

ORDINANCE NO. 5323

**AN ORDINANCE TO AMEND CHAPTER 72 PARKING REGULATIONS
BY ENACTING §72.18 RESIDENTIAL PARKING PERMIT PROGRAM
ENTERTAINMENT DISTRICT PARKING ZONE**

WHEREAS, the Downtown Master Plan encompassing the Entertainment District Parking Zone and general city policy encourages residential uses within this Entertainment District; and

WHEREAS, the change of several large city parking lots from free parking to paid parking is likely to cause increased congestion and on-street parking problems for residents of the Entertainment District Parking Zone; and

WHEREAS, some accommodation to relieve the increased congestion and on-street parking problems should be enacted protect the quality of residential life for these residents; and

WHEREAS, a Residential Parking Permit Program for residents of the Entertainment District can ease this congestion and loss of on-street parking availability for these residents.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas amends Chapter 72 **Parking Regulations** by enacting a new §72.18 **Residential Parking Permit Program for the Entertainment District Parking Zone** as shown below:

“72.18 Residential Parking Permit Program for the Entertainment District Parking Zone

(A) *Applicability:* This Residential Parking Permit Program shall be applicable within the Entertainment District Parking Zone as shown and described on Exhibit A attached to the enacting ordinance. This parking zone will be further divided by Dickson Street into the North Zone for included residents living north of Dickson Street and the South Zone for included residents living south of Dickson Street.

(B) Definitions:

'Resident' means a natural person residing within a dwelling that the resident owns, leases or rents within the Entertainment District Parking Zone.

'Registered vehicle' means a motorized, validly state licensed and insured vehicle kept at the residence owned or leased by the resident within the Entertainment District Parking Zone. The Arkansas Vehicle Registration Certificate for the vehicle should list the residence within the Entertainment District. The Parking Division may accept other reliable documentation of ownership or occupancy of a residence within the Zone to justify issuance of a residential parking permit for a resident's vehicle.

'Residential parking permit' means the currently valid permit issued by Parking Division of the Transportation Department of the City of Fayetteville which allows the resident to park the permitted resident's vehicle in an authorized on-street parking zone pursuant to the terms of this section.

'Guest pass' means the pass or authorization to park within the appropriate on-street parking zone pursuant to this section.

'Fuel efficient scooter or bicycle' means bicycles, gas powered scooters not exceeding 70 cubic centimeters and electric powered bicycles and scooters.

(C) Restricted parking periods: From 1:00 p.m. on Sundays and 10:00 a.m. Monday through Saturday until 2:00 a.m. every day, designated on-street parking spaces within the Entertainment District Parking Zone North and South shall be restricted to properly permitted vehicles. The owner of any vehicle improperly parked during this period shall be subject to the penalties set forth in §72.99.

(D) On-street parking restrictions for most vehicles in the Entertainment District Parking Zone: Where designated by signs and as shown on the exhibits, only residents of the Entertainment District Parking Zone North shall be permitted to park their properly permitted vehicles in the designated on-street parking areas of the Residential Parking Zone North of Dickson Street during the restricted parking period. Where designated by signs and as shown on the exhibits, only residents of the Entertainment District Parking Zone South shall be permitted to park their properly permitted vehicles in the designated on-street parking areas of the Residential Parking Zone South of Dickson Street during the restricted parking period.

(E) Special regulations for oversized vehicles, motorcycles, motor scooters and bicycles: No vehicle that cannot fit within a standard on-street parking space may be parked on-street in the Entertainment District Parking Zone unless its owner or operator has obtained a special limited time and location permit pursuant to (1).

(1) An operator or owner of a moving van or other oversized vehicle that needs to park on-street in a designated area for a limited time to serve a residence, business or office within the Entertainment District Parking Zone may be issued a special, limited time and location parking permit by the Parking Division.

(2) A resident of the Entertainment District Parking Zone who owns a motorcycle or motor scooter with over 70 cubic centimeters displacement may be issued a residential permit which shall allow free parking only in specially designed motorcycle/motor scooter on-street parking spaces and is prohibited from parking in standard on-street parking spaces reserved for residents' cars. Operators of motorcycles and motor scooters may park in paid parking spaces at the standard parking rate. No motorcycle nor any motor scooters may be parked on a sidewalk.

(3) Operators of fuel efficient scooters and bicycles may park for free in specially designated parking spaces, but must pay the standard parking rate if parked in a normal paid parking space. No bicycle may be parked on a sidewalk unless it is utilizing a permanently installed and permitted bicycle rack.

(F) *Mixed use on-street parking on Spring Street:* Fifty-nine on-street parking spaces on Spring Street shall be available to the public for paid parking and to residents of the Entertainment District Parking Zone South for properly permitted vehicles free of charge.

(G) *Free public use of on-street parking:* From 2:00 a.m. every day and until 10:00 a.m. Monday through Saturday and until 1:00 p.m. on Sunday, all on-street parking spaces within the Entertainment District Parking Zone shall be free of charge and available to the public.

(H) *Temporary guest passes:* An Entertainment District Parking Zone resident may request the City to issue temporary guest passes for visitors to their residence. The Mayor or designee shall administer a guest pass program with the goal of accommodating the needs of both residents and businesses within the Entertainment District Parking Zone. Use of a guest pass in a manner not authorized by the guest pass program shall be a violation of this section for the vehicle's owner.

