

EXHIBIT "A"

Code Changes

Explanation

16.36.060 Space to be designated. The commissioner in charge of the bureau of traffic engineering, through the bureau, shall place lines or marks on the curb or on the street adjacent to each parking meter to designate the parking space for which the parking meter is to be used. Where a double-headed meter is used, lines or marks designating the two parking spaces it regulates shall be painted on the street and, where necessary, a maneuvering area shall be provided, ~~designated by an X mark painted on the street.~~ It is unlawful to park any motor vehicle across a line or mark designating a parking space, or between such lines in a maneuvering area ~~designated by an X mark.~~ Vehicles parked in violation of this section shall be cited for parking over the space line.

Removes requirement for an "X" mark on the pavement in a maneuvering area. The City no longer paints such marks and the District Court has been cancelling citations for illegal parking in these areas because the "X" is not there in conformity with the present code. Vehicles parked in the maneuvering area, including motorcycles, will be cited for over the space line (\$4) rather than for parking in a no parking area (\$15).

16.02.072 Driveway. "Driveway" means a road or access, whether improved or unimproved, extending from a public right-of-way onto private or public lands or structures for the purpose of gaining access to such areas and reasonably designated at the property line so as to be an obvious opening for access. Such road or access shall be enforced as a driveway unless closed by a structure or permanent closure device. (In improved right-of-ways, such driveways must conform with 17.28.110).

Defines a driveway (no definition is currently provided in Title 16). This definition is needed in order to enforce restrictions against blocking a driveway.

16.02.050 Commercial vehicles. "Commercial vehicles" mean:

(1) (Amended by Ord. No. 140144 passed and effective June 26, 1975.) A vehicle of over 8,000 pounds gross weight registered as and displaying vehicle license plates designating truck or farm vehicle; or a non-passenger vehicle of less than 8,000 pounds gross weight with the business name

More precisely defines a commercial vehicle, including any vehicle registered with the PUC to do interstate business, and provides for passenger vehicles with permits in the definition. The requirement that passenger vehicles with service of delivery permits have the business name on the vehicle doors is removed to conform with current practice, but added for vehicles possessing commercial loading zone permits.

149261

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Explanation

16.02.050 (con't)

of the user in two-inch or larger letters permanently exhibited on both of its sides or exhibited on magnetic signs attached to both of its sides that is designed for and being used to transport merchandise; or a vehicle of any type registered with the Public Utilities Commission to engage in interstate commerce and displaying appropriate PUC license plates;

(2) A station-wagon passenger vehicle with the business name of the user permanently exhibited on both of its sides, when used for transporting merchandise and for which a permit has been issued under Sections 16.20.180-16.20.250; or a passenger vehicle with the business name of the user in two-inch or larger letters permanently exhibited on both of its sides or exhibited on magnetic signs attached to both of its sides when used for transporting merchandise and for which a permit has been issued under Sections 16.20.750-16.20.810.

16.20.020 (24) (Amended by Ord. No. 147243 passed Feb. 21, effective Mar. 24, 1979.) in any truck loading zone except as to commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise, or materials, for a period not exceeding twenty thirty minutes; passenger vehicles issued commercial loading zone permits as provided in Section 16.20.750-16.20.810 when actually engaged in loading or unloading of goods or in the delivery of a service, for a period not exceeding fifteen minutes; and as to taxicabs when loading or unloading passengers or packages, for a period not exceeding ten minutes.

Increases the amount of time a commercial vehicle may stop in a loading zone from 20 minutes to 30 minutes and allows a passenger vehicle with an appropriate permit to stop in loading zones for up to 15 minutes.

