

DIVISION 2. PARKING METERS

Sec. 118-121. Establishment of zones.

The town manager is authorized to establish and alter zones to be known as parking meter zones upon such streets of the town as are selected for the location of such zones, and in such parking meter zones the town manager shall cause parking meters to be installed and shall cause parking meter spaces to be designated.

(Code 1982, § 11-42)

Sec. 118-122. Manager to acquire and maintain.

The town manager or his or her designee is hereby directed to provide for the installation, regulation, control, operation and use of the parking meters provided for in this division and to maintain such meters in good workable condition after approval of the location of the parking meters by the town council and in accordance with the purchasing procedures of the town.

(Code 1982, § 11-43; Ord. No. 10-2011, § 10, 4-12-11)

Sec. 118-123. Placement and use; time indicators.

Parking meters and or parking space identification numbers installed in the parking meter zones established as provided in section 118-121 shall be placed upon the curb or sidewalk immediately adjacent to the curb within each parking meter zone. Each parking meter shall be placed or set in such manner as to show or display its signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed, upon the deposit of U.S. currency or credit card therein and then putting into operation the meter, shall by signal indicate the legal parking for that period of time conforming to the limit or parking time that has been or may be established for that area or zone of the street upon which such parking meter is installed, and shall continue to operate from the time of the deposit of such coin therein until the expiration of the time fixed as the parking limit for the part of the street upon which such meter is placed, and thereafter shall be so arranged that upon such expiration of such legal parking time it will indicate that the lawful parking period has expired.

(Code 1982, § 11-44; Ord. No. 10-2011, § 11, 4-12-11)

Sec. 118-124. Markings to designate spaces.

The town manager is instructed to have lines and/or numbers and/or markings painted or placed upon the curb and/or upon the street adjacent to each parking space for the purpose of designating the parking space for which the meter is to be used, and each vehicle parked alongside of or next to any parking meter or parking space marking shall park within the lines or markings so established. It shall be unlawful and a violation of this Code to park any vehicle across any such line or marking or to park such vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

(Code 1982, § 11-45; Ord. No. 10-2011, § 12, 4-12-11)

Sec. 118-125. Reserved.

Editor's note(s)—Ord. No. 10-2011, § 13, adopted April 12, 2011, repealed the former section 118-125 in its entirety, which pertained to the position of vehicle in relation to meter, and derived from the Code of 1982, § 11-46.

Sec. 118-126. Duty to operate meter.

When any vehicle shall be parked in any space within a parking meter zone established in accordance with the provisions of this division, the operator of the vehicle shall upon entering the parking space immediately deposit U.S. currency or credit card in such parking meter and shall put the meter in operation according to directions; and failure to deposit payment and to put the meter in operation shall constitute a breach of this article and shall subject each person to the penalty prescribed in section 118-133. The parking space may then be lawfully occupied by such vehicle during the period of parking time prescribed for the part of the street in which the parking space is located. If such vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its sign show illegal parking; and such vehicle shall be considered as parked overtime and beyond the period of legal parking time. The parking of a vehicle overtime or beyond the period of legal parking time shall be a violation of this division and punished as hereinafter set out.

(Code 1982, § 11-47; Ord. No. 10-2011, § 14, 4-12-11)

Sec. 118-127. Expired meter.

- (a) *Prohibited.* It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in the name of such person to be parked overtime or beyond the period of legal time established for any parking meter zone or for any parking area for which the length of time of parking is regulated.
- (b) *Penalty.* The civil penalty for parking overtime in violation of subsection (a) shall be as set forth in section 118-92, as may be amended from time to time. Failure to pay such penalty within the time provided in section 118-133 shall result in an additional delinquency penalty to the violator in the amount established or amended by resolution of the town council. Failure to pay the full penalty within 14 days of notice of such obligation may result in a summons being issued ordering and directing the violator to appear in county court, or civil proceedings may be commenced to effectuate collection. The violator shall be responsible for all costs incurred by the town to enforce the provisions of this section.

(Code 1982, §§ 11-48, 11-49; Ord. No. 18-00, § 3, 8-8-00; Ord. No. 11-04, § 1, 7-13-04; Ord. No. 14-07, § 3, 8-14-07; Ord. No. 10-2011, § 15, 4-12-11; Ord. No. 18-2018, § 2, 10-9-18)

Sec. 118-128. Service charge for nonpayment of parking violation penalties.

- (a) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 60 days of issuance of the parking violation shall result in a service charge to the violator per citation in addition to the cost of the violation and delinquent penalty. The service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.
- (b) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 90 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The additional service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

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- (c) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 120 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The additional service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(Code 1982, § 11-49.1; Ord. No. 18-00, § 4, 8-8-00; Ord. No. 10-2011, § 16, 4-12-11; Ord. No. 18-2018, § 2, 10-9-18)

Sec. 118-129. Allowing vehicle to remain overtime in metered space.

It shall be unlawful and a violation of the provisions of this division for any person to permit a vehicle to be or remain in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

(Code 1982, § 11-50)

Sec. 118-130. Reserved.

Editor's note(s)—Ord. No. 10-2011, § 17, adopted April 12, 2011, repealed the former section 118-130 in its entirety, which pertained to slugs or substitutes for United States coins prohibited, and derived from the Code of 1982, § 11-51.

Sec. 118-131. Injuring, tampering with.

It shall be unlawful for any person to deface, injure, tamper with, open, or willfully break, destroy or impair the usefulness of any parking meter or parking space marking installed under the provisions of this division.

(Code 1982, § 11-52; Ord. No. 10-2011, § 18, 4-12-11)

Sec. 118-132. Metered parking fees.

Hourly fees for parking in metered spaces may be established by the town and collected from users of metered parking locations within the corporate limits of the town, as recommended by the town manager and approved by town council resolution.

(Code 1982, § 11-52.1; Ord. No. 10-2011, § 19, 4-12-11)

Sec. 118-133. Violations, penalty.

- (a) It shall be the duty of police officers and parking enforcement personnel of the town, acting in accordance with instructions issued by the chief of police, to report:
- (1) The number of each parking meter that indicates that the vehicle occupying the parking space is or has been parked in violation of any of the provisions of this division.
 - (2) The state license plate number of such vehicle.
 - (3) The length of time during which such vehicle is known to have been parked in violation of any of the provisions of this division.

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- (4) Any other facts or knowledge which is necessary to provide a thorough understanding of the circumstances pertaining to such violation.
 - (b) Each such police officer or parking enforcement officer shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provision of this division and instructing such owner to report to the finance department of the town in regard to such violations.
 - (c) Each such owner shall, within 14 calendar days of the time when such notice was attached to such vehicle, pay to the finance department as a penalty for and in full satisfaction of such violation an amount as specified by the town council. The failure of such owner to make such payment to the finance department within 14 calendar days shall render such owner subject to the penalties provided in section 1-14."

(Code 1982, § 11-53; Ord. No. 10-2011, § 20, 4-12-11; Ord. No. 18-2018 , § 2, 10-9-18)

Sec. 118-134. Disposition of revenue.

The U.S. currency or credit card charges required to be deposited in parking meters as provided in this division are levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and to cover the cost of the supervision, inspection, installation, operation, maintenance, control and use of the parking spaces and parking meters described in this division and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created by this division.

(Code 1982, § 11-52; Ord. No. 10-2011, § 21, 4-12-11)