

LOCALLY DETERMINED RESIDENTIAL PERMIT PARKING ON PUBLIC STREETS

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10.46.010 Purpose.

The Laramie city council finds:

- A. There are residential areas within the city which are near or adjacent to the campus of the University of Wyoming, and which are unduly affected by commuters who attend, visit, or are employed by the University.
- B. Persons employed upon or using the University campus frequently park their vehicles on nearby residential streets, resulting in serious problems for the residents. Within the area described in this chapter, there is a heavy concentration of commuter vehicles which are parked all day and in the evening, creating blighted or deteriorated residential areas. These vehicles cause congestion on residential streets, impede the movement of traffic, and unduly restrict entry of residents to their homes.
- C. This chapter will help to protect children and other pedestrians from bodily injury.
- D. This chapter will help to protect real and personal property from damage by reducing hazardous traffic conditions caused by the heavy use of residential streets by nonresidents and transients.
- E. This chapter will help to protect those residential areas from polluted air, excessive noise, and trash and refuse caused by the presence of such vehicles.

- F. This chapter will help to promote efficiency in the maintenance of those streets in a clean and safe condition; to preserve the residential character of those areas; and will reduce dangers arising from the blocking of fire lanes, hydrants and other facilities required by emergency vehicles.
- G. This chapter will help to facilitate the movement of traffic in the event of accidents and disasters; and will protect the residents of those areas from unreasonable burdens in gaining access to their residences caused by long-term storage parking by persons not residing within the areas.
- H. A residential permit parking ordinance is necessary to promote the general health, safety, welfare and integrity of those residents and residential areas.
- I. This chapter is designed to allow a locally initiated permit system to allow residents of the areas described below to determine the character and use of their own neighborhoods.
(Ord. 1142 § 1, 1998).

10.46.020 Definitions.

"Block face" means the side of a platted block between right-of-way lines of intersecting streets. For the purposes of this chapter, a reverse corner lot (a corner lot having its side street line substantially a continuation of the front lot line of the first lot to its rear) is considered as a part of the block face where the street address of the property is located.

"City manager" refers to the city manager and to any person to whom the city manager delegates authority under this chapter.

"Commuter vehicle" means a motor vehicle parked in a residential area by a person not a resident thereof and who is attending, employed by, or doing business at the University of Wyoming.

"Opposite block faces" means block faces which face each other, entirely or partially, across the same street.

"Parcel" for the purposes of this chapter means a platted lot, parcel described by metes and bounds, or combination of fractional or complete platted lots, under common ownership.

"Residential areas" means contiguous or nearly contiguous areas containing public streets or parts thereof primarily abutted by residential property or residential and nonbusiness property such as schools, parks, and churches.

(Ord. 1142 § 2, 1998).

10.46.030 Applicability.

This chapter applies to all public streets within the following described areas within the city:

Area A:

Beginning at the intersection of the north right-of-way line of Gibbon Street with the west right-of-way line of 9th Street;
thence easterly along the north right-of-way line of Gibbon Street to the east right-of-way line of 15th Street;
thence southerly along the east right-of-way line of 15th Street to its intersection with the projected south right-of-way line of Lewis Street;
thence westerly along the south right-of-way line of Lewis Street to the west right-of-way line of 9th Street;
thence northerly along the west right-of-way line of 9th Street to the north right-of-way line of Gibbon Street, which is the point of beginning.

Area B:

Beginning at the intersection of the north right-of-way line of Gibbon Street with the west right-of-way line of 5th Street;
thence southerly along the west right-of-way line of 5th Street to its intersection with the south right-of-way line of Kearney Street;
thence easterly along the south right-of-way line of Kearney Street to its intersection with the west right-of-way line of 15th Street;
thence southerly along the west right-of-way line of 15th Street to a point where it intersects the south right-of-way line of Kearney Street (east of 15th Street) projected westerly;
thence easterly along the south right-of-way line of Kearney Street to the east right-of-way line of 17th Street;
thence northerly along the east right-of-way line of 17th Street to the south right-of-way line of Rainbow Street;
thence easterly along the south right-of-way line of Rainbow Street to the west right-of-way line of 18th Street;
thence northerly along the west right-of-way line of 18th Street to the centerline of the alley between Custer Street and Rainbow Street;

thence easterly along the centerline of the alleys between Custer Street and Rainbow Street to the east right-of-way line of 20th Street;
thence northerly along the east right-of-way line of 20th Street to the centerline of Grand Avenue;
thence westerly along the centerline of Grand Avenue to the centerline of 15th Street;
thence northerly along the centerline of 15th Street to the centerline of Ivinson Street projected easterly;
thence westerly along the centerline of Ivinson Street to the east right-of-way line of 9th Street;
thence northerly along the east right-of-way line of 9th Street to the north right-of-way line of Gibbon Street;
thence westerly along the north right-of-way line of Gibbon Street to the west right-of-way line of 5th Street, which is the point of beginning.

