 2025	\$122.00
Beginning August 15, 2026	\$126.00
Beginning August 15, 2027	\$130.00
Beginning August 15, 2028	\$134.00
Beginning August 15, 2029	\$138.00

- (f) Permits issued under this section shall be invalid if the permit holder moves from the residence address contained in the application for a Residential Neighborhood Parking Permit.
- (g) No person shall be permitted to buy a permit for more than one Residential Neighborhood Permit Parking Zone.
- (h) The Parking Services Director or his or her designee may deny an application for a permit under this section upon a determination that:
- a. The applicant has failed to supply any of the information required on an application requested by the Parking Services Director;
 - b. The applicant has provided false information or misrepresented a material fact in connection with an application; or
 - c. The applicant has failed to pay the required permit fee.
- (i) The Parking Services Director may revoke a permit issued under this section if:
- a. The permittee fails to meet the qualifications required of an applicant;
 - b. The permittee obtained the permit by fraud or misrepresentation;
 - c. The permittee violates any provision of this chapter; or
 - d. A residence described in the schedule entitled “Permits Allocated to Multi-Family Student Residences” is vacated.

- (j) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, pursuant to 15.37.240.
- (k) If any address specified in the “Schedule of Permits Allocated Greek and Collins Living-Learning Center” is no longer being used as a Greek house or student dormitory, this section shall no longer apply.

SECTION 26. Section 15.37.230 entitled “Zone 4 provisions” shall be amended by deleting the section in its entirety and deleting the entry from the Chapter’s Table of Contents. Subsequent sections shall be renumbered and the Table of Contents adjusted to reflect the renumbering.

SECTION 27. Chapter 15.37 shall be amended to add a new Section 15.37.240 entitled “Appeals to the Board of Public Works” by add the title to the Table of Contents and by inserting the following:

An applicant who applies for a permit under this chapter may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City of Bloomington's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later ten (10) working days from the date of the adverse ruling.

SECTION 28. Schedule “U” of 15.40.010 entitled “On Street Metered Parking” shall be amended by deleting the entire schedule as it appears and replacing it with the following:

SCHEDULE U						
ON-STREET METERED PARKING LOCATIONS AND MAXIMUM HOURLY RATE						
Block face	Maximum Rate		Block face	Maximum Rate	Block face	Maximum Rate
100 E 4th	\$1.00		100 N College	\$1.00	200 N Lincoln	\$1.00
200 E 4th	\$1.00		1000 N College	\$1.00	100 S Lincoln	\$1.00
300 E 4th	\$1.00		1100 N College	\$1.00	200 S Lincoln	\$1.00
400 E 4th	\$1.00		1200 N College	\$1.00	100 N Madison	\$1.00
500 E 4th	\$1.00		1300 N College	\$1.00	200 N Madison	\$1.00
100 W 4th	\$1.00		200 N College	\$1.00	100 S Madison	\$1.00
200 W 4th	\$1.00		300 N College	\$1.00	200 S Madison	\$1.00
300 W 4th	\$1.00		400 N College	\$1.00	700 N Morton	\$1.00
400 W 4th	\$1.00		500 N College	\$1.00	800 N Morton	\$1.00
100 E 6th	\$1.00		600 N College	\$1.00	100 N Morton St	\$1.00
200 E 6th	\$1.00		800 N College	\$1.00	200 N Morton St	\$1.00
300 E 6th	\$1.00		900 N College	\$1.00	300 N Morton St	\$1.00
400 E 6th	\$1.00		100 S College	\$1.00	400 N Morton St	\$1.00
500 E 6th	\$1.00		200 S College	\$1.00	500 N Morton St	\$1.00
100 W 6th	\$1.00		300 S College	\$1.00	600 N Morton St	\$1.00
200 W 6th	\$1.00		400 S College	\$1.00	100 N Walnut	\$1.00
300 W 6th	\$1.00		100 N Dunn	\$1.00	1000 N Walnut	\$1.00
400 W 6th	\$1.00		200 N Dunn	\$1.00	200 N Walnut	\$1.00
100 E 7th	\$1.00		100 S Dunn	\$1.00	300 N Walnut	\$1.00
200 E 7th	\$1.00		200 S Dunn	\$1.00	400 N Walnut	\$1.00
300 E 7th	\$1.00		100 N Grant	\$1.00	500 N Walnut	\$1.00
400 E 7th	\$1.00		200 N Grant	\$1.00	600 N Walnut	\$1.00
100 W 7th	\$1.00		100 S Grant	\$1.00	700 N Walnut	\$1.00
200 W 7th	\$1.00		200 S Grant	\$1.00	800 N Walnut	\$1.00
300 W 7th	\$1.00		100 S Indiana	\$1.00	900 N Walnut	\$1.00
400 W 7th	\$1.00		200 S Indiana	\$1.00	100 S Walnut	\$1.00
100 W 8th	\$1.00		100 E Kirkwood	\$1.00	200 S Walnut	\$1.00
200 W 8th	\$1.00		200 E Kirkwood	\$1.00	300 S Walnut	\$1.00
400 W 8th	\$1.00		300 E Kirkwood	\$1.00	400 S Walnut	\$1.00
100 W 9th	\$1.00		400 E Kirkwood	\$1.00	100 N Washington	\$1.00
200 W 9th	\$1.00		500 E Kirkwood	\$1.00	200 N Washington	\$1.00
200 W 11th	\$1.00		100 W Kirkwood	\$1.00	100 S Washington	\$1.00
300 W 11th	\$1.00		200 W Kirkwood	\$1.00	200 S Washington	\$1.00
400 W 11th	\$1.00		300 W Kirkwood	\$1.00		
300 W 12th	\$1.00		400 W Kirkwood	\$1.00		
700 N Ashlynn Pk	\$1.00		100 N Lincoln	\$1.00		

