

ORDINANCE NO. 4009

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, REPEALING & REENACTING CHAPTER 2, *PARKING REGULATIONS*, OF TITLE 7, *TRAFFIC REGULATIONS*, OF THE NAMPA CITY CODE, TO-WIT: SECTION 7-2-1, *DEFINITIONS*, TO ALPHABETIZE DEFINITIONS, RELOCATE DEFINITIONS INTO THE *DEFINITIONS* TITLE & ADDING DEFINITIONS FOR *ABANDONED MOTOR VEHICLE, CAMPER, COMMERCIAL TRUCK/VEHICLE, DOUBLE PARKED, LOADING ZONE, MOTOR HOME, PARKING SERVICES OFFICE, RESIDENTIAL RESTRICTED PARKING ZONE/DISTRICT, RESIDENTIAL SCHOOL PARKING ZONE/DISTRICT, RESTRICTED PARKING ZONE/DISTRICT & TRAILER*; SECTION 7-2-3, *PARKING ZONES; VIOLATION*, TO DELETE SUBSECTIONS C1 (c) & (d); SECTION 7-2-4, *RESIDENTIAL RESTRICTED PARKING ZONES/DISTRICTS*, RETITLED FROM *RESIDENTIAL RESTRICTED PARKING ZONES/DISTRICTS SURROUNDING HIGH SCHOOLS*, TO DELETE THE WORDS "SURROUNDING HIGH SCHOOLS" SO AS TO UTILIZE THE SECTION FOR RESIDENTIAL PERMIT AREAS WITHIN THE DOWNTOWN CORE, ADD LANGUAGE ADDRESSING TIME LIMITATIONS FOR MONDAYS THROUGH FRIDAYS FROM 8:00 A.M. UNTIL 5:00 P.M. WITHIN RESIDENTIAL PERMIT AREAS THAT ARE NOT CONSIDERED A RESIDENTIAL SCHOOL RESTRICTED PARKING ZONE & REVISING TIME LIMITATIONS FOR RESIDENTIAL SCHOOL RESTRICTED PARKING ZONES FROM 8:00 A.M. UNTIL 3:00 P.M. TO FROM 8:00 A.M. UNTIL 4:00 P.M.; SECTION 7-2-5, *PARKING IN RESIDENTIAL PERMIT PARKING ZONES*, TO REMOVE THE WORDS "CENTER" & "REAR" FROM THE LOCATION REQUIREMENT FOR RESIDENTIAL PERMITS; SECTION 7-2-6, *ISSUANCE OF PERMITS*, TO ADDRESS VARIOUS TYPES OF PARKING PERMITS, DEFINE EACH TYPE OF PARKING PERMIT & ADD A NEW SECTION ADDRESSING TEMPORARY USE PERMITS AND FEES; SECTION 7-2-9, *MANNER OF PARKING*, TO ADD A PARAGRAPH ADDRESSING THE MANNER IN WHICH CARS ARE PARKED WITHIN CITY-OWNED LOTS TO ENSURE COMPLIANCE WITH DIRECTIONAL ARROWS & SIGNS & PARKING WITHIN ANGLED STALLS; SECTION 7-2-10, *HOURS OF PARKING REGULATION DEFINED; PARKING ZONES*, TO ADD CLARIFYING LANGUAGE & LANGUAGE ALLOWING CODE ENFORCEMENT, PARKING SERVICES TO DETERMINE THE DESIGNATION, LOCATION & TIME LIMITATIONS FOR TIME RESTRICTED PARKING WITHIN MULTIPLE PARKING ZONES; SECTION 7-2-16, *STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES*, TO CLARIFY INTENT; SECTION 7-2-17, *PARKING ON STREETS AND PUBLIC PROPERTY*, RETITLED FROM *CAMPERS, MOTOR HOMES, AND TRAILERS*, ADDING EXCEPTIONS; SECTION 7-2-18, *TRUCKS AND COMMERCIAL VEHICLES; PARKING PROHIBITED*, TO ADD THE WORD "COMMERCIAL" TO DEFINE THE WORD "TRUCK" TO DELINEATE THE TYPE OF TRUCK IN VIOLATION; SECTION 7-2-19, *PARKING TICKETS AND PROCEDURE; FAILURE TO PAY TICKET AN INFRACTION; FINES*, TO ADD A PARAGRAPH TO ADDRESS THE ABILITY TO MAIL OUT TICKETS IF THE VIOLATOR LEAVES THE LOCATION

WITHOUT THE TICKET, TO CHANGE THE LOCATION FOR PAYMENT OF A TICKET TO THE ADDRESS LISTED ON THE TICKET, TO CLARIFY THE INTENT & ADD LANGUAGE TO ADDRESS VIOLATIONS NOT ON THE SHORT LIST OR NORMALLY ADDRESSED THROUGH CODE VIOLATION LETTERS OR MISDEMEANOR CITATIONS & ADDING LANGUAGE TO CHARGE A \$15.00 LATE FEE TO ALL TICKETS NOT PAID BY THE DUE DATE; SECTION 7-2-20, *PARKING LOTS, LEASE RENTAL REQUIRED*, ADDING LANGUAGE TO ALLOW 24-HOUR, 7-DAY A WEEK RESIDENTIAL LEASED PARKING FOR EXISTING & FUTURE RESIDENTIAL LOCATED WITHIN THE DOWNTOWN CORE, TO ADD A PROVISION ALLOWING FOR A 10% TO 15% DISCOUNT ON MONTHLY LEASE RATES WHEN MULTIPLE STALLS ARE LEASED BY THE SAME CUSTOMER, TO ADD A \$5.00 FEE FOR EACH PERMIT/DECAL STICKER NOT RETURNED, TO ADD A PROVISION TO REFER ALL OUTSTANDING FEES FOR LEASED PARKING TO A COLLECTION AGENCY; SECTION 7-2-21, *REMOVAL OF UNLAWFULLY PARKED VEHICLES*, TO AUTHORIZE CODE ENFORCEMENT & THE POLICE DEPARTMENT TO REMOVE FROM PARKING LOTS VEHICLES THAT APPEAR TO BE ABANDONED OR UNLAWFULLY PARKED & TO INCLUDE THE WORD "LEASED" IN DESCRIBING PARKING STALLS; SECTION 7-2-22, *CHALK MARKS; REMOVAL OF*, TO ESTABLISH THE PENALTY FOR REMOVING CHALK MARKS FROM TIRES TO BE THE ISSUANCE OF A PARKING TICKET IN AN AMOUNT TO BE SET BY RESOLUTION OF THE NAMPA CITY COUNCIL IN ADDITION TO THE FINE FOR ANY PARKING VIOLATION COMMITTED.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1: That Chapter 2, *Parking Regulations*, of Title 7, *Traffic Regulations*, of the Nampa City Code be and the same is hereby REPEALED in its entirety.

Section 2: That Chapter 2, *Parking Regulations*, of Title 7, *Traffic Regulations*, of the Nampa City Code be and the same is hereby REENACTED as follows, to-wit:

See Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full.