(I) *Residential parking permits may not be loaned, transferred, sold or used except on the designated registered vehicle:* Any resident who attempts to or does loan, transfer, sell or give a residential parking permit to another person or entity, or who facilitates the use of the permit obtained for his registered vehicle on a nonregistered vehicle shall, in addition to the general penalty provisions in this

chapter, immediately forfeit all permits issued to the resident and the right to apply for any future permits for three years.

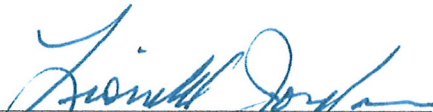
(J) *Penalty*: The owner of any vehicle parked in violation of any term or requirement of this section shall be guilty of a violation and shall be subject to the penalties set forth in §72.99.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby repeals any ordinance or code section that is inconsistent or incompatible with this ordinance to the extent of such inconsistency or incompatibility.

PASSED and **APPROVED** this 1st day of June, 2010.

APPROVED

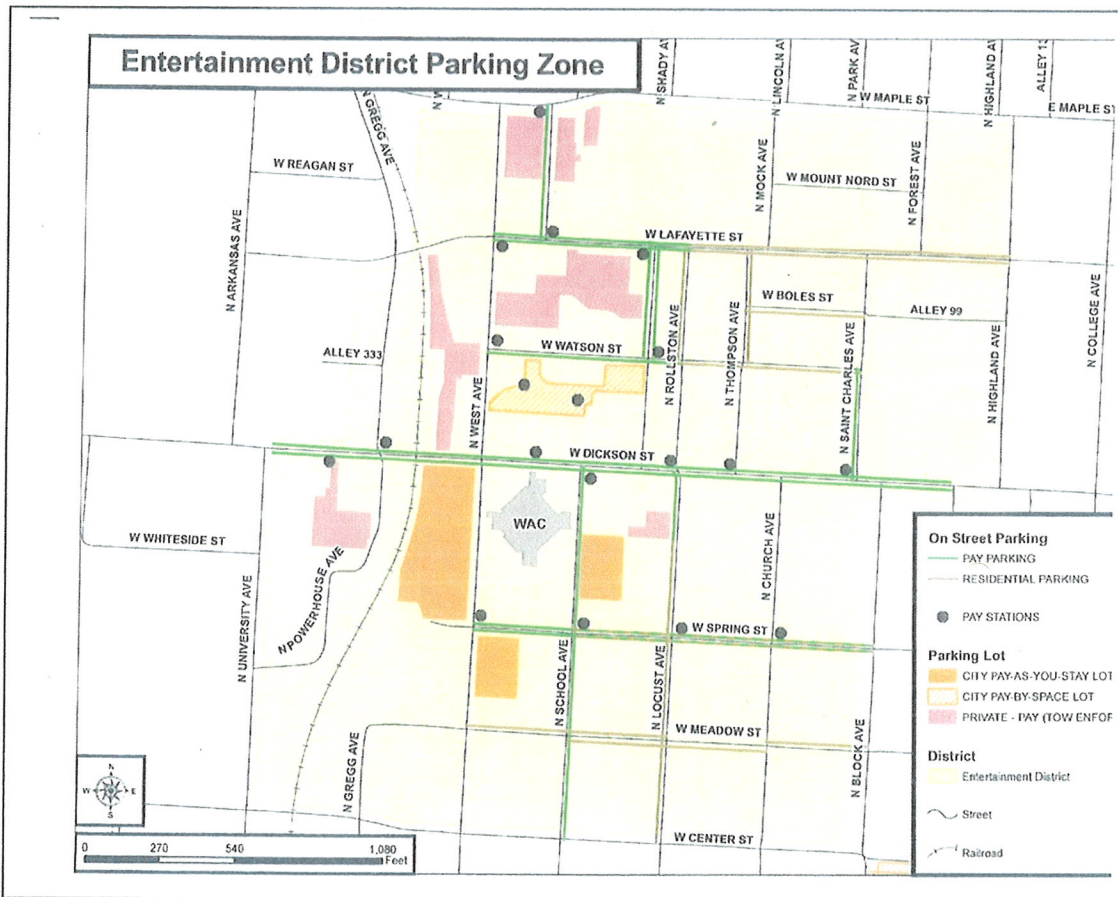
ATTEST:

By: 
LIONELD JORDAN, Mayor

By: 
SONDRA E SMITH, City Clerk/Treasurer



EXHIBIT A



Residential Parking Zone North:

1. Lafayette Street from Rollston Ave. to Highland Ave.
2. Boles Street from Thompson Ave. to St. Charles Ave.
3. Watson Street from Rollston Ave. to St. Charles Ave.
4. Rollston Ave. from Lafayette Street to Watson Street
5. Thompson Ave. from Lafayette Street to Watson Street

Residential Parking Zone South:

1. * Mixed-use area: Spring Street from School Ave. to Block Ave.
2. Meadow Street from West Ave. to Block Ave.
3. Locust Ave. from Center Street to 221 N. Locust Ave.

* Mixed-use area will be a combination of public parking and residential parking (with permit).