SECTION 29. Section 15.40.020 entitled “Applicable times and charges” shall be amended by deleting the entire section as it appears and replacing it with the following text.

- (a) The monthly fee for the use of all municipal lots and garages, and the times those charges apply, shall be as set forth in Schedule V of this chapter.
- (b) The hourly fee for the use of all municipal lots, and the times those charges apply, shall be as set forth in Schedule W of this chapter.
- (c) Every day except Sundays and city holidays, between the hours of eight a.m. and nine p.m., the fee for the use of each on-street metered parking space shall be as set forth in Schedule ‘U’.
- (d) The mayor may suspend enforcement of parking meters and parking garages during the holiday season, in the event of inclement weather, or under other circumstances the mayor deems appropriate and reasonable.
- (e) The Board of Public Works is authorized to alter or modify the hourly charge or method of payment for parking in all municipal parking lots, garages and on-street metered parking spaces in conjunction with special events and promotional activities.
- (f) The following fees for parking permit leases, hang tags, replacement hang tags, garage access cards, and replacement garage access cards shall be as follows, subject to all conditions of this chapter and the applicable lease:
 - (1) Hang tags (new or replacement) — ten dollars;
 - (2) Garage access cards (new or replacement) — ten dollars; and
 - (3) Garage access card reactivation fee — five dollars.

**SCHEDULE V
MONTHLY PERMIT FEES FOR MUNICIPAL GARAGES (LOTS 2, 7 AND 9)
AND SURFACE LOT 5**

Year	Nonreserved permit	Nonreserved permit	Reserved space	Reserved space
	Admission Mon. - Fri. 6:00 am – 6:00 pm, Sat. & Sun. 6:00 am - Noon	Admission 7 days per week 24 hours per day	Admission Mon. - Fri. 6:00 am – 6:00 pm	Admission 7 days per week 24 hours per day
2018	\$40.00	\$67.00	\$57.00	\$76.00
2019	\$52.00	\$98.00	\$74.00	\$113.00
2020	\$54.00	\$101.00	\$76.00	\$116.00
2021	\$56.00	\$104.00	\$78.00	\$119.00
2022	\$58.00	\$107.00	\$80.00	\$123.00
2023	\$60.00	\$110.00	\$82.00	\$127.00
2024	\$62.00	\$113.00	\$84.00	\$131.00
2025	\$64.00	\$116.00	\$87.00	\$135.00
2026	\$66.00	\$119.00	\$90.00	\$139.00
2027	\$68.00	\$123.00	\$93.00	\$143.00
2028	\$70.00	\$127.00	\$96.00	\$147.00
2029	\$72.00	\$131.00	\$99.00	\$152.00

(g) The Parking Services Director or his or her designee may deny an application for a permit lease, hang tag, replacement hang tag, garage access card, or replacement garage access card under this section upon a determination that:

- (1) The applicant has failed to supply any of the information required on an application or requested by the Parking Services Director;
- (2) The applicant has provided false information or misrepresented a material fact in connection with an application; or
- (3) The applicant has failed to pay the required fee.