Section 3. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

Section 4. Validity: The Nampa City Council hereby declares that any section, paragraph, sentence or word of this ordinance as adopted and amended herein be declared for any reason to be invalid, it is the intent of the Nampa City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any portion as may be declared invalid.


Section 5. Savings Clause: This ordinance does not affect an action or proceeding commenced or right accrued before this ordinance takes effect.

Section 6. Date of Effect: This ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, THIS 5th DAY OF March, 2012.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, THIS 5th DAY OF March, 2012.

Approved:

By: 
Mayor

Attest:


City Clerk

Chapter 2

PARKING REGULATIONS

7-2-1: DEFINITIONS: Except for the following words or terms used in this Title, which shall have the meaning herein ascribed to them, all words and phrases used in Title 7, Nampa City Code, shall be as defined in Title 49, Chapter 1, Idaho Code:

ABANDONED MOTOR VEHICLE: For the purposes of this Chapter, the phrase “Abandoned Motor Vehicle” shall mean any vehicle which is left, or which is parked upon any street, alley, public or private property for a period of twenty four (24) hours or longer within a restricted parking zone/district, as defined by Section 7-2-4 or for a period of forty eight (48) hours or longer within any other district or part of the City, and the owner of such vehicle cannot be found, located or determined, or the owner of which refuses to remove such vehicle from such street, alley or public property upon notice, oral or written.

ACCESSIBLE ROUTE: A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.

ACCESS AISLE: An accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

CAMPER: A separate vehicle designed for human habitation and which can be attached or detached from a motor vehicle.

COMMERCIAL TRUCK/VEHICLE: Any of the following:

- A. Any solid waste collection vehicle, tractor truck/semitrailer or tractor truck/trailer combination (or part thereof), dump truck, concrete mixer truck, towing and recovery vehicle, box type truck, flatbed truck, commercial vehicle step vans, cube vans, buses, stake trucks, wreckers, tank trucks, commercial or construction equipment, whether located on private property or on a truck, trailer, or semitrailer; or
- B. Any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold; or
- C. Any trailer or semitrailer used for transporting landscaping or lawn care equipment whether or not such trailer or semitrailer is attached to another vehicle; or
- D. Any taxicab or limousine(s); or

E. Any truck or vehicle registered as a commercial vehicle; or

F. Any other trailer or semitrailer used for commercial purposes; or

G. Vehicles exceeding a maximum gross vehicle weight rating (GVWR) of fifteen thousand (15,000) pounds (excluding pickup, dually style trucks, and SUV type vehicles used for residential purposes).

DOUBLE PARKED: Stopped or parked on the roadway side of a vehicle which is stopped or parked in an officially designated parking space; or adjacent to the curb line of a street. The term “double parking” also describes parking over the lines of any designated parking space, whether such space is separating two designated parking spaces or not.



ENFORCEMENT OFFICER: Any police officer or city employee assigned the responsibility of enforcing parking regulations. (Ord. 2129)

EXTENUATING CIRCUMSTANCES: An unusual condition, long-term condition, or problem, which is unexpected, significantly disruptive, unforeseeable, unpreventable, and, beyond the person(s) control. Such circumstances are expected to have a serious impact on an individual(s).

LOADING ZONE: The term “Loading Zone” shall mean a space or section of a street which has been set aside for the exclusive purpose of loading and unloading of persons, supplies and/or merchandise. Such zone shall be marked by the appropriate signage, curb markings, or diagonal street striping.

MOTOR HOME: A self-contained vehicle, designed for human habitation, with its own motor power, and with a passageway from the body of the home to the driver’s and front passenger’s seat.

MOTORCYCLE: The word “Motorcycle” shall mean every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

PARKING SERVICES OFFICE: The phrase “Parking Services Office” or “Parking Services” refers to the Code Enforcement Division, of the City of Nampa Economic Development Department, or such other administrative arrangements as the City may establish, and all designated representatives thereof.

PARKING SPACES (ACCESSIBLE): Accessible parking spaces shall include the width required for the parking stall and the required parking access aisles. Parking access aisles shall be part of an accessible route to the building or facility entrance. Parked vehicles shall not reduce the clear width of an accessible route.

RESIDENTIAL RESTRICTED PARKING ZONE/DISTRICT: The term “Residential Restricted Parking Zone/District” shall mean the area of the City so designated for the purpose of providing residential parking permits to vehicle owners or operators who reside within a designated residential restricted parking zone.

RESIDENTIAL SCHOOL PARKING ZONE/DISTRICT: The term “Residential School Restricted Parking Zone/District” shall mean the area of the City so designated for the purpose of providing residential parking permits to vehicle owners or operators who reside within a designated residential restricted parking zone, and are located within ¼ of a mile from a school.

RESTRICTED PARKING ZONE/DISTRICT: The term “Restricted Parking Zone/District” shall mean the area of the City so designated for the purpose of providing special regulations for the control of parking and traffic.

TRAILER: A vehicle without motor power designed for carrying persons or property on its own structure and to be drawn by a vehicle with motor power. The term trailer shall include trailer coach, boat trailer, semitrailer, travel trailer or utility trailer.

VEHICLE: The term “Vehicle” shall mean every vehicle which is self-propelled but not operated upon rails, except vehicles moved solely by human power.

7-2-2: MOTORCYCLES:

- A. **Applicable Rules and Regulations Pertaining To Motorcycles:** The driver of any motorcycle shall be subject to all the rules and regulations within this Chapter pertaining to vehicles as defined.
- B. **Off-Street Use Prohibited:** No person shall operate or ride a motorcycle within the City limits except upon a street, alley or private road having access to a street or alley.

7-2-3: PARKING ZONES; VIOLATION:

- A. **Timed parking, diagonal parking, no parking, loading zones and any other parking related zones shall be established by resolution of the council upon the recommendation of the chief of police and the city engineer. Upon passage of such resolution the public works department is authorized and directed to indicate the zone with appropriate markings.**
- B. **It is unlawful for any person to park any vehicle in any area in violation of markings provided in accordance with the provisions of this section. (Ord. 2129; amd. Ord. 2885)**

C. The Nampa City Parking Services supervisor may permit allowances, exceptions, or exemptions within timed parking zones based on the approval of an “extenuating circumstance”.

1. Approval of an extenuating circumstance may constitute the allowance for a “temporary” parking exemption, such as; but not limited to the following;

a. A minor personal illness which is not a permanent medical condition, but does have a temporary serious impact on an individual.

b. A personal injury which is not a permanent medical condition and therefore does not have a long term serious impact.

2. Approval of an extenuating circumstance may constitute the allowance for an “indefinite” parking exemption. Such circumstances may be, but are not limited to:

a. A serious illness (permanent medical condition) that creates a serious impact on an individual.

b. A personal injury which has created a long-term permanent medical condition, and has and will continue to have a serious impact on an individual(s).

Application to apply for extenuation as a result of extenuating circumstances must be made to the City of Nampa Code Enforcement Division. Approval for an extenuation must be authorized by the Code Enforcement Administrator (Supervisor), or his/her designee, and coordinated with the Downtown Nampa Association. Each request will be looked at on a case by case basis. The Code Enforcement Administrator (Supervisor) has the authority to request additional information or documentary evidence to be submitted as needed to determine validity of such request.

