

## **PARKING POLICY HIGHLIGHTS – 12 Aug 2012**

Initial draft proposals for both the new PARKING POLICY and TRAFFIC ORDINANCE UPDATES were discussed at the Town Planning Commission public hearing on Tuesday, July 31.

This revised version of the policy reflects feedback received at that public meeting and via other forms of communication.

This draft reflects additional information obtained in discussions with the Shepherdstown Police Department regarding Shepherdstown parking guidelines and local knowledge of past practice in Harpers Ferry.

It is important to note that the new Parking Policy is not part of the Town Ordinances (Town Law). It is designed as a stand-alone policy that can be modified and changed as time goes on.

The Parking Policy is designed to provide a fair parking framework to implement only when and where it is needed.

### **NO ONE IS REQUIRED TO PARTICIPATE IN A PARKING PERMIT PLAN**

A 1-year trial and study period with a policy is recommended before any formal adoption of policy details into the ordinances is considered.

Annual Residential Fees would be as follows (the fee structure and procedures are described in detail in the actual policy):

1. \$25 for the first permit at that residence
2. \$50 for the second permit at that residence
3. \$5 for annual guest permit
4. No additional fee for a handicapped assigned space

Parking without a valid permit in a space designated for permit users will result in a parking ticket issued by the Harpers Ferry Police.

Additional background material is included as an Appendix.

## HARPERS FERRY **DRAFT** PARKING POLICY

### GOAL OF THE **PROPOSED** PLAN

The goal of the plan is to have a street system that is safe to use with a minimum adverse impact on local citizenry. We seek to have an adequate amount of parking both on and off street for residents, tourists and workers. As needed, painted parking lines and signage will be employed to clearly delineate parking spaces and travel lanes.

No parking policy or plan will solve all parking issues. It will not please everyone and it will take cooperation to make it work. Given the community recognition of problems in limited areas of the town and adequate parking elsewhere, we seek a framework that can be applied as needed and where needed.

#### **- NO RESIDENT IS REQUIRED TO OBTAIN A PERMIT TO PARK -**

Residents can choose to “opt in” as needed. The framework exists in policy only, not regulation. Therefore, it can and will evolve as residents prefer over time.

Public on-street parking for non-commercial motor vehicles (hereafter referred to as motor vehicles) in safe, legal, available spaces will continue as it is today for residents, guests and visitors, as space allows. Again, no one will be required to obtain a parking permit and the procedures, herein, for controlling use of public parking spaces will be aimed at locations where safety is a consideration and demands for scarce parking are high. The establishment of special parking spaces for residents and guests will only be initiated at the request of residents in that immediate area.

**Off-street parking on private property is encouraged.** It is hoped, that those with off-street parking, or the ability to create it, will not compete with neighbors who do not have off-street parking and no ability to create it.

**On-street parking is needed.** The Town recognizes the need for sufficient and safe parking for motor vehicles on the public right-of-way, particularly for those that have little or no other alternative. On-street parking spaces will be marked on the roadway and further identified with “Residential Permit Parking Only” signage where sufficient off-street parking on private property is not available. It may not always be possible to designate a parking space directly in front of a resident's home although every effort will be made to do so for handicapped residents wherever feasible.

**No Parking zones established.** In order to improve safety and traffic flow for all vehicular and pedestrian traffic, certain zones will be posted as No Parking at Any Time. Typically, this will be undertaken on one side of streets in locations where a parked motor vehicle - on either of both sides - would rest in whole or in part upon the paved right-of-way used by the traffic. In other words, a street that requires parked vehicles on both sides to intrude upon the paved right-of-way

could have one side designated as “No Parking” to improve both pedestrian safety and traffic flow as determined by the Harpers Ferry Police Department (HFPD) in consultation with the Planning Commission who must agree. The inventory of no parking zones will be noted on the parking map and records of the Planning Commission and the Police Department. These zones are in addition to particular locations which may be designated as “No Parking” for other purposes.

**Limited safety turn-out passing zones will be established** on narrow single lane roads - on advice of the HFPD with concurrence of the Planning Commission - for the safe passage of two vehicles meeting face-to-face.

**New residential dwelling construction** and major renovations of existing dwellings shall provide off street parking in accordance with the following guideline, to the extent feasible as determined by the Planning Commission within 45 days of receiving an application for the project. The Commission’s decision shall be final.

Guideline: Residential off-street parking is required to provide no less than a single parking space for each bedroom in the dwelling on that property up to a maximum of five spaces.

**The use of paper streets** and other publically-owned property to allow access for off- street parking on private property will be encouraged, if feasible, and is to be determined by written request to the Planning Commission whose determination in consultation with the Chief of Police shall be final. This approval will be noted on the parking map and records of the Commission and the Police Department as converting that portion of the paper street into a segment of the road system of the Town. Such permission does not convey permanent nor exclusive use for that purpose since it will remain a public property. Improvements and maintenance to sustain this use will be agreed upon by the Planning Commission and the user(s).