(Ord. 1410 § 1, 2003; Ord. 1310 § 1, 2000; Ord. 1142 § 3, 1998).

10.46.040 Initiation.

A. Application by Owner/Resident.

1. Any person who wishes to establish a residential permit parking district shall submit an application to the city on a form approved by the city engineer. The application shall be accompanied by the fee established by this chapter.
2. The application must be signed by more than sixty percent of the owners and residents (as determined according to the count allocation procedure described below) within the area for which designation is sought. A person's signature upon the application indicates approval of establishing the district designated in the application and shall be counted in accordance with the method of allocating counts adopted in this chapter.
3. An application must be for an area of at least one-half block face. No application may contain a fraction of less than one-half of a block face.
4. a. An application for a block face within Area A which is opposite the main campus of the University of Wyoming may include the University frontage on the other side of the street between the centerlines of intersecting side streets. Such an application is treated as an application for two opposite block faces.

- b. An application on behalf of any property within Area B which faces upon Grand Avenue may include property on the adjacent or nearest side of the closest intersecting north-south street.
- c. The owner or occupant of property which faces upon Grand Avenue and is not adjacent to any intersecting street is entitled to parking permits in any district formed upon the same block.
5. Each person signing an application hereunder shall provide proof of ownership (if signing as an owner) or proof of residency (if signing as a resident). Proof of ownership may be any document which in the opinion of the city attorney reasonably establishes that the person signing is the owner of the property for which he/she is voting. Proof of residency may be a signed lease, utility bills for at least two billing periods, or other documentary evidence which in the opinion of the city attorney reasonably establishes that the persons signing is a resident of the property for which he/she is voting.
6. The application shall contain this information:
 - a. The names and addresses of the applicants.
 - b. A description of the area for which designation is sought.
 - c. The name and address of each property owner within the proposed residential permit parking district.
 - d. The legal description and address of each parcel of property within the proposed district.
 - e. For each structure within the district that contains two or more separate living units, the address and all apartment numbers.
 - f. The valid signatures of at least sixty percent of the owners and renters determined in accordance with the count allocation method contained in this chapter.
 - i. Each signer shall write his/her name, address, and date of signing upon the application. Any name appearing on the application not conforming to the residency or ownership requirements at the time of submittal of the application, and any illegible names, shall be stricken and shall not be included in calculating the count. Any signer may withdraw his/her name by filing a signed request with the city manager before the count is completed. After the city

manager has completed the count, no name may be withdrawn.

- ii. Each application shall have appended thereto a certificate, signed before a notary public by the person who submits the application, stating, "I hereby certify under penalty of perjury that each signature on this application was signed by the person purporting to have signed the application."
 - g. The days of the week during which parking within the district shall be by permit only. Saturdays and Sundays may not be included. District permit parking hours shall be from six a.m. to six p.m. local time.
 - h. Such other information as is requested by the city manager.
 - i. If the application is not submitted within ninety days of the date the first signature was obtained, or is signed by less than sixty percent of the required signatures representing owners and residents of the proposed district, then the petition shall be denied.
7. a. An applicant who owns or occupies a lot located upon a corner of any block where there is not a residential permit parking district along the front line of the property may apply to have a residential permit parking district along the front line of the property may apply to have a residential permit parking district established on the side line of the lot.
 - b. The application may be granted if the city manager or his/her designee makes the required findings and if establishment of the district will not entitle the applicant to permits for districts on more than one block face.
 - c. If the side line of any property is included in any properly established residential parking district, the owner or occupant of that property may acquire a residential parking permit in that district.
 - d. An owner or occupant may hold a residential parking permit in a district which includes the property's front line, or the side line when allowed under this subsection, but not both.
- B. Allocation of Counts.**
1. Each parcel which has an address within a block face shall have two counts. (i.e., a house with an address of 501 with a basement apartment with an address of 501½ has a total of two counts. A building which has more than one living unit

which has a single address or more than one address has two counts regardless of the number of apartment units.)