The City reserves the right to revoke any temporary and/or indefinite parking allowance, exception, and exemption at any time deemed necessary.

7-2-4: RESIDENTIAL RESTRICTED PARKING ZONES/DISTRICTS:

A. Nampa City Parking Services and their nominated committee may determine which, if any, residential areas of the City, can be designated as a residential restricted parking zone/district. Upon concluding that an area meets the criteria established by city policy, the city shall follow the process in subparagraph “B” and “C” below.

B. Nampa City Parking Services shall distribute to all properties in the area affected which appear to be used or occupied a written statement specifying the area proposed for designation, the reasons for the designation; and publish in a newspaper of general circulation throughout the City a copy of the same.

- C. Nampa City Parking Services shall submit to the City Council a written recommendation specifying the area proposed for designation and the reasons for designation. Upon ratification of the recommendations, the Council shall direct Parking Services to erect signs in designated areas indicating the time limitations for parking. Such time limitations will be designated as Monday-Friday between the hours of eight o'clock (8:00) AM and five o'clock (5:00 PM, excluding holidays. In Residential School Restricted Parking Zone/Districts, such time limitations will be designated as Monday-Friday between the hours of eight o'clock (8:00) AM and four o'clock (4:00) PM, excluding holidays, and days in which schools are not in session.

7-2-5: PARKING IN RESIDENTIAL PERMIT PARKING ZONES:

- A. Any vehicle upon which a current residential parking permit is properly displayed may be parked in the zone to which the permit applies without regard to posted time limitations, except that the vehicle may only be parked pursuant to the permit within two (2) blocks of the residence on the registration of the vehicle. Permit code on the vehicle must correspond with the decal code displayed on the signs.
- B. The permit shall be affixed to the bottom corner of the front window and shall be clearly visible at all times. Failure to properly display the permit is a violation of this section.
- C. A residential parking permit shall not authorize the holder thereof to park beyond the posted time limits in any residential parking zone other than that to which his permit applies, nor authorize the violation of any other law regulating the stopping or parking of vehicles in the City of Nampa, nor exempt the holder from the observance of any traffic regulation.

7-2-6: ISSUANCE OF PERMITS:

A. Residential Parking Permits

1. The Code Enforcement - Parking Services Office is hereby authorized and directed to issue residential parking permits to vehicle owners or operators who reside within a designated residential restricted parking zone. In order to maintain the integrity of a residential zone, Nampa City Parking Services has the authority to limit the number of parking permits issued to any one household. A permit shall be issued upon application without charge.
2. The application for a permit shall contain such information as the Parking Services Office shall specify.
3. The Parking Services Office is authorized and directed to make provision for:

- a. The issuance of temporary parking permits to bona fide visitors of residents of designated residential parking zones, Nampa City Parking Services will have the authority to limit the number of visitor parking permits issued per household, permits will contain that information deemed necessary by staff; and;
 - b. The issuance of exemption parking permits to handicapped persons.
- B. Temporary Use Permits and Fees: Declaration of Findings and Policy: The City of Nampa recognizes the importance of outdoor dining and special events to the vitality of our Downtown Historic District (DH Zone). In order to reimburse the City of Nampa for loss of utilization of on-street parking spaces with the Downtown Historic Zone, limit the public impact for the use of such spaces and provide for the use of parking by construction companies, for “special events”, for sidewalk cafes or outdoor restaurant seating, or other entities which, out of necessity, must, in some manner, obstruct or prohibit the public use of on-street parking, the City of Nampa enacts this ordinance regulating such use of on-street parking spaces.
1. Construction Work/Company Requirements within the Downtown Historic (DH) Zone:
 - A. Upon an application being made to Code Enforcement Parking Services, and in compliance with the other requirements of this ordinance, Parking Services may issue a use permit providing for use of on-street parking spaces and the placement thereon of dumpsters, vehicles, apparatus, or other related articles. The application shall describe the company, address, phone number, contact person, complete job location, type of job, and the time frame anticipated for the start and completion of such job. The application shall list the equipment and/or related articles to be used.
 - B. Temporary Use permits for construction or construction related activity are intended for persons who by virtue of their employment are required to have their vehicles, dumpsters, or equipment in close proximity to the job site where the actual work is being performed. The vehicle must be a necessary part of the operation in that it carries tools, equipment, or supplies. A vehicle solely used as a mode of transportation does not qualify for a permit. Temporary Use permits will be issued for areas where the length of stay is restricted by time according to meters, posted signs or ordinance.
 - C. Dumpsters or Equipment: Upon an application being made to Parking Services, a permit for the placement of a dumpster or equipment on the street will be required. If a dumpster or equipment is to be placed on or within the public right-of-way, the City of Nampa Traffic Division must be contacted for a ROW Permit.
 - D. Services. It shall be unlawful for any person to place equipment, materials, dumpsters, apparatus, or other articles in an on-street parking area where posted

time restrictions, or city code restricts time without first obtaining a permit from Parking Services. Failure to comply with any requirement of this ordinance or condition of the temporary parking use permit shall be grounds for immediate permit revocation. When an area of on-street parking is being used as a staging or delivery area, the area approved by City of Nampa Parking for use as a temporary use zone, must be so designated by the contractor with use of temporary fencing or barricades that will identify said areas as a part of the zone and restrict access by non-related parkers.

2. Sidewalk Cafes, Outdoor Seating, and/or Special Events within the Downtown Historic (DH) Zone:

A. Sidewalk cafes, outdoor seating areas, and/or special event temporary use parking permits are designed to allow uses on public property in locations where they are determined to be appropriate by the City of Nampa Economic Development Department, and to promote and protect the public health, safety, and general welfare of the community. These general goals include, among others, the following specific purposes:

1. To attract residents and non-residents to downtown Nampa;
2. To provide an additional way for restaurants or food establishments to expand their operations;
3. To promote sidewalk cafes, outdoor seating and/or special events as useful and properly planned visual amenities;
4. To provide adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes, outdoor seating, and /or special event area, and to insure access to adjacent commercial and retail uses;
5. To provide for penalties for violations of this article.

B. Upon an application being made to Code Enforcement Parking Services, and in compliance with the other requirements of this ordinance, Parking Services may issue a use permit providing for use of on-street parking spaces and the placement thereon of tables, chairs, umbrellas, fencing, outdoor receptacles, or other related articles. Permit applications shall be reviewed by city staff and approved by the city Economic Development Department to be in accordance with all city ordinances, City of Nampa Downtown Design Guidelines, City of Nampa Outdoor Dining Design Guidelines, Building and Fire Codes, and all other applicable law and ordinances.