Code Changes

16.36.050. Fees (last sentence only:) Commercial vehicles may use parking meter space for a maximum of ~~twenty~~ thirty minutes on any one stop, while actually engaged in loading or unloading merchandise or performing a service, without charge on any day ~~prior-to~~ between eight a.m. and ten-thirty a.m. ~~or-after-six-p.m.~~

16.20.650. Change title from "Application for truck loading zone permit" to "Request for truck loading zone".

SECTIONS 16.20.750-16.20.810 ARE NEW SECTIONS

16.20.750. Authorization for commercial loading zone permit. Upon receipt of the proper application, the commissioner in charge of the bureau of traffic engineering is hereby authorized to issue commercial loading zone permits and vehicle identification cards to firms, corporations, or businesses regularly using passenger-type vehicles for the delivery of service or the delivery or pickup of merchandise. Such vehicle identification cards shall be issued for a specific motor vehicle or as approved by the commissioner in charge of the bureau of traffic engineering in the manner hereinafter provided. Under no circumstances shall a commercial loading zone permit be deemed to authorize the parking of any vehicle so designated in a tow away zone during any period of time in which parking or stopping is prohibited.

16.20.760. Application for commercial loading zone permit. Any person, firm, corporation, or business owning or operating a passenger type motor vehicle actually engaged in the regular delivery of service or the delivery or pickup of merchandise and desiring

Explanation

Changes the time limit a commercial vehicle may stop in a parking meter space without fee from 20 minutes to 30 minutes (to conform with the time limit change, above) and more accurately defines the time during which they may stop at a metered space without paying fees (8:00 a.m. - 10:30 a.m.). All vehicles may park in metered spaces without fee after 6:00 p.m.

Section 16.20.650 deals with the procedure for changing permanent parking designations in front of businesses to a truck loading zone, not with a permit. The title change is needed in order to avoid confusion with the commercial loading zone permit proposed below.

Authorizes the Bureau of Traffic Engineering to issue permits for the use of loading zones by company-owned passenger vehicles. Vehicles must be used for the delivery of merchandise and must have the name of the company clearly marked on both sides of the vehicle. Permittees may stop while actively loading or unloading goods in any loading zone in the City for no more than 15 minutes and in metered spaces without payment of fees for between 5 and 20 minutes depending on the limit of the meter. Applicants will be charged \$150 per year for each permit, to cover processing and enforcement costs.

This permit responds to the needs of businesses who have purchased smaller vehicles for delivering merchandise in order to curtail rapid increases in fuel costs. The relatively high charge (\$150) is designed in part to minimize capricious use of this permit. Loading zones

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Explanation

16.20.760 (con't)
a commercial loading zone permit and vehicle identification card shall make application on a form approved by the commissioner in charge of the bureau of traffic engineering, giving the number of vehicles regularly used in the delivery or pickup of merchandise, the make, model, year and license number of each such vehicle, the type of service rendered, justification for the use of commercial loading zones in lieu of metered or other parking zones, and any other information required by the commissioner. The applicant shall accept full responsibility for any violation of the conditions of the permit by the driver of the vehicle using the identification card, and shall acknowledge before a notary public that the use of any vehicle identification card will not be permitted except as authorized hereby.

are primarily designed for use by very large vehicles whose access to the zones--the only place they can now realistically stop-- would be hindered by large numbers of small vehicles using the loading zones. For those businesses who do not clearly need access to all loading zones, we encourage the use of a service or delivery permit. This permit allows a vehicle to stop without fee in metered areas for various times (depending on the time limit on the meter and in one loading zone specifically designated on the permit. This loading zone is almost always the one nearest their place of business. The fee for the service or delivery permit is proposed for \$50 (see below).

Other than the differences mentioned above, the proposed Code language for the commercial loading zone permit is identical to that of the service or delivery permit, enacted in 1970.

16.20.770. Commercial loading zone permit and identification card. Upon approval of the application by the commissioner in charge of the bureau of traffic engineering, said commissioner shall issue, or cause to be issued, a commercial loading zone permit and identification card in substantially the following form:

Date Issued Permit No.

COMMERCIAL LOADING ZONE PERMIT
AND IDENTIFICATION CARD

Permittee

Address

Type of Service Rendered.

.

149861

Code Changes

Explanation

16.20.770 (cont.)

Signature of Permittee

Make Model Year

License No.

This vehicle is authorized under authority of Section 16.20.760 of the Municipal Code, and pursuant to application, under oath, subject to the provisions of said section, to occupy a commercial loading zone for a period not to exceed 15 minutes or to occupy a 15 minute metered zone for a period not to exceed five (5) minutes, a 36 minute metered zone for a period not to exceed ten (10) minutes, or in any other parking meter zone not to exceed twenty (20) minutes, without payment of a meter fee, provided an actual service is being performed or delivery or pick-up of merchandise made.