**The loading and unloading of goods, wares and merchandise** from any motor vehicle is restricted to such length of time as is reasonably necessary for the purpose of loading and unloading. For the purpose of enforcement, such loading or unloading of any motor vehicle shall not be considered as parking. The use of the public streets and alleys of the Town for the purpose of loading and/or unloading of motor vehicles shall be enforced by the Harpers Ferry Police Department. As the purpose of this policy is to facilitate the flow of traffic through the Town in order to lessen congestion and to ensure the safety of the traveling public, the Police Department shall have discretion to balance the needs of a resident or of a commercial, business, office or dining establishment in the loading and unloading of goods, wares and merchandise and the convenience and safety of the traveling public on the public streets and alleys of the Town.

**Enforcement and consistency with other Parking Ordinances and Provisions -**

This policy and associated procedures shall be strictly and fairly enforced by the Police Department in accordance with the ordinances of Harper Ferry. The provisions of this policy shall not be deemed to be in conflict with any other ordinance otherwise limiting parking or providing for special privileges for special occasions. Ordinances regarding illegal parking of

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vehicles that are not fully operable, inspected and registered will be fully enforced in accordance with Town and WV ordinances, henceforth.

**Study Period adopted.** It is the intention of Council to study the operation of this residential parking permit policy for a period of one year from 1 January 2013 and to allow a 90 day initial trial period wherein the provisions are enforced by notification of violation, but all penalties are to be waived during the trial. For the purposes of this trial period (1 October to 31 December 2012), permits issued for the year following 1 January 2013 shall be considered valid.

After 30 September 2013, the Council will consider petitions by persons seeking to have modifications to this policy and/or procedures. Notwithstanding the aforesaid petition process, the Council also may, on its own initiative at any time, modify the policy and/or procedures as well as designate additional streets or portions thereof as residential parking permit zones and may also delete any streets or portions of streets as residential parking permit zones. At some future date, consideration will be given to incorporate the policy and procedures in the Town's ordinances, as deemed necessary.

## **RESIDENT PARKING PERMIT FEE STRUCTURE AND PROCEDURES**

The annual fees for resident permits shall be as follows with a limit of two resident permits per household:

- \$25 for the first permit at the residence
- \$50 for the second
- \$5 per year for a guest permit
- No additional charge for assigning handicapped spaces (with proper WV documentation)

Two types of residential parking permits may be issued for motor vehicles:

- Residential permit - a decal permit affixed to the left side of the rear bumper of the vehicle authorized to display the same. Decals will clearly indicate the period of validity. An individual may have only one residential permit. A residence (single address) may have no more than two permits.
- Guest Permit - a placard hanging type permit for residents' visitors usable for three days maximum indicating the address of the permit holder. This must be clearly displayed from the rear view mirror and seen through the windshield. Guest permits may only be issued to the holder of a residential parking permit and are limited to one per residence. Use of a guest permit entitles the visitor to use the space of a resident permit holder who must park elsewhere (in a non permit space) during its use.

**Application Procedure** - Persons eligible for residential parking permits shall make application to the police department on forms supplied by the department, and pay the fee at that time. All permits shall be issued on an annual basis, beginning January 1 and ending

December 31. There will be no refunds or prorating of fees for a partial year. The Police may require satisfactory proof of all information set forth on an application.

The application for resident permits shall contain the following information:

- Name and physical address of the applicant for which the permit is sought.
- Driver's license number of the person for which the permit is sought.
- Name and physical address of the owner of the motor vehicle for which the permit is sought, if different.
- Make, model and valid registration (license plate #) of the motor vehicle and proof of a current inspection sticker.
- Any other information required by the Town of Harpers Ferry or the Police Dept.

The application for guest permits shall contain the following information:

- Name and physical address of the applicant and the name(s) of permit holders at that address.
- Any other information deemed necessary by the Town of Harpers Ferry or the Police Dept.

**Upon receipt of the application with permit fee** and a determination that the information upon the application indicates that the applicant is entitled to the requested permit, the Police Department shall issue the same which shall be valid until December 31st next following. The permit shall be renewable at any time prior to its expiration date for a period of one year beginning on the day following its expiration date so long as the Police Dept. is satisfied that there have been no changes in the information set forth on the original application. The original application must be noted for each renewal period.

In consultation with the Police Department, the Planning Commission shall establish and maintain a map and inventory of residential parking spaces such that the number of designated resident permit parking spaces is equal to or exceeds the number of residential parking permits issued. If no further spaces can be safely designated, no more permits may be issued by the Police Dept and a procedure for allocating available spaces must be developed by the Planning Commission and approved by the Town Council.