C. All permits shall be issued for a maximum time-frame of six (6) months. All permits shall be reapplied for prior to their expiration date. A permit application

available from the Code Enforcement Division, Parking Services, shall include, but shall not be limited to the following:

1. Name of applicant and business
2. Address of the business
3. Address of the applicant
4. Telephone number of the applicant and business
5. Name of the property owner if other than applicant
6. Address of the property owner if other than applicant
7. Telephone number of the property owner if other than applicant
8. Proposed start and end date
9. Proposed hours of operation
10. Proposed number of tables, chairs, railings, posts, table umbrellas or other items
11. Proposed color, design, materials, and workmanship of tables, chairs, railings, post, table umbrellas or other items
12. Proposed area of occupancy including square feet and dimensions
13. Whether alcohol will be served
14. Copy of Certificate of Insurance
15. Whether permit application is a new application or renewal; if renewal, applicant shall describe any changes from the previous application
16. Written authorization from the owner of the property shall be required where the applicant is not the owner of the affected property.

Standards: Cafes, outdoor seating, and/or special events shall only be permitted where it is determined that the use will not create a hazard, a sight distance obstruction for motor vehicle operators, nor duly impede pedestrian traffic. Conditions, specific to the operation of a business may be incorporated into the permit as required by city staff. All sidewalk cafes, outdoor seating, and/or special events are subject to the requirements as listed within the City of Nampa

Outdoor Dining Design Guidelines, and the City of Nampa Sidewalk Café, Outdoor Dining & Special Event Resolution.

- D. Permit Fee Schedule: Temporary Parking Use Permits will be subject to the fees as established by resolution of the council :

Temporary Parking Use permits may be obtained from Code Enforcement Parking Services provided that such vehicle, equipment, dumpster, apparatus, or other article is actually being used as provided by this Section. No proration of permit fees shall be made except as provided.

1. An applicant may not use the permitted space for any purpose other than the authorized purpose stated on the application. City of Nampa Parking Services has the authority to limit the amount of space available, to limit the impact on the general public, nonrelated businesses and others who may require access into these areas. For construction or construction related projects,
 2. If within the area where construction is being performed, there are signs that need to be temporarily removed during the project, the contractor is required to contact Parking Services 24 hours in advance. If sidewalk renovations or new sidewalks are being done, the contractor will be required to reinstall any and all sign posts that were removed. Contractor will also be responsible to re-paint any space markings on the street damaged as a result of the contractor's project. The replacement of both the posts and the space markings must meet the requirements provided by City of Nampa Parking Services, City of Nampa Traffic Division, and City of Nampa Street Division. If the contractor does not perform as required, City of Nampa will have the work done and charge the contractor for the cost of the work incurred by City of Nampa.
 3. All fees are payable in advance of permits being issued. It is the applicant's responsibility to obtain and pay for all additional fees required to add an extension to the permits until work is completed. Applicants are required to estimate the completion date of the project or event prior to receiving a permit.
 4. The fee for a construction project shall be based on the estimated duration of the project. Applicants for projects exceeding the date for which the permit was granted shall obtain an extension on such permit within seven (7) days of expiration of the original permit. Applicants who do not obtain an extension on such permit within the seven (7) day grace period above will be considered in violation and subject to the penalties listed herein.
- E. Revocation: Code Enforcement Parking Services has the authority to revoke the permit for unauthorized use or a violation of any of the provisions of this section. Upon revocation, the applicant will not be entitled to any refund for fees assessed

under this ordinance. An applicant must then make an application for a new permit under the same requirements for the original permit.

7-2-7: PARKING PERMIT VIOLATIONS:

It shall be unlawful for any person to represent that he is entitled to a residential, temporary use, leased, and/or extenuating circumstances parking permit when he is not so entitled, to fail to surrender a permit to which he is no longer entitled, or to park a vehicle displaying such a permit at any time when the holder of such permit is not entitled to hold it.

7-2-8: REVOCATION OF PERMIT:

The Code Enforcement Parking Services Office is authorized to revoke the residential, temporary use, leased, and/or extenuating circumstances parking permit of any permittee found to be in violation of this Code, and, upon written notification thereof, the permittee shall surrender such permit to the Code Enforcement Parking Services Office. Failure when so requested, to surrender a residential, temporary use, leased, and/or extenuating circumstances parking permit so revoked, shall constitute a violation of 7-2-8.

7-2-9: MANNER OF PARKING:

All vehicles shall be parked on the right hand side of the street facing in the direction in which traffic is permitted to move; except that on one-way streets in the city, vehicles may park on either side of the one-way street in the direction in which traffic is permitted to move.

Any vehicle parked within a parking or loading zone shall be parked entirely within the markings designating one parking space; shall be parked parallel or diagonal to the curb in accordance with the marking of the parking space; and in case of diagonal parking, shall be parked so that the front of the vehicle is nearest the curb.

Except as otherwise provided in this section every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches (18") of the right hand curb. (Ord. 2129)

Any vehicle parked within a city owned lot shall be parked entirely within the markings designating one parking space; shall be parked facing the direction of such markings and/or signs within the lot; and in the case of diagonal parking, shall be parked so that the rear of the vehicle is nearest the drive aisles or entry to such parking stall.

7-2-10: HOURS OF PARKING REGULATION DEFINED; PARKING ZONES:

Parking within parking zones and loading zones, except as otherwise specified in 7-2-4 (C), is regulated during the time between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M.

of every day, unless otherwise stated on such signs; provided, however, the regulation of parking shall not include any Sunday or state holiday. (Ord. 2129; amd. Ord. 2697)

- A. The Parking Services Office will determine the designation and location of such parking zones. Parking Services shall submit to the City Council a written recommendation specifying the area(s) proposed for designation and the reasons for designation. Upon ratification of the recommendations, the Council shall direct the Parking Services Office to erect signs in the designated area(s) indicating the parking zone(s) and the time limits for parking.
- B. Parking Services will determine the days of the week that the zone will be in effect, and the hours of enforcement for such zones.
- C. The Parking Services Office will determine the design of the signs for proper posting of the Zone.
- D. Parking Services will identify any areas in which loading zones, no parking areas, and other such items should be required or maintained for public safety or to maintain previous commitments.

7-2-11: OPERATING HOURS; PARKING LOTS:

There shall be no parking in city owned parking lots between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M., except by those persons who have a properly leased space. (Ord. 2129)

7-2-12: LOADING ZONES:

A loading zone or space that is not a part of an accessible parking stall may be occupied by a vehicle while actually engaged in loading and unloading persons, materials, supplies and merchandise, or other property at stores or places of business adjacent to said loading zones for such periods of time only as is set forth on the loading zone sign. Parking in a loading zone or space during the time period set forth on the loading zone for any purpose other than loading is unlawful, and punishable as a parking ticket pursuant to section 7-2-19 of this chapter. (Ord. 2129; amd. Ord. 2697)

7-2-13: PARKING SIGNS:

It is unlawful for any person to park a vehicle, or, having parked the same, to suffer it to remain parked in violation of the regulations of any duly installed parking sign. When the parking sign states the duration of time allowed for parking, for example, "two-hour parking", then the regulation shall be enforced only during operating time; when the sign forbids parking at all times, or at designated times, the regulation is in force at all times or as

stated. Persons parked in a leased stall or in a restricted parking zone/district must have displayed the appropriate parking permit decal. (Ord. 2129)

7-2-14: STOPPING, STANDING OR PARKING:

- A. No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled portion of any street or highway within the city when it is practicable to stop, park or leave the vehicle off the street or highway, but in every event an unobstructed width of the street opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of two hundred feet (200') in each direction upon such street or highway.
- B. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a street or highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (Ord. 2129)

7-2-15: OFFICERS AUTHORIZED TO REMOVE ILLEGALLY STOPPED VEHICLES:

- A. Whenever any police officer finds a vehicle standing upon a street or highway in violation of any of the provisions of section [7-2-9](#) of this chapter such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such street or highway.
- B. Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety. (Ord. 2129)

7-2-16: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES:

- A. Exceptions: No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:
 - 1. On or across sidewalks., or in such a manner as to obstruct the route of passage between such sidewalks.
 - 2. In front of a public or private driveway.
 - 3. Within an intersection.

