

CHAPTER SIX: VEHICLE AND TRAFFIC CODE

Subchapter 6.02: Preferential Parking

6.02.010 Scope.

This subchapter authorizes the establishment of preferential parking zones (also known as permit parking zones) and includes provisions for issuance of permits, and makes certain actions, such as the sale of a parking permit, a misdemeanor. The specific areas subject to preferential parking permits are set forth in the Parking Code of the Town of Colma.

[History: Adopted ORD 712, 10/10/12]

6.02.020 Findings.

The City Council finds that:

- (a) Commuter vehicles substantially and regularly interfere with the use of the majority of available public street parking spaces in the Sterling Park residential area by adjacent residents and merchants;
- (b) A shortage of reasonably available and convenient residential-related parking spaces exists in the Sterling Park residential area;
- (c) Commuter vehicles being driven or parked in the area of the Sterling Park residential area cause or are the source of unreasonable noise, traffic hazards, and environmental pollution;
- (d) The establishment of preferential parking zones is required to enhance or protect the quality of life in Sterling Park residential area and to make parking reasonably available and convenient for the benefit of adjacent residents and merchants;
- (e) The establishment of preferential parking zones in the Sterling Park residential area will also encourage the use of car pooling and mass transit by commuters; and
- (f) No alternative solution to the problems caused by commuter parking is reasonably feasible or practical.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Amended ORD 712, 10/10/12]

6.02.030 Definitions.

As used herein, the following words and phrases shall be given the meaning shown:

- (a) "Commuter vehicle" means a vehicle operated by a person whose destination is outside of the Sterling Park residential area;
- (b) "Preferential parking zone" shall mean the streets designated by the City Council for permit parking;
- (c) "Qualified merchant" shall mean a business fronting a preferential parking zone: and

(d) "Qualified resident" shall mean a person who lives in a dwelling unit fronting a preferential parking zone.

[History: Adopted Res. 99-19, 5/26/99; Amended by Res. 2003-28, 6/25/03; Res. 2007-63, 10/10/07; [History: Adopted Res. 99-19, 5/26/99; Amended by Res. 2003-28, 6/25/03; Res. 2007-63, 10/10/07]]

6.02.040 Establishment of Preferential Parking Zones.

The City Council may, by resolution designate certain streets or portions thereof as a preferential parking zone for the benefit of qualified residents and merchants. In a preferential parking zone, vehicles displaying a permit shall be exempt from parking prohibitions or restrictions otherwise posted, marked or noticed.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; amended Res. 2003-28, effective 6/25/03; [History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; amended Res. 2003-28, effective 6/25/03]

6.02.050 Issuance of Permits.

(a) *Applications.* The Police Department shall issue permits, in a form to be determined by the Police Department and consistent with the provisions of this article, for preferential parking to qualified residents and qualified merchants who have completed an application form supplied by the Police Department. Applicants for such permits shall present such proof as may be required by the Police Department of a residence or place of business adjacent to the area designated as a preferential parking zone.

(b) *Preferential Parking Permits.* One Preferential Parking Permit shall be issued for each vehicle registered to a Qualified Resident. One Preferential Parking Permit shall be issued to each non-resident employee of a Qualified Merchant. A Preferential Parking Permit shall remain effective for a period of no more than two years, or until the preferential parking zone for which such permit was issued is eliminated, whichever is less. The Chief of Police is authorized to issue preferential permits on a staggered basis.

(c) *Guest Permits.* Two Guest Permits shall be issued to each dwelling unit in a preferential parking zone, and two Guest Permits to each qualified merchant in a preferential parking zone if there is no green zone in front of such merchant's place of business. Guest Permits shall be valid only during the calendar year in which they are issued. Guest permits shall only be valid when displayed on vehicles not owned or registered to a Qualified Resident, are for use on passenger motor vehicles only and shall not be used for boats, trailers, recreational vehicles, vehicles with a manufacturers' gross vehicle weight rating of more than 12,000 pounds, or vehicles for hire.

(d) *Temporary Permits.* The Police Department shall also issue to any qualified resident or any qualified merchant a Temporary Permit for use by a visitor of the applicant, as follows:

- (1) On an oral request of a qualified resident or merchant, the Police Department may issue a Temporary Permit for one day only, the date of use authorized by such permit being no later than ten days after issuance; and

- (2) On a written request of a qualified resident or merchant showing that issuance of a temporary permit is for the benefit of the resident or merchant and that it is reasonable to request a temporary permit for a period longer than one day, the Police Department shall issue a Temporary Permit for up to thirty (30) days, the last date of such use being no later than forty (40) days of issuance.
- (3) *Conditions of permit.* Each parking permit shall be subject to all conditions and restrictions set forth in this section and of the preferential parking zone for which it is issued.
- (4) *Other Laws and Regulations.* The issuance of a parking permit shall not be construed to be a permit for, or approval of, any violation of any provision of this Code or any other laws or regulations.
- (5) *Fees.* No fee shall be charged for issuance of a permit except that the city council may, by resolution, set a fee for replacement of lost or destroyed permits.
- (6) *Appeals.* Any person who has been denied a permit may appeal that decision to the City Manager by giving written notice thereof within ten (10) days after the decision of the Police Department.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07;

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07]

6.02.060 Timed Parking in Preferential Parking Zone.

The City Council may, by resolution, restrict the standing, stopping, or parking of vehicles in a preferential parking zone, and may provide for exemptions from such restrictions.

[History: Adopted ORD 712, 10/10/12]

6.02.070 Unlawful Acts; Punishments.

(a) It shall be unlawful to do, or cause, any of the following, and any person who does or causes to be done any of the following shall be guilty of a misdemeanor:

- (1) To sell, rent or lease, or cause to be sold, rented or leased, for any value or consideration, any preferential parking permit;
- (2) To buy or otherwise acquire for value or use any preferential parking permit;
- (3) To falsely represent himself or herself as eligible for a parking permit or to furnish false information in an application for a permit;
- (4) To copy, reproduce, or otherwise bring into existence a facsimile or counterfeit parking permit, or to alter a parking permit;
 - (A) To display a Residential or Merchant Parking Permit in a vehicle other than the vehicle for which such Permit was issued; or

(B) To remove chalk marks placed on tires by the Police Department.

(b) Violation of any of the provisions of the foregoing paragraph shall constitute a misdemeanor punishable as set forth in section 1.05.010 of the Colma Municipal Code and a public nuisance subject to the provisions of Subchapter 2.01 of Chapter One of the Colma Municipal Code (section 2.01.010, et seq). In addition to any other remedy provided by law or ordinance, upon proof of a violation of this ordinance, the Town may revoke all preferential parking permits issued to the dwelling unit in which the person who violated this ordinance resided or the place of business in which the person who violated this ordinance is employed.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07;

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07]