2. If the parcel is renter-occupied, one count shall be allocated to the tenant and one count to the owner. If the parcel is not occupied, or if the owner's primary dwelling is on the parcel, the owner receives both counts. The owner of a vacant lot receives two counts.
3. If the parcel has frontage on the block but does not have an address that contains the street name for that block, the parcel does not count with that block face.
4. If a single parcel has more than one tenant, the tenant count shall be determined on the basis of the preference of a majority of all current tenants of the parcel (for example, if there are fifteen tenants, and eight sign the application, the tenant count for the parcel is in favor of the district).
5. The University of Wyoming is allocated two counts with respect to each block face which is opposite to any portion of its main campus, to be counted with any application which includes it. For University property in platted subdivisions outside of the main campus, the University shall be treated as any other owner.
6. A corporation, limited liability company, or partnership is allocated the count(s) of a natural person regardless of the number of persons who have ownership interest in the entity.
7. A parcel which is owned or occupied in any form of common ownership (joint tenancy, tenancy by the entireties, or tenancy in common) shall be counted as agreed between the common owners.
8. Fractional counts are not permitted.

C. Notice of Application.

Upon receipt of an application for designation of a residential permit parking district and payment of the required fee, the city manager shall cause a notice describing the area for which designation is sought to be mailed to the address of each parcel and to each owner shown upon the application. The city manager shall make a reasonable effort to cause the notice to be sent to each apartment in the proposed district.

D. Subsequent Applications.

For one year following the denial of an application upon the grounds that an inadequate number of valid signatures appeared

upon it, no new application for the proposed area or any portion thereof shall be accepted for filing. (Ord. 1416 § 2, 2003; Ord. 1410 § 1, 2003; Ord. 1310 § 2, 2000; Ord. 1142 § 4, 1998).

10.46.050 Administrative review of application.

A. City Manager to Review.

The city manager shall review the application for conformity with this chapter and shall issue an order denying or granting the application and establishing the residential permit parking district as applied for. An order denying an application shall contain findings setting forth reasons, which may include but are not limited to an incomplete application, failure to contain the required percentage of signatures, failure to establish proof that signatures are valid, or failure to meet all of the criteria set forth in subsection B of this section. A finding that the application has been reviewed and found to be in conformity with the policies and criteria set forth in subsection B of this section is sufficient for the city manager to approve the application and establish a residential permit parking district for the proposed area.

B. Criteria for Approval.

Approval of an application for establishment of a residential permit parking district shall be based on consideration of the following criteria:

1. The desire or need of residents of the area for establishment of permit parking zones.
2. The application in all respects conforms to the requirements of this chapter.
3. The ability of the city to recover costs associated with the establishment of the permit parking district through permit fees and fines for parking violations within the district.
4. Whether the valid signatures upon the petition constitute sixty percent of the owners and residents determined according to the allocation of counts set forth above.
5. Whether there is consistently a significant amount of long-term or spillover parking from the University of Wyoming.
6. Whether residents frequently find it difficult to park on-street within close proximity to their residences.
7. The proximity of adequate public transportation to the area.
8. The local and area-wide needs with respect to clean air, and the requirements of federal and state laws and regulations.

9. Whether the designation may result in a reduction in total vehicle miles driven within the city.
10. The district is a minimum of one-half block face and is in a residential area.

If the city manager finds that the proposed district is not proper under the above criteria, he may refuse to establish the district or may reduce its boundaries.

(Ord. 1310 § 3, 2000; Ord. 1142 § 5, 1998).

10.46.060 Establishment of district.

If the city manager finds that the criteria for approval have been met, he shall order that the district be established. The city manager shall place, replace, repair, maintain and remove signs designating residential parking districts established under this chapter. Upon placement of signs designating the district, formation of the district is complete.

(Ord. 1142 § 6, 1998).