This permit expires

No commercial truck loading zone permit shall be issued for a period longer than one year, although upon payment of a proper quarterly fee hereinafter fixed, the commissioner in charge of the bureau of traffic engineering may issue such commercial loading zone permit for a shorter period of time.

16.20.780. Use of commercial truck loading zone by permittee. Any person, firm corporation or business lawfully in possession of an identification card issued under authority of this title shall be permitted to use the vehicle for which said card is properly displayed, in commercial truck loading zones and/or metered zones in the City as indicated upon the card, for a period

143261

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Explanation

fifteen minute metered zone, ten minutes in a thirty minute metered zone, fifteen minutes in a truck loading zone, or not to exceed twenty minutes in any other metered zone.

16.20.800. Fee for commercial loading zone permit card. The annual fee for each commercial loading zone permit and identification card shall be one hundred fifty dollars, payable to the City Treasurer, credit Parking Meter Fund, 6601, to cover the cost of issuing such card and the policing and enforcing of regulations applicable thereto, said fee to accompany the application. Permits issued after a portion of the calendar year has expired may be issued for the remaining quarters on a quarterly basis of thirty seven and one half dollars per quarter. Duplicate identification cards to replace lost or stolen cards, and amended identification cards may be issued by the commissioner in charge of the bureau of traffic engineering upon receipt of application from the permittee and the payment of a fee of ten dollars.

16.20.810. Penalties for improper use of commercial loading zone permit card. It is unlawful to use a permit or identification card in any manner or for any purpose other than those provided in Sections 16.20.750-16.20.810, or for any length of time beyond that provided in Sections 16.20.750-16.20.810.

In addition to the penalties otherwise imposed by the law, the commissioner in charge of the bureau of traffic engineering may provide for the suspension of a permit or identification card for any improper or unauthorized use thereof.

16.20.220. Display of service or delivery permit card. It shall be the duty of any person, firm, corporation, or business lawfully in possession of an identification card issued under authority of this title to ~~fasten the card to the face of the adjustable sun visor in front of the driver's seat of the vehicle to which the card is issued,~~

Changes the location where a service or delivery permit must be displayed from the sun visor on the driver's side to the center of the windshield. This new location will allow both walking and scooter deputies to easily see the permit and avoid incorrectly citing vehicles legally stopped.

149601

Code Changes

Explanation

16.20.780 (con't)

not to exceed five minutes if occupying a fifteen minute metered zone, ten minutes if occupying a thirty-six minute metered zone, fifteen minutes if occupying a commercial truck loading zone, or for a period not to exceed twenty minutes if occupying any other metered zone while actually engaged in the delivery of service or the pickup or delivery of merchandise.

16.20.790. Display of commercial loading zone permit card. It shall be the duty of any person, firm, corporation, or business lawfully in possession of an identification card issued under authority of this title to hang the card from the inside rear view mirror or place the card in the center of the windshield area either on the dashboard or propped against the windshield so as to be easily visible from both the curb side and the street side of the vehicle at the same time. It is unlawful to display an identification card on any motor vehicle other than the one for which the card was issued. Any person, firm, corporation, or business issued a commercial loading zone permit and identification card as herein provided who shall not display such identification card while using a truck loading zone or metered zone while making a delivery of merchandise, or who shall display such card while using a truck loading zone or a metered zone when not engaged in making a delivery of service or the pickup or delivery of merchandise, shall forfeit such commercial loading zone permit and identification card, and such forfeiture shall be in addition to the penalty hereinbefore provided for conviction of violation of the terms of this title. It is unlawful to display this card in any vehicle other than for which it is issued or to display it upon any such vehicle at any time when not loading or unloading merchandise or delivering service, and then not to exceed five minutes in a