(h) The Parking Services Director may revoke a hang tag, replacement hang tag, garage access card, and replacement garage access card issued under this section if:

- (1) The permittee fails to meet the qualifications required of an applicant;
- (2) The permittee obtained the permit by fraud or misrepresentation; or
- (3) The permittee violates any provision of this chapter.

(i) An applicant who applies for a permit under this section may appeal an adverse ruling by the Parking Services Director, or his or her designee, to the City's Board of Public Works. Any such appeal must be made in writing and must be filed with the Board of Public Works no later than ten (10) working days from the date of the adverse ruling.

SCHEDULE W
HOURLY PARKING FEES FOR MUNICIPAL SURFACE LOTS AND GARAGES

Municipal Lot / Garage	Parking charge per hour	Applicable times for parking charges
Lot 1— 4th and Dunn	\$1.00	8:00 a.m. — 9:00 p.m. Monday through Saturday
Walnut Street Garage (Lot 2) *	\$0 For the first 60 minutes, \$0.50 Beyond first 60 minutes	8:00 a.m. Monday – 4:00 a.m. Sunday
	Effective January 1, 2021 \$0.50	
Lot 3 — 4th & Washington	\$1.00	8:00 a.m. — 9:00 p.m. Monday through Saturday
Lot 5 — 6th and Lincoln	\$1.00	8:00 a.m. — 9:00 p.m. Monday through Saturday
Lot 6 — 3rd St./BPD lot	\$1.00	8:00 a.m. — 9:00 p.m. Monday through Saturday
Morton Street Garage (Lot 7)*	\$0 For the first 60 minutes, \$0.50 Beyond first 60 minutes	8:00 a.m. Monday – 4:00 a.m. Sunday
	Effective January 1, 2021 \$0.50	
Fourth Street Garage (Lot 9)*	\$0 For the first 60 minutes, \$0.50 Beyond first 60 minutes	8:00 a.m. Monday – 4:00 a.m. Sunday
	Effective January 1, 2021 \$0.50	

* Until January 1, 2021, no vehicle may park for a free, 60-minute period of time in more than one of the aforementioned garages (Lots 2, 7, or 9) more than one time per calendar day. A person who violates this provision commits a Class D Traffic Violation, subject to the penalties of 15.64.010(d).

SECTION 30. Section 15.40.060 entitled “Violations” shall be amended by adding a new subsection (n) and revising existing subsections (b), (c), (d), (h), and (i) such that the entire Section shall read as follows:

- (a) No person shall permit a vehicle to remain in a metered parking space after the purchased time has elapsed or after any restriction on the length of time a vehicle may park in a particular municipal parking lot, garage and/or on-street metered parking space has elapsed. After the purchased time has elapsed, a separate and/or additional violation occurs no more frequently than every two hours.
- (b) No person shall park in a leased stall in any city garage or lot without a valid lease for that space. The vehicle shall indicate possession of such a lease in a manner directed by the Parking Services Director or his or her designee.
- (c) No person shall park in any city garage or lot in an area designated for non-reserved leases without a valid lease for such spaces as described in this chapter. The vehicle shall indicate possession of such a lease in a manner directed by the Parking Services Director or his or her designee.
- (d) No person shall park in any of the lots or garages described in Section 15.40.010 of this chapter unless permitted and authorized as described by the provisions of this chapter or by the Parking Services Director or his or her designee.
- (e) No person shall permit a vehicle to remain parked in a backed position in a parking space in any municipal parking lot.
- (f) No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this chapter.
- (g) No person shall deposit or cause to be deposited in any parking meter any substitute for proper payment.