4. Within fifteen feet (15') of a fire hydrant.
 5. On a crosswalk.
 6. a. Within twenty feet (20') of a crosswalk at an intersection, except at those intersections controlled by a pedestrian control signal.
b. Within twenty five feet (25') of the corner of the intersection at an intersection where no crosswalk is indicated. The said corner of the intersection shall be the intersection of the projected edge of paving.
 7. Within twenty feet (20') upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.
 8. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.
 9. Within fifty feet (50') of the nearest rail of a railroad crossing.
 10. Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entranceway to any fire station within seventy five feet (75') of said entrance when properly posted.
 11. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 13. Upon any bridge or other elevated structure upon a street or highway or within a street or highway tunnel.
 14. At any place where official signs prohibit stopping, standing or parking.
 15. On a bike lane or bike path.
 16. On commercial vehicle lots at locations where vehicles are displayed for sale in that area located between the roadway and back of sidewalk or back of projected sidewalk.
 17. Adjacent to any yellow painted curb or fire lane.
- B. Moving Vehicle: No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

C. Alley: No person shall stop, stand or park a motor vehicle in or upon any alley for a period of time longer than reasonably necessary for the purpose of loading or unloading the vehicle. Such vehicles must utilize their hazard lights during such time they are stopped, standing, or parked in the alley. In no case shall the stop exceed thirty (30) minutes.

D. Disabled Persons Parking Violations:

1. Disabled or handicapped parking spaces shall be identified by: A sign posted in front of the designated parking space and located so that it cannot be obscured by a vehicle parked in the space, and a painted international symbol of accessibility on each parking space surface. The sign and the space surface symbol for designated handicapped parking spaces shall be the international symbol of accessibility as depicted in Idaho Code section 49-410 or 28 CFR part 36 app. A section 4.30.7. In addition, designated handicapped parking spaces that are van accessible shall include an the adjacent access aisles or areas necessary for loading, unloading and transit, and the sign for the designated handicapped parking space shall have an additional sign, "Van Accessible" mounted below the international symbol of accessibility.
2. The parking or standing of a vehicle, whether occupied or not, in a space reserved for persons with disabilities, including adjacent access aisles or areas necessary for loading, unloading and transit designated with a sign and space surface symbol as provided for in subsection D1 of this section is prohibited, unless the vehicle is momentarily in the space for the purpose of allowing a person with a disability to enter or leave the vehicle, or unless special license plates or card or temporary card for the disabled is displayed on the vehicle. The operator or other person in charge of the motor vehicle or, if an operator or person in charge is not present, the registered owner of a vehicle parked in violation of the provisions of this subsection is guilty of an infraction.
3. Any unauthorized use of a disabled persons license plate or card shall constitute an infraction. Law enforcement officials or Enforcement Officers shall enforce the provisions of this section and are empowered, using reasonable discretion, to check personal identification to determine if the user of the disable persons license plate or card is the disabled person so authorized to use such disabled persons parking privileges. (Ord. 2129; amd. Ord. 2885)

7-2-17: **PARKING ON STREETS AND PUBLIC PROPERTY:** Where any portion of this chapter is in conflict with any other sections of the code, the more restrictive of the two shall take precedence.

A. **Parking On Streets And Public Property:** No person shall park or place, or cause to be parked or placed, upon any street or public property, regardless of whether attended or unattended:

1. For longer than seventy two (72) hours:

- a. Any Motor home, camper or recreational vehicle. Neither this nor any provision of this chapter shall be construed to authorize any person to sleep in or allow another to sleep in any motor, camper or recreational vehicle.
- b. Any utility trailer that is attached to a vehicle.
- c. Any snowmobile, boat, boat trailer, snowmobile trailer, or other type of trailer that is attached to a vehicle.
- d. Any vehicle.

2. For longer than forty eight (48) hours:

- a. Any snowmobile, boat, boat trailer, snowmobile trailer, or other type of trailer that is not attached to a vehicle.
- b. Any utility trailer that is not attached to a vehicle.

3. Overnight Parking:

- a. No overnight parking without prior permission is allowed on city property. (Ord. 2129; amd. Ord. 2697)

4. For any length of time, except as otherwise allowed in this section:

- a. Any pole trailer or semitrailer within a residential zone.
- b. Any vehicle designed or used primarily as farm or construction equipment within a residential zone.

B. Time Limit: At the expiration of the applicable time limit set forth in this section, a new time limit may begin only upon removal of the motor home, camper, recreational vehicle, trailer, or vehicle from the block in which it was previously parked, for a minimum of forty eight (48) hours.

C. Exceptions: The provisions of this section shall not apply when a vehicle or trailer is parked:

- 1. For the purpose of loading or unloading materials or merchandise, when such materials or merchandise are actually being loaded or unloaded, and where such vehicle or trailer is parked within one hundred (100') of the loading or unloading point.

2. For any purpose incident to any ongoing, lawful construction project, where such construction project is conducted under a valid City of Nampa permit and such trailer or vehicle is parked within one hundred (100') feet of such construction project.
3. For any purpose incident to a lawful commercial or industrial operation, so long as the vehicle is parked within one hundred (100') of such commercial or industrial operation.
4. For the purpose of maintenance or response to emergency by a public utility, public agency, or the duly authorized agent thereof, where such vehicle is visibly marked and identified as such.
5. As specifically allowed by a valid permit or authorization issued by the City of Nampa.

7-2-18: COMMERCIAL TRUCKS AND COMMERCIAL VEHICLES; PARKING PROHIBITED:

The provisions of this section applies to commercial trucks and commercial vehicles, except as specifically noted in section 7-2-17(A)(4)

- A. It is unlawful for any person to park or leave standing a commercial truck or commercial vehicle on any street, alley or other public right of way within any residential zone within the city or upon any through street within the city for a period of more than one hour.

Provided, however, that a commercial truck or commercial vehicle may remain parked or standing in excess of the aforementioned one hour time, for the purpose of delivering or picking up materials or merchandise provided such truck or commercial vehicle does not create a traffic or other hazard.

