

320.14 Designated parking reserved for residential permit holders only.

- (a) Town Council or its designee is hereby authorized to designate, regulate and mark as reserved certain parking spaces for permitted residential use only.
- (b) Town Council or its designee is hereby authorized to issue residential parking permits to qualified residents of the Town pursuant to the policy and procedures enacted by Town Council.
- (c) No person shall stop, stand or park any vehicle within or obstructing a parking space designated for residential use without displaying a valid residential parking permit in accordance with policy and procedures for such permits. Such policy and procedures shall be made available at the Police Department.
- (d) Any vehicle parked in violation of the provisions of this section shall be subject to citation and penalties pursuant to this Code. A separate violation shall occur for each day a vehicle without a valid parking permit is left in a designated space or upon return to such a space at any time.
- (e) It shall be a violation of this section for any person to submit incorrect information on an application for a permit or in seeking a renewal thereof.
- (f) It shall be a violation of this section for any person to use or display a permit or to make available or allow its use or display, in or on a vehicle not authorized or entitled to use or display the same.
- (g) The Police Department may declare a residential parking permit to be forfeited for repeated violation of parking ordinances, policy or procedures by requiring, in writing, the permit be delivered to the Police Department within 30 days. Such notice may be appealed to the Town Council within the 30 days. Upon such notice and absent appeal within 30 days, the permit shall be considered invalid without refund.
- (h) Permit holders may not use permit spaces for storage of permitted vehicles for longer than five days, except by written permission of the Chief of Police (i.e., residents on vacation).
- (i) Any person found in violation to the provisions of this section shall be subject to a fine of not more than Fifty Dollars (\$50.00); Upon second conviction thereof, not more than One Hundred Dollars (\$100.00); Upon third violation thereof, not more than One Hundred and Fifty Dollars (\$150.00). Fines collected pursuant to this section shall be deposited in the Town's General Fund.
- (j) In any hearing on a charge of violation of this section, testimony that a vehicle bearing a certain license plate was found unlawfully parked, and further testimony or records from the West Virginia Department of Motor Vehicles or a similar agency in another state shows that the license plate is issued to the Defendant shall be prima facie evidence that the unlawfully parked vehicle was so parked by the Defendant.
- (k) The Chief of Police is hereby authorized to cause the removal of an unattended vehicle parked in violation of this section. Removal shall be to a garage or other place of safety. The owner of a removed vehicle shall be responsible to the persons removing said vehicle for all removal costs. The Chief of Police shall ensure notice of removal is shared with any and all interested law enforcement agencies. (Ord. 2013-01, passed 02-11-2013.)