- (h) No person shall park a vehicle in any lot or garage described in Section 15.40.010 unless the vehicle indicates permission or authorization to park in that lot or garage in a manner directed by the Parking Services Director or his or her designee.
- (i) No person shall park a vehicle in the spaces designated City Hall Visitor Parking in Lot 11 during the City's regular business hours or during any other posted prohibited times unless the driver of the vehicle is within city hall at 401 North Morton Street or space utilized by the city at 501 North Morton Street or moving directly between the parked vehicle and those locations any time those buildings are open to the public.
- (j) No permit holder for a reserved space in a city parking facility shall park a motor vehicle covered by the permit in any space in the same facility other than the reserved space, including spaces intended for transient or hourly parking during any time the reserved space permit is valid.
- (k) No party to a permit lease with the city pursuant to this chapter shall violate any term or condition of such lease.
- (l) No person shall resell a permit except in compliance with Section 15.40.030(g), (h) and (i).
- (m) No person shall use a duplicate permit or access card except in compliance with Section 15.40.030(j).
- (n) No person shall park a vehicle under 15.40.020, Schedule W above, for a free, 60-minute period of time in more than one of the following lots more than one time per calendar day: Lots 2, 7, and 9.

SECTION 31. Section 15.48.010 entitled "General provisions" shall be amended by deleting subsection (a)(6) in its entirety as they appear and replacing it with the following:

- (a) (6) Any vehicle parked in a leased stall in a municipal parking facility without displaying the proper permit for that stall for which the Parking Services Director, or his or her designee, has determined the displaying of a permit is required, or any vehicle in violation of Section 15.40.060 (j) of this code;

SECTION 32. Section 15.48.010 entitled "General provisions" shall be amended by deleting subsection (b)(17) as it appears and replacing it with the following

- (b) (17) Equipment or machinery, whether self-propelled or towed, parked on a public street without prior approval from the Parking Services Director, or his or her designee, and in violation of Section 15.32.060.

SECTION 33. The table associated with subsection 15.64.010(d) entitled "Violations and penalties, Class D Traffic Violations" shall be amended by deleting the first row of the table labeled "Fines" and replacing it with the following:

Fine:	Until December 31, 2018: \$20.00, \$40.00 (depending upon when paid) On and After January 1, 2019: \$30.00, \$60.00, depending on when paid
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SECTION 34. The table associated with subsection 15.64.010(d) entitled "Violations and penalties, Class D Traffic Violations" shall be amended by deleting the 21st row of the table associated with violations of 15.40.060 and replacing the row with the following:

	15.40.060(a), (c), (d), (e), (f), (g), (h), (n)	Backing in and overtime parking in municipal parking lots, garages and on-street metered parking spaces; defacing parking meters; depositing or causing to be deposited in a parking meter a substitute for proper payment; unauthorized parking in a municipal lot or garage; and, limiting free parking in Lots 2, 7, and 9.
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SECTION 35. Section 15.64.010(d) entitled “Violations and penalties” shall be amended by deleting subsection (d) (1) as it appears and replacing it with the following:

(d) (1) The Fine for Class D traffic violations shall be twenty dollars if paid within fourteen calendar days. The Fine shall automatically increase to forty dollars if not paid within the fourteen calendar days. Beginning January 1, 2019, the Fine for Class D traffic violations shall be thirty dollars if paid within fourteen calendar days. The Fine shall automatically increase to sixty dollars if not paid within the fourteen calendar days.

SECTION 36. New Section Added via Amendment. Section 15.37.030 of the Bloomington Municipal Code entitled “Hours in effect” shall be amended by adding a sentence particular to the enforcement hours of the new Garden Hill Residential Neighborhood Zone such that the entire section shall read as follows:

All zones shall be in effect from eight a.m. to five p.m. Monday through Friday. Additionally, from August 15 through May 15, Zone 6 shall be in continuous effect from eight a.m. Thursday until eight a.m. Sunday.

SECTION 37. New Section Added Via Amendment.