- B. The provisions of this chapter imposing time limits on commercial truck or commercial vehicle parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times. (Ord. 2129; amd. Ord. 2697)

7-2-19: PARKING TICKETS AND PROCEDURE; FAILURE TO PAY TICKET AN INFRACTION; FINES:

- A. Any enforcement officer observing a violation of the provisions of this chapter may leave upon the violating vehicle a parking ticket which shall provide the ticket number, the date and hour, license number, make of vehicle, fine amount, and the enforcement officer's or designated person's name or identification number. The parking ticket shall notify the owner or operator of the fine for the violation, and the method of payment. If a vehicle

upon which a parking ticket has been attached remains in the same location for a period of two (2) hours after the parking ticket has been attached, additional parking tickets may be attached to the vehicle for each two (2) hour period of violation. When the identity of the operator cannot be determined, the owner or person or the corporation in whose name the said vehicle is registered or the named lessees in a rental or lease agreement of said vehicle shall be presumed prima facie responsible for said violation. If a vehicle upon which a violation has been observed leaves the location prior to the enforcement officer being able to leave the parking ticket upon the vehicle, such ticket shall be mailed to the registered or the names lessees in a rental or lease agreement of said vehicle.

B. In order to eliminate burdening courts with misdemeanor violations of ordinances and to eliminate insofar as possible public inconvenience, each person receiving a parking ticket under this chapter shall pay at the address listed on such ticket the appropriate fine for the parking violations for which a parking ticket may be issued, as listed in this section:

1. Overtime parking.
2. Second overtime parking violation within thirty (30) days of the first violation.
3. Third overtime parking violation within thirty (30) days of the first violation.
4. Fourth and subsequent overtime parking violation within thirty (30) days of the first violation.
5. Parking in a no parking zone.
6. Parking within fifteen feet (15') of a fire hydrant.
7. Blocking driveway with a parked vehicle.
8. Parking in alley.
9. Parking within twenty five feet (25') of corner.
10. Double parking.
11. Parking with the vehicle headed in wrong direction.
12. Parking on or within twenty feet (20') of a crosswalk.
13. Parking on or across sidewalks, or in such a manner as to obstruct the route of passage between such sidewalks.
14. Parking with wheels over eighteen inches (18") from curb.

15. Parking in rented and/or leased stall.
16. Parking within twenty feet (20') of or closer to a stop sign, flashing beacon, or traffic control signal.
17. Parking in fire lane or along any yellow painted curb.
18. Parking trucks/commercial vehicles in prohibited zone.
19. Backed into any angled parking stall on the street or within a city owned lot.
20. Parking in city parks after sunset.
21. Parking or driving on grass.
22. Parking in handicap stall or adjacent access aisle.
23. On a bike lane or bike path.
24. Camper, motor-home, or trailer parked on the street for more than (72) hours.
25. Parking where official signs prohibit parking.
26. Failure to display proper parking permit, to include residential permit parking, leased parking, "extenuating circumstances" parking, and temporary use permit parking.
27. Residential Parking Permit Zone Violation.
28. Parking facing the opposite direction of such markings and/or signs within a city owned lot.
29. Parked on Commercial Vehicle Lots
30. Temporary Parking Permit Violation
31. Removal of Chalk Marks
32. Parking on Streets & Public Property
33. Parking within Front Yard Setbacks in Residential Zones for more than forty eight (48) hours in accordance with Section 10-22-1

C. Fines for parking violations listed in this chapter shall be established by resolution of the council upon recommendation of the chief of police.

- D. Enhanced fines for second, third, fourth and subsequent overtime parking violations occurring within thirty (30) days of the first parking violation may be established by resolution of the council upon recommendation of the chief of police.
- E. Upon the failure of the owner or operator to pay the required fine within seven (7) calendar days, a late fee in the amount established by resolution of the council will be added to such ticket. The chief of police or enforcement officer may, after giving One (1) written notice requesting payment, authorize a collection agency to use all possible legal means to satisfy this outstanding parking ticket(s). If an outstanding parking ticket(s) is referred for collection, the vehicle owner will be subject to additional collection fees established by the collection agency. (Ord. 2129; amd. Ord. 2885)

7-2-20: PARKING LOTS; LEASE RENTAL REQUIRED:

It is unlawful for any person to be or remain parked upon the parking lots owned and/or operated by the city without first having leased the same; provided, however special free parking areas may be designated by the council. A lease agreement must be entered into between the desired lessee and the City of Nampa. Lease agreements will be available on a monthly, bi-annual, or annual basis. Lease rates for parking stalls are established by council resolution, unless otherwise stated herein. Leased rates for full-time, 24 hour, 7-day a week, (unless otherwise stated within the lease agreement) residential use leased parking stalls shall be at a rate of double the normal leased rate.

The monthly lease rate for parking shall be discounted by ten percent (10%) for any person or business leasing three (3) or more stalls, on an annual basis. The monthly lease rate for parking shall be discounted by fifteen percent (14%) for any person or business leasing six (6) or more stalls, on an annual basis. There shall be no refund on any lease paid in advance where the holder of the parking permit relinquishes or gives up control of said parking space. In addition, failure to complete the terms within the lease agreement will result in a cancellation/termination fee of \$120.00. Such fee is due at the time of cancellation. In addition, all permit stickers/decals will be required to be returned at the time of cancellation. Failure to return permit stickers/decals is unlawful and will result in a fee in the amount established by resolution of the council. (Ord. 2129; amd. Ord. 2697)

Upon the failure to pay the required cancellation fees and/or any overdue lease payments within seven (7) calendar days, a late fee in the amount established by resolution of the council will be added to the balance, and the enforcement officer may, after giving One (1) written notice requesting payment, authorize a collection agency to use all possible legal means to satisfy this outstanding cancellation/termination fee and/or any overdue lease payments. If an outstanding cancellation/termination fee and/or lease payments is referred for collection, the Lessee(s) will be subject to additional collection fees established by the collection agency.

7-2-21: REMOVAL OF UNLAWFULLY PARKED VEHICLES:

The police department or code enforcement division is hereby authorized and directed to remove all vehicles from said parking lots, where such vehicles shall appear to have been abandoned, or where such vehicles shall be unlawfully parked in any stall which is rented/leased, such vehicle belonging to any person other than the person to whom such stall is rented/leased or ~~and~~ parked thereon without the permission of the record holder of such parking stall. The police department may likewise remove all motor vehicles unlawfully parked upon all spaces between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. when the hours of parking have been posted in a conspicuous place. Such vehicles so removed shall be taken to either a public garage or storage place for safekeeping, and all costs and expenses incidental to such removal shall be paid by the owner of such vehicle. The police department or code enforcement division, upon such removal, shall immediately notify the registered owner of the removal of such vehicle, and the place to which the same has been removed, together with the charges for removal. (Ord. 2129; amd. Ord. 2697)

7-2-22: CHALK MARKS; REMOVAL OF:

It is unlawful for any person to remove, or cause to be removed, chalk marks placed by the city on tires of parked vehicles in a parking space regulated by the city. (Ord. 2129; amd. Ord. 2697)

Any person in violation of this section shall be issued a parking ticket for the amount established by resolution of the council, in addition to the fee of such parking violation in which they have been found guilty of committing.

7-2-23: VALIDATION:

The city has the authority to create a department/division internal policy for process and procedures of validation of parking tickets. Such process and procedure policy will be developed and approved through a joint committee as established by city staff.