145001

Code Changes

Explanation

and to display the same by turning the sun visor down against the windshield whenever the vehicle is parked in a truck loading zone or meter zone while making a delivery of service or the pick-up or delivery of merchandise. If the vehicle is not equipped with an adjustable sun visor, then said card shall be placed while so parked upon that part of the windshield where it would appear if the vehicle were so equipped hang the card from the inside rear view mirror or place the card in the center of the windshield area either on the dashboard or propped against the windshield so as to be easily visible from both the curb side and the street side of the vehicle at the same time. It is unlawful to display an identification card on any motor vehicle other than the one for which the card was issued. Any person, firm, corporation, or business issued a service or delivery permit and identification card as herein provided who shall not display such identification card while using a truck loading zone or metered zone while making a delivery of service or the pick-up or delivery of merchandise, or who shall display such card while using a truck loading zone or a metered zone when not engaged in making a delivery of service or the pickup or delivery of merchandise, shall forfeit such service or delivery permit and identification card, and such forfeiture shall be in addition to the penalty hereinbefore provided for conviction of violation of the terms of this title. It is unlawful to display this card in any vehicle other than for which it is issued or to display it upon any such vehicle at any time when not loading or unloading merchandise or delivering service, and then not to exceed five minutes in a fifteen minute metered zone, ten minutes in a truck loading zone or a thirty minute metered zone, or not to exceed twenty minutes in any other metered zone.

Code Changes

16.20.230. Fee for service or delivery permit card. (Amended by Ord. No. 131925 passed Dec. 10, 1970, effective Jan. 1, 1971.) The annual fee for each service or delivery permit and identification card shall be ~~twenty-five~~ fifty dollars, payable to the city treasurer, credit Parking Meter Fund, 6601, to cover the cost of issuing such card and the policing and enforcing of regulations applicable thereto, said fee to accompany the application. Permits issued after a portion of the calendar year has expired may be issued for the remaining quarters or parts thereof on a quarterly basis of ~~six-and-one-quarter~~ twelve and one half dollars per quarter. Duplicate identification cards to replace lost or stolen cards, and amended identification cards may be issued by the commissioner in charge of the bureau of traffic engineering upon receipt of application from the permittee and the payment of a fee of ~~two~~ five dollars.

16.20.300. Use of construction zone permit. Upon entering the space to be used as a construction zone, the operator of the vehicle shall place the official construction zone hood over the meter and lock same in place with a padlock to be provided only by the bureau of traffic engineering. The bureau of traffic engineering shall indicate, on the space provided on the hood, the permittee, where the construction work is being carried on and what vehicle or vehicles are authorized to park in the construction zone so that the bureau of police may be able to check on the authority of such use of the parking space. ~~The operator of such vehicle shall not place the hood over any meter when such space is occupied by another vehicle but must wait until such space is vacant before placing such hood. The vehicle operator may place the hood on a meter when the space regulated by the meter is occupied if, upon placing the hood on the meter, the vehicle operator also places on the windshield of the~~

Explanation

Changes the fee for a service or delivery permit from \$25 to \$50 per year and the fee for replacing lost or stolen card from \$2 to \$5. The fees were last changed in 1971. Increases are needed to offset the changes in the costs of issuing and enforcing these permits.

Removes the restriction against placing a construction zone hood on parking meter when the space is occupied. The new language (which will actually conform to current practice) allows the meter hood holder to place the hood on the meter and leave a card on the windshield of the car indicating to the officer or deputy the time the meter expires. This procedure allows the vehicle occupying the space to continue to park legally for the duration of the period they have already paid for, but reserves the space for the construction operator when the vehicle leaves.

Code Changes

Explanation

16.20.710 (con't)
being carried on. The hood shall not be allowed to remain on a meter for longer than one hour unless the space regulated by the meter is occupied by an authorized vehicle. Before vacating the parking space upon conclusion of the maintenance work, the vehicle operator shall remove the hood from the meter. The vehicle operator shall not place the hood on any meter:

- (1) ~~When the space regulated by the meter is occupied by some other vehicle;~~
- (2) (1) During hours when parking or stopping in the metered parking space is prohibited;
- (2) (2) On meters used for fifteen ~~or thirty~~ minute parking and meters bearing the sign "Truck Loading Zone, 7a.m.-11a.m.";
- (3) (3) On Sundays or holidays, or after seven p.m. on any other day.