Section 15.34.060 “Accessible Parking for People with Physical Disabilities, Penalties” subsection (a) shall be amended to delete the reference to “Class B” traffic violation and replace it with “Class I” and to replace the citation 15.64.010(b) with 15.64.010(k) such that the entire subsection shall read as follows:

(a) A violation of Section 15.34.040(a), (b), or (c) of this chapter is a Class I traffic violation and is subject to the penalty listed in Section 15.64.010 (k). Each day that a violation continues shall constitute a separate offense.

SECTION 38. New Section Added Via Amendment.

Section 15.64.010(b), Class B Traffic Violations (Miscellaneous) shall be amended to delete the third row of the table, such that the table (but not the entire subsection) shall read as follows:

(b) Class B Traffic Violations (Miscellaneous).

Fine:	\$100.00	
Covers:	15.32.160(d)	Failure to erect fire lane signs
	15.56.070	Failure of bike rental to license, indemnify
	15.56.100(d)	Failure of bike rental to assure possession of helmet by person under the age of eighteen
		Alteration of or falsification of any permit issued under or purported to be issued under this title.

SECTION 39. New Section Added Via Amendment

Section 15.64.010 (f) “Class C Infraction under State Law” shall be deleted in its entirety and 15.64.010(f) shall be designated as “reserved” and subsequent subsections shall not be re-numbered.

SECTION 40. New Section Added Via Amendment.

A new subsection, 15.64.010(k) entitled “Class I Traffic Violations” shall be added and shall read as follows:

(k) Class I Traffic Violations (Illegal Parking in an Accessible Space)

Fine:	\$150.00	
Covers:	15.34.040	Parking illegally in an accessible parking space for persons with disabilities.

SECTION 41. New Section Added Via Amendment.

Section 15.64.010 (b)(1) shall be amended by deleting subsection (1) and replacing it with the following:

(1) A person may appeal the issuance of a traffic violation citation and corresponding fine provided the appeal is filed with the city clerk's office within fourteen calendar days immediately following the issuance date of the traffic violation citation.

(A) The city clerk, or his or her designee(s), shall hear all appeals of Class B traffic violation citations.

(B) The following persons shall have the authority to declare any traffic violation citation valid, null and void, or to reduce the fine imposed upon the showing of extenuating circumstances: the City Clerk, or his or her designee; the Parking Enforcement Manager, or his or her designee; or, the Parking Services Director, or his or her designee. The City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees may reduce a fine to a warning or void a citation in circumstances in which the recipient of the citation does not appeal the citation within the requisite fourteen-day period and where the recipient of such citation can demonstrate extenuating circumstances.

(C) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be null and void, then the traffic violation citation shall be dismissed from further prosecution.

(D) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be valid, then the traffic violation citation shall be due and payable as determined by the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees.

(E) The decision of the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, is final, subject to judicial determination if requested and is requested in a manner consistent with Indiana law.

SECTION 42. New Section Added Via Amendment.

Section 15.64.010 (c)(1) shall be amended by deleting subsection (1) and replacing it with the following:

(1) A person may appeal the issuance of a traffic violation citation and corresponding fine provided the appeal is filed with the city clerk's office within fourteen calendar days immediately following the issuance date of the traffic violation citation.

(A) The city clerk, or his or her designee(s), shall hear all appeals of Class C traffic violation citations.

(B) The following persons shall have the authority to declare any traffic violation citation valid, null and void, or to reduce the fine imposed upon the showing of extenuating circumstances: the City Clerk, or his or her designee; the Parking Enforcement Manager, or his or her designee; or, the Parking Services Director, or his or her designee. The City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees may reduce a fine to a warning or void a citation in circumstances in which the recipient of the citation does not appeal the citation within the requisite fourteen-day period and where the recipient of such citation can demonstrate extenuating circumstances.

(C) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be null and void, then the traffic violation citation shall be dismissed from further prosecution.

(D) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be valid, then the traffic violation citation shall be due and payable as determined by the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees.

(E) The decision of the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, is final, subject to judicial determination if requested and is requested in a manner consistent with Indiana law.

SECTION 43. New Section Added Via Amendment.