7-2-24: VOLUNTEER PARKING ENFORCEMENT PROGRAM:

A. The Nampa city council and the city of Nampa police department are hereby authorized to establish or appoint a disabled persons advocacy group authorized to enforce the provisions of subsection [7-2-16D](#) of this chapter, and to be called the volunteer parking enforcement program. Under this section, these volunteers or parking enforcement specialists are authorized to issue complaints and summonses for violations of subsection [7-2-16D](#) of this chapter.

B. A volunteer appointed under this section must:

1. Be at least twenty one (21) years of age;

2. Complete a course of instruction concerning the enforcement of this chapter that is conducted by the appointing law enforcement agency;
 3. After successfully completing the course of instruction, obtain a certificate from the executive authority of the appointing law enforcement agency; and
 4. Satisfy any other qualifications established by the law enforcement agency.
- C. The Nampa police department shall file a copy of each certificate issued under subsection B3 of this section with the prosecuting attorney having jurisdiction over the area served by the law enforcement agency.
- D. A complaint and summons issued by a volunteer appointed under this section has the same force and effect as a complaint and summons issued by a law enforcement officer for the same violation.
- E. A volunteer appointed under this section does not have powers of a law enforcement officer except those powers granted under this section.
- F. A volunteer appointed under this section does not have authority to carry a weapon.
- G. The Nampa police department may, at any time, revoke the certificate issued to the volunteer under subsection B3 of this section. If a certificate is revoked under this subsection:
1. The Nampa police department shall notify the prosecuting attorney where the certificate was filed under subsection C of this section of the revocation;
 2. The volunteer's powers under this section terminate immediately upon the revocation.
 3. All volunteers serve at the pleasure and discretion of the Nampa police department. (Ord. 2129; amd. Ord. 2765)

A SUMMARY OF ORDINANCE NO. 4009
PASSED BY THE CITY OF NAMPA, IDAHO

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, REPEALING & REENACTING CHAPTER 2, *PARKING REGULATIONS*, OF TITLE 7, *TRAFFIC REGULATIONS*, OF THE NAMPA CITY CODE, TO-WIT: SECTION 7-2-1, *DEFINITIONS*, TO ALPHABETIZE DEFINITIONS, RELOCATE DEFINITIONS INTO THE *DEFINITIONS* TITLE & ADDING DEFINITIONS FOR *ABANDONED MOTOR VEHICLE*, *CAMPER*, *COMMERCIAL TRUCK/VEHICLE*, *DOUBLE PARKED*, *LOADING ZONE*, *MOTOR HOME*, *PARKING SERVICES OFFICE*, *RESIDENTIAL RESTRICTED PARKING ZONE/DISTRICT*, *RESIDENTIAL SCHOOL PARKING ZONE/DISTRICT*, *RESTRICTED PARKING ZONE/DISTRICT* & *TRAILER*; SECTION 7-2-3, *PARKING ZONES*; *VIOLATION*, TO DELETE SUBSECTIONS C1 (c) & (d); SECTION 7-2-4, *RESIDENTIAL RESTRICTED PARKING ZONES/DISTRICTS*, RETITLED FROM *RESIDENTIAL RESTRICTED PARKING ZONES/DISTRICTS SURROUNDING HIGH SCHOOLS*, TO DELETE THE WORDS “SURROUNDING HIGH SCHOOLS” SO AS TO UTILIZE THE SECTION FOR RESIDENTIAL PERMIT AREAS WITHIN THE DOWNTOWN CORE, ADD LANGUAGE ADDRESSING TIME LIMITATIONS FOR MONDAYS THROUGH FRIDAYS FROM 8:00 A.M. UNTIL 5:00 P.M. WITHIN RESIDENTIAL PERMIT AREAS THAT ARE NOT CONSIDERED A RESIDENTIAL SCHOOL RESTRICTED PARKING ZONE & REVISING TIME LIMITATIONS FOR RESIDENTIAL SCHOOL RESTRICTED PARKING ZONES FROM 8:00 A.M. UNTIL 3:00 P.M. TO FROM 8:00 A.M. UNTIL 4:00 P.M.; SECTION 7-2-5, *PARKING IN RESIDENTIAL PERMIT PARKING ZONES*, TO REMOVE THE WORDS “CENTER” & “REAR” FROM THE LOCATION REQUIREMENT FOR RESIDENTIAL PERMITS; SECTION 7-2-6, *ISSUANCE OF PERMITS*, TO ADDRESS VARIOUS TYPES OF PARKING PERMITS, DEFINE EACH TYPE OF PARKING PERMIT & ADD A NEW SECTION ADDRESSING TEMPORARY USE PERMITS AND FEES; SECTION 7-2-9, *MANNER OF PARKING*, TO ADD A PARAGRAPH ADDRESSING THE MANNER IN WHICH CARS ARE PARKED WITHIN CITY-OWNED LOTS TO ENSURE COMPLIANCE WITH DIRECTIONAL ARROWS & SIGNS & PARKING WITHIN ANGLED STALLS; SECTION 7-2-10, *HOURS OF PARKING REGULATION DEFINED*; *PARKING ZONES*, TO ADD CLARIFYING LANGUAGE & LANGUAGE ALLOWING CODE ENFORCEMENT, PARKING SERVICES TO DETERMINE THE DESIGNATION, LOCATION & TIME LIMITATIONS FOR TIME RESTRICTED PARKING WITHIN MULTIPLE PARKING ZONES; SECTION 7-2-16, *STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES*, TO CLARIFY INTENT; SECTION 7-2-17, *PARKING ON STREETS AND PUBLIC PROPERTY*, RETITLED FROM *CAMPERS, MOTOR HOMES, AND TRAILERS*, ADDING EXCEPTIONS; SECTION 7-2-18, *TRUCKS AND COMMERCIAL VEHICLES*; *PARKING PROHIBITED*, TO ADD THE WORD “COMMERCIAL” TO DEFINE THE WORD “TRUCK” TO DELINEATE THE TYPE OF TRUCK IN VIOLATION; SECTION 7-2-19, *PARKING TICKETS AND PROCEDURE*; *FAILURE TO PAY TICKET AN INFRACTION*; *FINES*, TO ADD A PARAGRAPH TO ADDRESS THE ABILITY TO MAIL OUT TICKETS IF THE VIOLATOR LEAVES THE LOCATION WITHOUT THE TICKET, TO CHANGE THE LOCATION FOR PAYMENT OF A TICKET TO THE ADDRESS LISTED ON THE