**Disposal of a Permitted Motor Vehicle** - If a person to whom a permit is currently issued sells or otherwise disposes of the motor vehicle for which that permit has been issued, such person shall remove the decal permit and return it to the Police. If such person replaces that vehicle with another during the valid period of such permit, the Police shall, on update of the application, issue a replacement permit of the same type for that motor vehicle for the balance of the period without another application fee being paid.

**Forfeiture of Permit** - The Police Dept. may declare a residential parking permit to be forfeited for repeated violation of this policy and procedures by requiring, in writing, the permit be delivered to the Police Department. Upon such notice the permit shall be considered invalid.

## **ON-STREET PAY PARKING FEE STRUCTURE AND PROCEDURES (“Metered”)**

**Paid Parking Zones and Time Limits** – In consultation with the Police Department, the Planning Commission shall establish and maintain a map of paid parking zones following a public hearing on the adoption of all new zones. This will include a determination of time limits in each zone or space, as needed. The rate shall be \$1 per hour or fraction thereof.

**Placement and Characteristics of Parking Payment Devices** – Kiosks shall be installed in the paid parking zones established above and where installed shall be placed upon the sidewalk or roadside convenient to the individual paid parking spaces. By cash, credit or debit the kiosk shall issue a receipt showing the expiration time for the amount of parking time purchased. This receipt shall be placed on the left side of the dashboard in plain sight through the vehicle windshield. Multiple receipts cannot be used to exceed the time limit of that space for a particular vehicle.

**Vehicles to be Parked Wholly within Marked Spaces** - Lines and/or markings shall be placed upon the curb, sidewalk and/or street adjacent to each parking space for the purpose of designating the parking space for which a kiosk receipt is to be used. The Town or its designated agents or employees shall do the marking and designation of parking spaces. Each vehicle parked in a parking space so designated shall be parked wholly within the lines or markings so placed. It shall be unlawful to park any vehicle in such a position that such vehicle shall not be wholly within the area so designated by such lines or markings and the Police Department is authorized and directed to enforce this requirements.

## Appendix - Parking policy and ordinance update background – X Aug 2012

Parking in Harpers Ferry has been a recurring issue mostly at certain times of year and in particular locations. In 2004 a major study was undertaken, focused largely - but not exclusively - on Lower Town, and has been incorporated into the 2007 Comprehensive Plan with some progress to date. This Planning Commission proposal attempts to address many of the remaining issues while maintaining consistency with WV codes and community preferences. **Note: Recent increase of Park fees may exacerbate parking problems around Town as a whole.**

**2007 Comprehensive Plan Goal** = “To have an adequate amount of parking, both on and off street, for residents, visitors, and workers”. Relevant Objectives from that CP Goal are:

- ✓ Incorporate applicable parking recommendations from the 2004 Traffic and Parking Management Survey.....
  - replace on-street parallel parking with angled parking,
  - ✓ institute pay parking,
  - ✓ publicize new parking rules, and
  - ✓ where feasible, mark side streets with parking spaces to provide for extra parking and to slow traffic, while providing a clearly marked and safe area for pedestrians to walk
- ✓ Evaluate the zoning ordinance for possible requirements and standards for off-street parking in conjunction with new development.

**All checked items above will be addressed by adoption of the proposed approach.**

### In 2011 Council directed the PC to conduct a Parking Survey & Hearing

**Results summary** [from limited responses (10) & attendees ( 6), respectively]:

- Clearly recognized parking problems exist in Lower Town
- Spotty problems exist elsewhere
  - most issues resolved among neighbors
  - few unresolved situations (where parking is scarce)
- Mixed response about a need for new (complex) policies & procedures
- Any new regulations should be enforced by the Town police

**Initial draft proposals for both the policy and the relevant traffic ordinance changes were discussed at a PC hearing on 31 July.** This version of both documents reflect feedback received there and by other submissions (i.e., emails). The current policy version is simplified and more closely follows earlier policies in Harpers Ferry.

**Approach taken by PC** - PC and Police Dept collaborated closely on the Policy & Procedures as well as with the ordinance updates.

**Ordinances:** Started with WV Municipal League Traffic ordinance (to insure latest WV codes) and added back any sections in HF code not found in the template. This ought to simplify future updates.

- Proposed changes to these source ordinance documents are shown in yellow highlight.
- Added several sections in parking ordinances to achieve above CP objectives (also highlighted)
- Details of parking policies & procedures are NOT embedded in Code (retains flexibility).

**An official Parking Policy:** Separate document from the ordinances and arranged as a 1+ year trial & study before possible (formal) ordinance changes. Meanwhile policy changes are much simpler.

- **Noone is required** to have a permit to park where they park today (its an “opt in” plan)
- Provides a framework to implement where & when needed to alleviate problems or improve safety.
- Require new construction & major renovations to provide offstreet parking, if feasible.

Most **existing practices not changed** unless requested by residents

- Change #1 = residential parking requires a valid permit (for a fee) & new signs
- Change #2 = selected parking restrictions to 1 side of a street (safety issue), where needed