10.46.070 Parking permits.

A. Application.

A person who resides in a residential parking district and who desires to obtain a resident parking permit shall submit an application on a form prescribed by the city manager. The application shall contain:

1. The name, residential address and address within the district to which the permit pertains, of the applicant.
2. Acceptable proof of residence at an address within the district.
3. Evidence of valid registration of the motor vehicle for which the permit is sought.
4. Make, model, color and license plate number of the motor vehicle for which the permit is sought.
5. Such other information as the city manager shall require in order to determine that a permit should be issued under this chapter.

B. Ineligible Vehicles.

A resident permit shall not be issued for a motor vehicle that is not owned by the applicant or his or her parent or legal guardian. Only one resident parking permit may be issued per registered vehicle owned or operated by a person residing within the permit district.

C. Issuance of Resident Permit.

Upon receipt of a permit application and payment of the required fees, one permit for the requested motor vehicle shall be issued to the vehicle owner or operator who resides on or owns property within the designated area. The permit shall identify the residential permit parking district and shall contain the license number of the vehicle for which issued. Permits are not valid in any other permit parking area or for any vehicle other than the one identified thereon. Resident permits may not be transferred except as is provided in subsection E of this section.

D. Duration and Renewal of Permit.

Each permit is valid for a term of one year beginning September 1st and ending August 31st of the following year. Permits issued after the commencement of the term shall be for the unexpired portion of the term, with the fee to be prorated in one-month increments.

E. Transfer.

Permits may not be transferred from one vehicle to another unless the vehicle for which the permit was issued is sold or otherwise disposed of. If the holder of a valid permit returns the original permit to the city and provides the information required above in subsection A of this section, the city shall cancel the old permit and issue a permit for the new vehicle for the unexpired portion of the permit term.

F. Special Permits.

1. **Absentee Owner.** An owner of property within a designated residential parking district who does not reside within the district may purchase an annual permit or receive up to three temporary permits per calendar year. Requests for temporary permits must be submitted to the city at least two days before the anticipated use, and shall be accompanied by the required fees. The two-day period may be waived if the applicant satisfactorily demonstrates that circumstances would not permit an earlier notification.
2. **Guest Permits.** A resident of the district may apply for and receive temporary parking permits for guests. Guest permits shall contain a blank which the user shall fill in with the date of use in ink or indelible marker. A guest permit is valid for the date inserted. No more than six guest permits per parcel shall be outstanding at any one time. Guest permits shall not be used for commuter vehicles. The city manager may issue temporary visitor parking permits to residents and property

owners within the district for use of bona fide temporary visitors who do not live in Albany County, Wyoming, for a limited duration not to exceed thirty days.

- 3. Exemption Permits.** Individuals who perform or vehicles used in the performance of commercial services, repairs, emergency assistance, meals on wheels, physical therapy, or home health care for any resident living in the district, or for any property within the district, are exempt from the restrictions imposed by this chapter at such times as they are then performing or the vehicles in fact are then being used in such services or assistance. The exemption granted in this paragraph shall terminate immediately upon completion of the services or assistance. Service vehicles shall display a service vehicle permit while parked within the district. Nothing in this subsection shall prevent a resident owner of a service vehicle from obtaining a residential parking permit.
- 4. Business Invitee Permits.** Any person who maintains a lawful retail or service business within the district may obtain business invitee permits which are valid for that person's business invitees during the time that they are upon the business' premises. Business invitee permits shall contain a blank which the user shall fill in with the date of use in ink or indelible marker. A business invitee permit is valid for the date inserted.
- 5. University of Wyoming.** The University of Wyoming may obtain not to exceed two permits per fifty feet of University-owned public street frontage within the district. Curb cuts, alleys, and no parking areas shall be deducted in determining the street frontage. The University of Wyoming may receive business invitee permits, resident permits, absentee owner permits, and service vehicle permits, but is not eligible to receive quest permits.

G. Display.

Permits shall be displayed in the manner indicated on the permit whenever the vehicle is parked within the district. Guest and business invitee permits shall be placed over the support for an interior rear view mirror or in some other conspicuous place upon the vehicle so as to be visible to law enforcement personnel. The city manager shall determine the size, color, form, wording, and manner of display of the permits, and may make changes in those elements from time to time.

