

## Ordinance XX-17 – Transit and Parking Commission

An ordinance to amend Chapter 2, Article II, Division 10, and Chapter 94, Article V, of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Amend subsection (a) of Sec. 2-294. - Duties—Parking system, of the Municipal Code of the City of Racine, Wisconsin by adding the word “paid” following the words “on-street,” and by deleting the word “meter.”

Part 2: Repeal and recreate subsection (b) of Sec. 2-294. - Duties—Parking system, of the Municipal Code of the City of Racine, Wisconsin as follows:

It shall be the duty of the transit and parking commission to establish time limits and rates for parking in all off-street parking facilities and on-street paid parking zones managed by the commission. The commission shall erect signs and provide other information as may be necessary to inform the public of all regulations governing the use of municipal parking facilities and on-street paid parking zones. The commission may further install parking meters, other mechanical equipment, or mobile payment for parking in municipal off-street parking facilities and on-street paid zones as may be necessary for the proper regulation of parking and collection of parking payments.

Each parking space in municipal off-street parking facilities and on-street paid zones established by the commission shall indicate the legal parking period established by the commission. When legally occupied, the parking meter or mobile payment for parking shall at all times indicate the balance of legal parking period remaining for that space and at the expiration of such period shall indicate illegal or overtime parking.

Part 3: Repeal and recreate Sec. 94-241. - Definitions, of the Municipal Code of the City of Racine, Wisconsin as follows:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mobile payment for parking* is a method for paying for parking in municipal parking facilities that utilizes a mobile device such as a cell phone and an app (a computer program or application which is downloaded or installed on the mobile device). A vehicle operator wishing to park provides information regarding the location of the parking space, their vehicle, and means of electronic funds transfer via a mobile device in lieu of placing coins in a meter. Electronic funds transfer includes credit card, debit card, or electronic wallet. Payment of parking fees by means

of a mobile payment for parking app is permitted in lieu of coins at the same rate as coin meters plus any administrative fee charged by the app provider.

*Municipal parking facility* means any lot, parking ramp, garage or other site used for vehicle parking which is operated by the city other than an on-street paid parking zone.

*On-street paid parking zone* is part of a public street designated for the use of parking which requires payment from the vehicle operator.

*Paid parking space* means a space within a municipal parking facility which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface.

*Park or parking* means the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers, loading or unloading merchandise, obedience to traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

*Parking gate* means any mechanical device or gate which controls entrance to or exit from a municipal parking facility and which has been installed or erected by the city transit and parking commission.

*Parking meter* means any device or meter not inconsistent with this chapter placed or erected for the regulation of parking by authority of this chapter. Unless the parking fee is paid by mobile payment for parking, each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal, expired or overtime parking.

*Parking meter space* means any space within a parking meter zone adjacent to a parking meter, and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

*Parking meter zone* means any street upon which parking meters are installed and in operation.

Part 4: Repeal and recreate Sec. 94-276. - Definitions, of the Municipal Code of the City of Racine, Wisconsin as follows:

The definitions set forth in sec. 94-241, when used in this article, shall have the meanings therein ascribed to them, except where the context clearly indicates a different meaning.

Part 5: Amend Sec. 94-277. - Installation of parking meters, of the Municipal Code of the City of Racine, Wisconsin by adding the word “municipal” before the words “parking facilities,” and by adding the words “unless the parking fee is paid for with mobile payment for parking” following the word “article.”

Part 6: Repeal and recreate Sec. 94-278. - Operation of parking meters, of the Municipal Code of the City of Racine, Wisconsin, as follows:

Except in a period of emergency determined by an officer of the fire or police department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle is parked in any paid parking space not controlled by a gate the operator of such vehicle shall, upon entering the parking meter space, immediately initiate a parking session via mobile payment for parking, or deposit or cause to be deposited in the meter such proper coin of the United States as is required for such parking meter and as is designated by proper directions on the meter. Failure to do so shall constitute a violation of this article. Upon initiating a parking session or the deposit of such coin, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the municipal parking facility in which such parking space is located. If the vehicle remains parked in any such parking space beyond the parking time limit set for such parking space and the meter or mobile payment for parking indicates such illegal parking, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this article unless the operator has paid for a second time period equal to or less than that prescribed for such parking space as stated on the meter or sign for that parking space. Payment of parking fees by means of mobile payment for parking app is permitted at the same rate as coin meters plus any convenience fee charged by the app provider.

Part 7: Repeal and recreate Sec. 94-280. - Operation of parking meters, of the Municipal Code of the City of Racine, Wisconsin, as follows:

Parking or standing a vehicle in a parking space in a municipal parking facility shall be lawful upon the deposit of a coin or coins of the United States government or initiation of a parking session via mobile payment for parking at the rate established by the common council.

Part 8: Repeal and retitle and recreate Sec. 94-281. - Operation of parking meters, of the Municipal Code of the City of Racine, Wisconsin, as follows:

Sec. 94-281. - Operation of mobile payment for parking, parking meters and gates, hours.

(a) Mobile payment for parking, parking meters and parking gates which are installed in municipal parking facilities shall be operated in accordance with this article.

(b) Mobile payment for parking and parking meters which are installed in municipal parking lots (surface) and parking ramps shall be operated on a basis of 8:00 a.m. to 6:00 p.m., except on Sundays and holidays.

Part 9: Repeal and retitle and recreate Sec. 94-282(1). - Operation of parking meters, of the Municipal Code of the City of Racine, Wisconsin, as follows:

(1) Park without making payment, specifically:

(a) Permit a vehicle under his control to be placed in any paid parking space beyond the period of time necessary to pay for the immediate parking period, whether by placing coins in a meter or initiating a parking session via the mobile payment for parking.

(b) Permit a vehicle under his control to remain in any paid parking space while the meter or mobile payment for parking is displaying a signal indicating that the vehicle occupying such parking space has been parked beyond the period for which the operator paid.

(c) Permit a vehicle under his control to remain in any paid parking space beyond a second time period equal to that prescribed for such parking space as stated on the meter or sign for that parking space.

Part 10: Repeal and retitle and recreate Sec. 94-288. - Use of funds, of the Municipal Code of the City of Racine, Wisconsin, as follows:

Payments from the mobile payment for parking contractor shall be deposited into a separate account designated by the city finance director known as the mobile payment for parking fund.

The coins deposited in parking meters shall be deposited by the city finance director in a separate account known as the parking meter fund.

Part 11: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.