Section 15.64.010 (d)(2) shall be amended by deleting subsection (2) and replacing it with the following:

- (2) A person may appeal the issuance of a traffic violation citation and corresponding fine provided the appeal is filed with the city clerk's office within fourteen calendar days immediately following the issuance date of the traffic violation citation.
- (A) The city clerk, or his or her designee(s), shall hear all appeals of Class D traffic violation citations and all violations of the neighborhood residential permit parking program (15.37.150).
- (B) The following persons shall have the authority to declare any traffic violation citation valid, null and void, or to reduce the fine imposed upon the showing of extenuating circumstances: the City Clerk, or his or her designee; the Parking Enforcement Manager, or his or her designee; or, the Parking Services Director, or his or her designee. The City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees may reduce a fine to a warning, reduce a fine that has escalated to the initial fine, or void a citation in circumstances in which the recipient of the citation does not appeal the citation within the requisite fourteen-day period and where the recipient of such citation can demonstrate extenuating circumstances.
- (C) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be null and void, then the traffic violation citation shall be dismissed from further prosecution.
- (D) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be valid, then the traffic violation citation shall be due and payable as determined by the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees.
- (E) The decision of the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, is final, subject to judicial determination if requested and is requested in a manner consistent with Indiana law.

SECTION 44. New Section Added Via Amendment.

Section 15.64.010 (h)(1) shall be amended by deleting subsection (1) and replacing it with the following:

- (1) A person may appeal the issuance of a traffic violation citation and corresponding fine provided the appeal is filed with the city clerk's office within fourteen calendar days immediately following the issuance date of the traffic violation citation.
- (A) The city clerk, or his or her designee(s), shall hear all appeals of Class H traffic violation citations.
- (B) The following persons shall have the authority to declare any traffic violation citation valid, null and void, or to reduce the fine imposed upon the showing of extenuating circumstances: the City Clerk, or his or her designee; the Parking Enforcement Manager, or his or her designee; or, the Parking Services Director, or his or her designee. The City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees may reduce a fine to a warning or void a citation in circumstances in which the recipient of the citation does not appeal the citation within the requisite fourteen-day period and where the recipient of such citation can demonstrate extenuating circumstances.
- (C) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be null and void, then the traffic violation citation shall be dismissed from further prosecution.
- (D) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be valid, then the traffic violation citation shall be due and payable as determined by the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees.
- (E) The decision of the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, is final, subject to judicial determination if requested and is requested in a manner consistent with Indiana law.

SECTION 45. New Section Added Via Amendment.

Section 15.64.010 (k) shall be amended by adding subsection (1) to read as follows:

- (1) A person may appeal the issuance of a traffic violation citation issued pursuant to local ordinance and corresponding fine provided the appeal is filed with the city clerk's office within fourteen calendar days immediately following the issuance date of the traffic violation citation.
 - (A) The city clerk, or his or her designee(s), shall hear all appeals of Class I traffic violation citations.
 - (B) The following persons shall have the authority to declare any traffic violation citation issued pursuant to local ordinance valid, null and void, or to reduce the fine imposed upon the showing of extenuating circumstances: the City Clerk, or his or her designee; the Parking Enforcement Manager, or his or her designee; or, the Parking Services Director, or his or her designee. The City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees may reduce a fine to a warning or void a citation in circumstances in which the recipient of the citation does not appeal the citation within the requisite fourteen-day period and where the recipient of such citation can demonstrate extenuating circumstances.
 - (C) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be null and void, then the traffic violation citation shall be dismissed from further prosecution.
 - (D) If the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, declare a traffic violation citation to be valid, then the traffic violation citation shall be due and payable as determined by the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees.
 - (E) The decision of the City Clerk, the Parking Enforcement Manager, or the Parking Services Director, or their respective designees, is final, subject to judicial determination if requested and is requested in a manner consistent with Indiana law.