The vehicle operator may place the hood on a meter when the space regulated by the meter is occupied if, upon placing the hood on the meter, the vehicle operator also places on the windshield of the car in the space a card, to be approved and issued by the bureau of traffic engineering, indicating the meter number, expiration time, and license number of the vehicle occupying the space when the hood is placed on the meter. The vehicle parked in the space will be considered legally parked until the meter expires. A parking patrol deputy or police officer called by a maintenance zone permittee to a hooded metered space to cite a vehicle parked in the space regulated by the hooded meter shall require the maintenance zone permit holder to remove the hood from the meter and demonstrate to the deputy or officer that no time remains on the meter prior to citing the vehicle in the space.

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Explanation

16.20.300 (con't)

car in the space a card, to be approved and issued by the bureau of traffic engineering, indicating the meter number, expiration time, and license number of the vehicle occupying the space when the hood is placed on the meter. The vehicle parked in the space will be considered legally parked until the meter expires. A parking patrol deputy or police officer called by a construction zone permittee to a hooded metered space to cite a vehicle parked in the space regulated by the hooded meter shall require the construction zone permit holder to remove the hood from the meter and demonstrate to the deputy or officer that no time remains on the meter prior to citing the vehicle in the space. Before vacating the space at the conclusion of work, the vehicle operator shall remove the hood from the parking meter. Failure to do so shall be cause for the revocation of the permit. Use of the construction zone hood shall be made only during those periods that parking of a vehicle is essential to the performance of the construction or maintenance work. The transportation of workers or small tools to and from the work site shall not be considered essential in this regard. The parking of passenger type motor vehicle in a construction zone shall be a violation unless said vehicle shall display in the front window an official identification card issued to that vehicle by the bureau of traffic engineering.

16.20.710. Use of maintenance zone. (Amended by Ord. No. 130998 passed June 11, 1970) Upon entering a metered parking space to be used as a maintenance zone, the operator of the commercial vehicle shall place the official maintenance zone hood over the meter and lock it in place with a padlock provided by the bureau of traffic engineering. The vehicle operator shall indicate, on the space provided on the attached identification card, the location where the maintenance work is

Removes the restriction against placing a maintenance zone hood on a parking meter when the space is occupied. The new language (which will actually conform to current practice) allows the meter hood holder to place the hood on the meter and leave a card on the windshield of the car indicating to the officer or deputy the time the meter expires. This procedure allows the vehicle occupying the space to continue to park legally for the duration of the period they have already paid for, but reserves the space for the maintenance worker when the vehicle leaves.

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Code Changes

16.20.730. Fees for maintenance zone permits. (Amended by Ord. No. 130998; and 134735, passed and effective June 15, 1972.) The annual fee for a maintenance zone permit is ~~two hundred forty~~ three hundred dollars. For a permit of less than one year, the fee is ~~twenty~~ twenty-five dollars per month or portion of a month. ~~The fee for use of a maintenance zone hood, padlock and keys is ten dollars. If a maintenance zone hood, padlock or key becomes lost, mutilated or destroyed, the fee is six and one-half dollars for issuance of new keys.~~ Hoods, padlocks and keys remain the property of the City. All fees charged under this section shall be paid to the city treasurer for credits to the Parking Meter Fund, 6601.

16.20.360. Deposit for ~~construction zone~~ parking meter hood. The permittee shall deposit with city treasurer a sum sufficient to replace the articles issued should they be lost, destroyed or defaced, or for whatever reason not returned in a reusable condition, which shall be placed in trust and returned to the permittee upon certification by the bureau of traffic engineering that the ~~construction zone~~ parking meter hood, padlock and keys have been returned in good condition. In lieu of such cash deposit, however, the permittee may deposit with the traffic engineer a corporate surety bond, such bond being written by a company duly authorized to engage in the surety business in Oregon and in form approved by the city attorney. The amount of such surety bond or cash deposit shall be determined by the bureau of traffic engineering on the basis of current cost of replacement.

In case ~~construction zone~~ parking meter hoods, padlocks or keys become lost or destroyed or so defaced that, in the opinion of the bureau of traffic engineering, they are no longer usable, or not returned in good condition for whatever reason, the permittee shall forfeit that portion of the deposit necessary to cover replacement of the lost or damaged

Explanation

Changes fee for maintenance zone permit from \$20 per month to \$25 per month (\$300 per year). The increase in fees is needed to offset changes in processing and enforcement costs. Fees were last changed in 1972. Also removes fees for hoods, locks and keys which are set elsewhere in the Code.