TICKET, TO CLARIFY THE INTENT & ADD LANGUAGE TO ADDRESS VIOLATIONS NOT ON THE SHORT LIST OR NORMALLY ADDRESSED THROUGH CODE VIOLATION LETTERS OR MISDEMEANOR CITATIONS & ADDING LANGUAGE TO CHARGE A \$15.00 LATE FEE TO ALL TICKETS NOT PAID BY THE DUE DATE; SECTION 7-2-20, *PARKING LOTS, LEASE RENTAL REQUIRED*, ADDING LANGUAGE TO ALLOW 24-HOUR, 7-DAY A WEEK RESIDENTIAL LEASED PARKING FOR EXISTING & FUTURE RESIDENTIAL LOCATED WITHIN THE DOWNTOWN CORE, TO ADD A PROVISION ALLOWING FOR A 10% TO 15% DISCOUNT ON MONTHLY LEASE RATES WHEN MULTIPLE STALLS ARE LEASED BY THE SAME CUSTOMER, TO ADD A \$5.00 FEE FOR EACH PERMIT/DECAL STICKER NOT RETURNED, TO ADD A PROVISION TO REFER ALL OUTSTANDING FEES FOR LEASED PARKING TO A COLLECTION AGENCY; SECTION 7-2-21, *REMOVAL OF UNLAWFULLY PARKED VEHICLES*, TO AUTHORIZE CODE ENFORCEMENT & THE POLICE DEPARTMENT TO REMOVE FROM PARKING LOTS VEHICLES THAT APPEAR TO BE ABANDONED OR UNLAWFULLY PARKED & TO INCLUDE THE WORD “LEASED” IN DESCRIBING PARKING STALLS; SECTION 7-2-22, *CHALK MARKS; REMOVAL OF*, TO ESTABLISH THE PENALTY FOR REMOVING CHALK MARKS FROM TIRES TO BE THE ISSUANCE OF A PARKING TICKET IN AN AMOUNT TO BE SET BY RESOLUTION OF THE NAMPA CITY COUNCIL IN ADDITION TO THE FINE FOR ANY PARKING VIOLATION COMMITTED.

The principal provisions of the ordinance are:

- Section 7-2-1, *Definitions*
 - °Reorganized definitions so they are in alphabetical order
 - °Relocated definitions from the body of the code into the *Definitions* title
 - °Added definitions for *Abandoned Motor Vehicle, Camper, Commercial Truck/Vehicle, Double Parked, Loading Zone, Motor Home, Parking Services Office, Residential Restricted Parking Zone/District, Residential School Parking Zone/District, Restricted Parking Zone/District & Trailer*
- Section 7-2-3, *Parking Zones; Violation*
 - °Deleted some language within this portion of the code and re-addressed it within a later section
- Section 7-2-4, *Residential Restricted Parking Zones/Districts Surrounding High Schools*
 - °Changed title to *Residential Restricted Parking Zones/Districts*
 - °Deleted the words “Surrounding High Schools” to have the ability to utilize this section for Residential Permit areas within the Downtown Core
 - °Added language to address the time limitations for M-F, 8-5 within Residential Permit areas that are not considered a Residential School Restricted Parking Zone

°Revised the time limitations for Residential School Restricted Parking Zones from 8-3, to 8-4, as some schools are still in session after 3:00

- Section 7-2-5, *Parking In Residential Permit Parking Zones*
 - °Removed the words “center” and “rear” from the requirement of where to locate the residential permit to provide more clarity and less restriction on placement
- Section 7-2-6, *Issuance Of Permits*
 - °Restructured the section to address various types of parking permits
 - °Added specific titles and language to support each type of parking permit
 - °Added new section to address Temporary Use Permits and Fees
 - This will be used for parking spaces taken up by long-term construction equipment in the right of way, and for the ability to allow special events, sidewalk cafes, and outdoor dining facilities to be within parking spaces in the right of way
 - °Fees were added to address the cost of services and the loss of utilization of such spaces for public use during construction activities
 - °Process and fees are considerably lower than other jurisdictions with the same program.
- Section 7-2-9, *Manner Of Parking*
 - °New paragraph added to address the manner in which cars are parked within city owned lots to ensure compliance with directional arrows, signs, and parking within angled stalls
 - This provides consistency with laws for on street parking, and ensures that the manner in which vehicles park within city lots is safer
- Section 7-2-10, *Hours Of Parking Regulation Defined; Parking Zones*
 - °Added additional language for clarity purposes
 - °Added language to allow Code Enforcement, Parking Services to determine the designation, location, and time limitations for time-restricted parking within multiple parking zones
 - Such recommendation will be presented to the Council for ratification
- Section 7-2-16, *Stopping, Standing Or Parking Prohibited In Specified Places*
 - °Re-worded some sentence structures to provide more clarity on the intent and interpretation of the code
 - °Added some additional words or phrases to existing language for clarity and ease of understanding
- Section 7-2-17, *Campers, Motor Homes, And Trailers*

- Changed title to *Parking On Streets And Public Property* to more clearly identify what it is referencing
 - Re-formatted paragraphs
 - Added some additional language for exceptions
- Section 7-2-18, *Trucks And Commercial Vehicles; Parking Prohibited*
 - Added the word “Commercial” before trucks to more clearly delineate the type of truck in violation
- Section 7-2-19, *Parking Tickets And Procedure; Failure To Pay Ticket An Infraction; Fines*
 - Added a paragraph to address the ability to mail out tickets if the violator leaves the location without the ticket
 - Changed the language of where to pay a ticket to be more generic and state “at the address listed on such ticket”
 - Added some words and/or phrases to help clarify the intent and interpretation of the code
 - Added language to address violations that were listed in the body of the code, but not in the short list
 - Added language to address the violations normally addressed through code violation letters or misdemeanor citations, but could now be addressed through a parking ticket
 - Added the ability to charge a \$15.00 late fee for all tickets not paid by the due date
- Section 7-2-20, *Parking Lots, Lease Rental Required*
 - Added sentence to allow for the provision of 24 hour, 7-day a week residential leased parking for existing and future residential located within the downtown core
 - Added a new provision to allow for 10% and 15% discounts on monthly lease rates when multiple stalls are leased by the same customer
 - Added a fee for each permit/decal sticker that is not returned at termination of lease
 - Added a provision to refer all outstanding fees for leased parking to a collection agency
- Section 7-2-21, *Removal Of Unlawfully Parked Vehicles*
 - Added the phrase “or code enforcement division” to allow code enforcement in addition to the police department authorization to remove from parking lots that appear to be abandoned or unlawfully parked
 - Added the word “leased” after the word “rented” for clarity

- Section 7-2-22, *Chalk Marks; Removal Of*
°Added a sentence to clarify the penalty for the unlawfulness of removing chalk marks from tires

The Ordinance shall be effective upon publication of this Summary.

Unless otherwise provided herein, violations of this Ordinance are misdemeanors pursuant to section 1-1-7, Nampa City Code.

The full text of the Ordinance amendments is available for review at City Hall and will be provided by the City Clerk to any citizen upon personal request.

APPROVED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 5th DAY OF March, 2012.

Approved:

By Tom Dale
Mayor

Attest:

By Debra R. Berkey
City Clerk

ORDINANCE SUMMARY CERTIFICATION

Ordinance No. 4009

Certification of City Legal Advisor
of the Summary prepared
for the above-numbered Ordinance

The undersigned City of Nampa Legal Advisor, having reviewed the above-numbered Ordinance and the Summary for the above-numbered Ordinance, believes the Summary of the above-numbered Ordinance is true and complete and that it provides adequate notice to the public of the identity and principal provisions of the Ordinance.

Dated this 5th day of March, 2012.

A handwritten signature in blue ink, appearing to read "M. F. Nicholas", is written over a horizontal line.