SECTION 46. 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 47. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, with approval of the Mayor, and after any required publication, waiting and/or notice periods under Indiana law. Provided, however, the following sections shall become effective on the following dates:

Effective January 1, 2019	Effective August 15, 2019
Sections 3 and 19. Amends BMC subsection 15.32.090 (f) and deletes BMC 15.37.140 to modify provisions regarding temporary parking permits and raising the fee for the same.	Section 10. Amends BMC 15.37.020 to delete existing zones 4-7 and re-organize the same into two new zones: Neighborhood Zone 4 (High Point) and Zone 5 (University Courts)
Sections 6, 7, and 8 Amend BMC Section 15.36, reserved residential on-street parking permit definitions and permit qualifications.	Section 11. Amends BMC 15.37.020 to establish Neighborhood Zone 6 (Garden Hill)
Section 15 Amends BMC Section 15.37.070 to re-organize and modify provisions related to Residential Neighborhood Zone Parking Permits.	Section 25. Amends BMC 15.37.220 to delete the existing provision regarding "Collins Center Residents" and replaces it with a new title and text applying to "Special Exception for Greek Houses and Collins-Living Learning Center."
Section 17. 15.37.100 Modifies the provision regarding the replacement of a permit	Section 36. Enforcement Provisions Specific to Garden Hill.
Section 27. Adds a new Section, BMC 15.37.240 to provide for an appeal to the Board of Public Works for adverse rulings under §15.37	
Section 28. Amends BMC 15.40.010 to modify Schedule "U," On-Street Metered Parking	
Sections 29 and 30. Amends BMC 15.40.020 to align the hours of street and garage parking in Schedules V and W; eliminates free parking in the surface lots and reduces the free parking allowance in the garages from three to one hour. This section also builds in a sunset provision for free parking in garages whereby all free parking in garages would be eliminated by January 1, 2021.	
Sections 33, 34, and 35. Amends portions of BMC 15.64.010(d) to add a new penalty provision and to increase the fine for violations and penalties, Class D Traffic Violations	

SECTION 48. For those provisions effectively immediately and whose duties are assigned to the Parking Services Director, the Planning and Transportation Department Director shall designate a Department employee to assume these duties until the Parking Services Director is hired, at which time the Parking Services Director shall assume the duties.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this _____ day of 19 September, 2018.


 DOROTHY GRANGER, President
 Bloomington Common Council

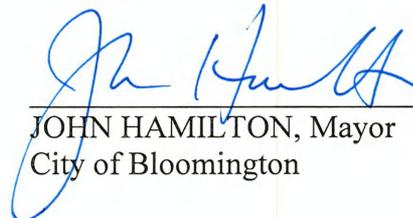
ATTEST:


 NICOLE BOLDEN, Clerk
 City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of September, 2018.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 24th day of September, 2018.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance comes forth at the request of the City's Parking Commission and is sponsored by Councilmembers Granger and Ruff. The measure makes a number of changes to the City's parking system in response to analysis and recommendations of both the City's Parking Commission and the *Downtown Area Parking Study*, a report prepared by Desman Design Management. The salient changes made by this ordinance include: changing the administration of the parking program; increasing fees for neighborhood and other parking permits; building in fee escalators; adding a new neighborhood parking zone; reconfiguring existing neighborhood parking zones; re-stating parking meter fees in terms of maximums; aligning the hours of enforcement at municipal garages and lots with that of on-street meters; eliminating free parking in municipal lots and reducing free parking in municipal garages from three hours to one hour; locating a sunset on free parking in garages; increasing the fees for garage parking; and, increasing the fines for Class D parking violations. The ordinance also makes organizational and text changes intended to clarify the relevant provisions.

Note: This ordinance was revised after it was issued in the Council's Legislative Packet, but prior to introduction, to make minor typographical corrections and to make all street naming conventions consistent. This revision also alters Section 22 associated with 15.37.190(a), eligibility for "All Zones Permits," to eliminate the requirement that an employer must have 25 or more FTEs to obtain additional permits. Further, the revision also alters Section 8 associated with 15.36.070 to add subsection (4) to make clear that reserved residential on-street parking spaces shall not be located to result in the further narrowing of an existing substandard width of roadway.

Note further: On September 19, 2018, the Council adopted the following amendments:

- Am 01 which amended sections 12 and 15;*
- Am 02 which added Section 36 and amended the effective date table;*
- Am 03 which added Sections 37-40;*
- Am 04 which added sections 41-45;*
- Am 05 which amended Section 29;*
- Am 06 which amended Section 25 and the effective date table; and*
- Am 08 which amended Section 24*