H. Authorization.

1. A permit issued under this chapter entitles the holder thereof to park the vehicle designated in the permit within the district, if the permit is properly displayed. The permit is valid for the vehicle designated in the permit and no other. Issuance of a residential parking permit does not guarantee or reserve to the holder an on-street parking space in front of or adjacent to a residence or property, or within the district.
2. Holders of valid permits are not restricted from on-street parking in front of, or adjacent to, other residents' property when otherwise permitted by law.
3. Neither this chapter nor any permit issued hereunder entitles the holder thereof to park or stand a motor vehicle in violation of any other parking or traffic laws or in violation of the lawful order of the police or fire department in an emergency. Specifically, and not as a limitation upon the generality of the previous sentence, chapters and statutes concerning snow and emergency routes and restrictions upon parking adjacent to property owned by another are not altered by this chapter.
4. Nothing in this chapter shall abrogate the scope of parking privileges granted disabled persons by the Laramie Municipal Code or state or federal statute.
5. Residents and owners of property within the district are not required to purchase or display permits, but if they do not do so, their vehicles are subject to posted parking restrictions and they may be cited for violations.
6. If more than one district is formed within the area described in Section 10.46.030, permits are valid in all districts within the sector in which the permit holder resides. Permits and guest permits issued for a district in any sector are not valid in any other sector.

I. Surrender. Each holder of a residential permit shall surrender the permit to the city at the time the holder is no longer a resident within the district. Holders of absentee owner permits and exemption permits shall surrender them when the circumstances which allowed them to obtain the permit no longer exist.

J. Revocation of Permit. The city manager may revoke the permit of any permittee found to be in violation of this chapter or any condition found in the permit. Notice of revocation may be delivered to the permittee by any reasonable means, including personal delivery and U.S. mail. The permittee shall surrender the permit to

the city immediately upon receipt of notice of its revocation. Failure to surrender a revoked permit shall constitute a separate violation of this chapter.
(Ord. 1417 § 4, 2003; Ord. 1142 § 7, 1998).

10.46.080 Violations.

No person shall:

- A. Falsely represent that he or she is entitled to a permit under this chapter;
- B. Fail to surrender a permit to which he or she is no longer entitled;
- C. Fail to display a permit properly;
- D. Park a motor vehicle within a permit parking district without displaying a valid permit for that vehicle;
- E. Park a motor vehicle within a permit parking district while it bears a permit to which the holder is not entitled;
- F. Counterfeit, alter or forge any permit issued under this chapter, or display or use a permit which has been counterfeited, altered or forged;
- G. Display a guest permit which does not contain the date of use inserted in ink or indelible marker;
- H. Display a guest or business invitee permit on which the inserted date of use is before or after the date of use;
- I. Park a motor vehicle within a permit parking district without displaying a valid permit for that vehicle to be parked in the sector in which the district is located.

(Ord. 1417 § 5, 2003; Ord. 1142 § 8, 1998).

10.46.090 Penalty.

Any person who is found guilty of violating any section of this chapter shall be fined in accordance with Section 10.36.350 of this code. Each day upon which a violation occurs is a separate offense. The court may, in its discretion, revoke and require the surrender of any permit which the court finds is counterfeit, altered, forged, or which was obtained through false representations or is in the possession of any person who is not entitled to it.
(Ord. 1436 § 10, 2004; Ord. 1423 § 1, 2003; Ord. 1142 § 9, 1998).

10.46.100 Fees.

The city shall charge the following fees:

- A. For filing an application to establish a residential parking district, no fee.
- B. For each application for an annual residential parking permit, twelve dollars.
- C. The first six guest permits issued with an annual residential parking permit are free. Thereafter, the fee is one dollar for each six guest permits.
- D. For each application for an absentee owner permit, five dollars for each temporary permit or twenty dollars for an annual permit.
- E. Service vehicle permits are free.
- F. Business invitee permits are free.
(Ord. 1142 § 10, 1998).

10.46.110 Repeal of district.

A permit parking district may be repealed in whole or in part (but not for less than one block face) in the same manner as is provided above for establishment of districts. Exception: The University of Wyoming is not eligible to repeal any portion of a district along its main campus frontage without the consent of a majority of the other then-current owners and residents of the district as originally established.
(Ord. 1142 § 11, 1998).

10.46.120 Exempt vehicles.

This chapter does not apply to police vehicles, fire department vehicles, sheriff's department vehicles, or ambulances while the driver thereof is on duty. This chapter does not apply to U.S. mail delivery vehicles while in use for the delivery of mail.
(Ord. 1142 § 12, 1998).