Alters the provision of a deposit for a construction zone hood to apply to any parking meter hood, regardless of use. This change will allow the Code to conform to current practice. Also provides for forfeiture of deposit in all cases where the hood is not returned in a useable condition, eliminating loopholes in the current wording.

Code Changes

Explanation

16.20.360 (con't)
article and the amount forfeited shall be transferred to the Parking Meter Fund. In the event a surety bond has been deposited in lieu of cash, and if payment of the cost of replacement is not made within thirty days of billing therefor, the city attorney is authorized upon request of the commissioner in charge of the bureau of traffic engineering to commence court action to procure such amount, either from permittee or his surety.

ORDINANCE No. 14961

An Ordinance amending Title 16, Vehicles and Traffic, by amending Sections 16.02.050 and 16.20.020-16.20.710, and by adding Sections 16.20.750-16.20.810 of the Code of the City of Portland, Oregon to more carefully define for enforcement purposes a driveway and the maneuvering area between metered parking spaces; to increase the time a commercial vehicle may stop in a loading zone from 20 minutes to 30 minutes; to create a commercial loading zone permit whereby company-owned passenger vehicles would be allowed limited use of loading zones; to raise fees for service or delivery permits to cover issuance and enforcement costs; and other minor changes to align the Code with current practice.

The City of Portland ordains:

Section 1. The Council finds:

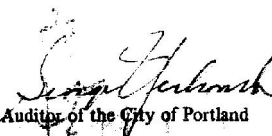
1. There exists considerable confusion on the part of the general public and the District Court as to the definition of a driveway and the maneuvering area between metered parking spaces and that the enforcement of the prohibition of parking in these areas has been hampered by that confusion;
2. Many delivery vehicle operators need up to 30 minutes to complete loading and delivery operations and that extending the time limit for stopping in loading zones from 20 minutes to 30 minutes would not significantly increase the congestion in loading zones;
3. Many companies have traded in large delivery trucks for more fuel-efficient passenger vehicles for transporting merchandise and that the City Code currently prohibits these vehicles from using commercial truck loading zones;
4. The fees for service or delivery permits, through which company owned passenger vehicles may utilize parking meters without payment of fee for specified short periods of time while making deliveries, were last set in 1971 and that the costs of issuing and enforcing these permits has risen dramatically since then; and
5. A number of minor modifications to the City Parking Code are needed to clarify the responsibilities of both citizens and parking patrol deputies in the use and enforcement of downtown parking.

NOW, THEREFORE, The Council directs:

- a. Title 16, Vehicles and Traffic, of the Code of the City of Portland, Oregon, is amended in accordance with Exhibit "A", attached.

Passed by the Council, **JUL 3 1980**

Mayor Connie McCready
Steve Chadima/as
June 18, 1980


Auditor of the City of Portland

2415
Calendar No. ~~2415~~

ORDINANCE No. 149961

Title

An Ordinance amending Title 16, Vehicles and Traffic, by amending Sections 16.02.050 and 16.20.020-16.20.710, and by adding Sections 16.20.750-16.20.810 of the Code of the City of Portland, Oregon to more carefully define for enforcement purposes a driveway and the maneuvering area between metered parking spaces; to increase the time a commercial vehicle may stop in a loading zone from 20 minutes to 30 minutes; to create a commercial loading zone permit whereby company-owned passenger vehicles would be allowed limited use of loading zones; to raise fees for service or delivery permits to cover issuance and enforcement costs; and other minor changes to align the Code with current practice.

JUN 26 1980

PASSED TO THIRD READING JUL 3 1980

Filed JUN 19 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
McCreedy	1	
Schwab	1	
McCreedy	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCreedy	
Schwab	
Goldschmidt	

INTRODUCED BY
Mayor McCreedy

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>McCreedy</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Traffic Engineering
Prepared By: Steve Chadina Date: 6/18/80
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>D.E. Be...</i>
D.E. Be...

NOTED BY
City Attorney
City Auditor
City Engineer