

AMENDMENT TO CHAPTER 15 – MOTOR VEHICLES AND TRAFFIC

CHAPTER 15

ARTICLE I. – IN GENERAL

Parking Definitions:

Sec. 15.10.010 (Add to existing definitions in Article I)

Downtown Parking Meter Zone.

Downtown Parking Meter Zone refers to all parking spaces located on-street and in any off-street parking facility owned or operated by the Town located within the geographic borders of Los Gatos-Saratoga Road to the north, Tait Avenue to the west, Highway 17 to the east and south. This zone shall also include East Main Street from Highway 17 to Los Gatos Boulevard and within 1 block of all intersecting streets.

Parking Meter.

Parking meter is any device that accepts payment for use of parking spaces. Such devices include, but are not limited to, parking meters, pay-by-space devices, pay-by-plate devices, pay-on-foot devices, pay-and-display devices and any software application that processes payments from a mobile computer device such as a mobile phone for the purpose of controlling the period of time a parking space is occupied by any motorized vehicle.

Pay-to-Stay Zone.

Pay-to-Stay refers to an area where all parking spaces require the payment of a fee to continue parking a motorized vehicle beyond the initial posted free parking period.

ARTICLE IV. – STOPPING, STANDING AND PARKING

DIVISION I - GENERALLY

Parking Code Changes or Additions:

Sec. 15.40.087 Establishment of Pay-To-Stay Parking Meter Zones

- (a) The Downtown Parking Meter Zone is established as a parking meter zone or pay-to-stay zone. The Director of Parks and Public Works is authorized to direct the installation of parking meters in those streets or parts of streets or in any off-street parking facility owned or operated by the Town within the Downtown Parking Meter Zone where it is determined on the basis of an engineering and traffic investigation that the installation of parking meters will be necessary to regulate parking.

(b) The rate of parking fees for the use of a metered or pay-to-stay parking space in the Downtown Parking Meter Zone shall be between zero dollars (\$0.00) and five dollars (\$5.00) per hour.

(c) Failure to observe the restrictions imposed or failure to pay the amount so required shall be a violation of this chapter

(d) Time of Operation

Where parking meters are installed pursuant to this article, the parking of vehicles shall be regulated during such hours and on such days as established by Town Council resolution. Time of operation shall be in effect only after appropriate signs or markings are in place giving notice or through information provided by the parking meter.

(e) Deposit of Fees

The operator of a motorized vehicle who stops, leaves standing or parks a vehicle in a parking space in the Downtown Parking Meter Zone shall immediately thereupon deposit fees in an adjacent or nearby parking meter. The operator of a motorized vehicle, after making a proper deposit of fees, shall set into operation the timing mechanism of the parking meter. Parking fees may be deposited with United States Treasury coins and currency, credit cards or electronic bank debit. No person shall deposit or cause to be deposited in any parking meter any defaced or bent coin, or any slug, metallic device, any forged or defaced bill or other substitute of US coin or currency. No person shall deposit or cause to deposit any fraudulent credit or electronic bank debit card information.

(f) Parking After Time Has Expired

It shall be a violation of this chapter for the operator of a motorized vehicle to permit such vehicle to remain stopped, standing or parked in any parking spaces after the initial free parking period has ended and the pay-to-stay parking period has expired other than such time necessary to operate the parking meter immediately after the initial parking of the vehicle.

(g) Prima Facie Presumption

The stopping, standing or parking of a motorized vehicle in a space in which the parking meter indicates by display or signal that time has expired shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand longer than the period permitted by this article.

(h) Damaging, Destroying, Defacing,... A Parking Meter

It shall be unlawful for any person to deface, injure, tamper with, open without authorization, willfully break, destroy or impair the usefulness of any parking meter.

(i) Periodic Adjustment of Parking Meter Rates

The Town Council hereby adopts the following process for adjusting the Downtown Parking Meter Zone meter rates to manage the use and occupancy of the parking spaces for the public benefit in all parking areas within the Downtown Parking Meter Zone.

To achieve the goal of managing the supply of parking and to make it reasonably available when and where needed, a target range of 80%-95% occupancy is established for on-street and off-street parking with an initial starting rate of 85%. The Town Manager or their designee may adjust the target rate of occupancy based on survey data collected annually.

On at least an annual basis, the Town Manager or their designee shall survey the occupancy of all parking areas (on and off-street) in the Downtown Parking Meter Zone. To achieve the set occupancy rate, the Town Manager may raise or lower the parking meter rates within the Downtown Parking Meter Zone in increments of no more than one dollar (\$1.00) per hour within the rate range set forth within this article. The adjustments to the rates made pursuant to this section will become effective upon the programming of the parking meters for that rate and the proper posting of the rate. The current schedule of parking meter rates will be available at the Town Clerk's Office and on the Town's webpage. The Town Manager may also create incentive programs to encourage certain categories of parkers to use other areas of parking freeing the most convenient spaces for business customers.

(j) Preferential Residential Parking Permit Areas Exempted

Preferential residential parking permit areas located within the boundaries of the Downtown Parking Meter Zone are exempt from the provisions of this section and parking meters will not be installed in these areas.

(k) Specialized Parking Management Programs

The Town may adopt specialized parking management programs to meet the needs of the parking program which may include but is not limited to a Merchant Parking Validation Program.

(l) Use of Revenue

All parking meter revenues collected pursuant to the provisions of this chapter shall be deposited into a designated parking fund. All funds shall be used solely to support activities benefiting the Downtown Parking Meter Zone. The specific authorized uses of revenues shall be as follows:

- 1) For the purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and enforcement of the parking meters in the Downtown Parking Meter Zone.
- 2) For the purchasing, leasing, installing, repairing, maintaining, operating and removing of vehicle occupancy counting equipment, wayfinding equipment and signage for vehicles and pedestrians along with the supporting infrastructure in the Downtown Parking Meter Zone.
- 3) For the purchasing, leasing, acquiring, improving, operating and maintaining on and off-street parking facilities in the Downtown Parking Meter Zone.

- 4) For transportation and parking planning, marketing and education programs related to the Downtown Parking Meter Zone.
- 5) For public safety technologies directly related to the safety and security of the public within the Downtown Parking Meter Zone.
- 6) For purchasing, leasing, acquiring, maintaining and operating a courtesy shuttle primarily operating in the Downtown Parking Meter Zone.
- 7) For the purchasing, leasing, acquiring, installing, maintaining additional traffic safety and traffic control devices within the Downtown Parking Meter Zone.
- 8) For supporting bicycle masterplan, pedestrian masterplan and other alternative transportation modes that directly impact traffic and parking congestion in the Downtown Parking Meter Zone.