ORDINANCE NO. 3828

AN ORDINANCE AMENDING CHAPTER 10.68 OF THE EDMOND MUNICIPAL CODE, PARKING - GENERAL REGULATIONS; BY AMENDING SECTION 10.68.025 - OFF-STREET PARKING; REPEALING SECTION 10.68.050 - PENALTIES; REPEALING SECTION 10.68.060 - FIRE LANES, TOW-AWAY ZONES, NO PARKING ANYTIME ZONES AND PARKING AREAS FOR PHYSICALLY DISABLED PERSONS; PENALTIES; REPEALING SECTION 10.68.065 - TWO-HOUR OR ONE-HOUR PARKING ZONE; PENALTIES; BY AMENDING SECTION 10.68.140 - RESERVED PARKING FOR RECHARGING ELETRIC VEHICLES; BY ADDING NEW SECTION 10.68.150 PENALTIES FOR VIOLATIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Chapter 10.68 of the Edmond Municipal Code is hereby amended by amending Section 10.68.025 to read as follows:

Section 10.68.025 - Off-Street Parking.

(a) *Motor vehicles.* No operator or owner of any motor vehicle or trailer, no owner or person exercising dominion over any real property, shall park or allow the parking of any motor vehicle or trailer upon any real property in the City of Edmond except upon an artificial surface meeting adopted designed specifications.

1. Design Specifications for Artificial Surfaces are as follows:

a. A Portland Cement concrete pavement surface, four inches (4") thick minimum, wide enough to extend from side to side of the vehicles or trailers parked on said surface, and of sufficient length to extend from bumper to bumper of the vehicle parked on said surface; or

b. Asphaltic-concrete pavement of uniform thickness of two inches (2") meeting all other requirements in (1) above.

(b) *Exceptions.* The provisions of paragraph (a) of this section shall not be applicable in the following instances:

(i) As to real property carrying the zoning classifications of "G-A", "R-1", "R-2", or "R-3".

(ii) To real property under active construction and improvement pursuant to a duly-issued building permit.

(iii) To legally non-conforming off-street parking surfaces.

(iv) In any case where a variance from the provisions of paragraph (a) of this Section has been granted by the Board of Appeals of the City of Edmond.

(v) As to vehicles parked completely to the rear of the front wall of the main building on the subject property.

(c) *Commercial Vehicles.* All 18-wheelers, buses, dump trucks, vehicles in excess of two (2) tons or vehicles in excess of two (2) axles excluding recreational vehicles shall be prohibited from parking on any residentially zoned or used property, regardless of surface parked on.

(d) *Variances-procedures.* Any person may apply for, and the Board of Appeals may grant, a variance from this Section to any property in the City where, due to the particular circumstances of the case, the strict application hereof would result in undue hardship.

SECTION 2. Chapter 10.68 of the Edmond Municipal Code is hereby amended by repealing Section 10.68.050 to read as follows:

Section 10.68.050 - Penalties - Repealed.

SECTION 3. Chapter 10.68 of the Edmond Municipal Code is hereby amended by repealing Section 10.68.060 to read as follows:

Section 10.68.060 - Fire Lanes, Tow-Away Zones, No Parking Anytime Zones and Parking Areas for Physically Disabled Persons; Penalties - Repealed.

SECTION 4. Chapter 10.68 of the Edmond Municipal Code is hereby amended by repealing Section 10.68.065 to read as follows:

Section 10.68.065 - Two Hour or One Hour Parking Zone; Penalties - Repealed.

SECTION 5. Chapter 10.68 of the Edmond Municipal Code is hereby amended by amending Section 10.68.140 to read as follows:

(a) Designation of Reserved Parking Spaces for Electric Vehicles. The City Manager, or his designee is hereby authorized to designate, by the installation of appropriate signs, parking spaces for the exclusive use of recharging electric vehicles.

(b) Spaces designated as reserved for charging electric vehicles shall be clearly marked as such.

(c) Where signs designating a parking space for the sole use of charging electric vehicles are erected, no person shall park a vehicle upon any street, municipal parking lot, municipal parking garage, or portion of any street, parking lot, or parking garage so designated unless such vehicle is an electric vehicle and is connected to an electric charging station.

(d) A vehicle transporting a physically disabled person may be parked in an electric vehicle parking space, only under the following conditions:

(1) Where the motor vehicle has properly displayed official insignia issued by the Department of Public Safety identifying the vehicle as one used by or under the direction of a physically disabled person; and

(2) While in the act of loading or unloading physically disabled person.

(e) Definitions:

(1) Accessible electric vehicle charging station means an electric vehicle charging station location where the battery charging equipment is located within accessible reach of a barrier for access aisle and electric vehicle.

(2) All battery electric vehicle means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries.

(3) Battery charging station means electric vehicle charging equipment designed to provide source electricity to charge batteries within electric vehicles.

(4) Electric vehicle means any vehicle that is licensed by the State of Oklahoma or any other state to operate lawfully on public roads, streets, and other public rights of way; which derives its power either partially or exclusively from electric energy from a battery for motive purposes. Electric vehicles include only:

(a) A plug-in all battery electric vehicle; or

(b) A plug-in hybrid electric vehicle.

(5) Electric vehicle parking spaces means any marked parking space that identifies the use to be only for the parking and charging of an electric vehicle.

(6) Non-electrical vehicle means any vehicle that does not meet the definition of electric vehicle.

(7) Plug-in hybrid electric vehicle means an electric vehicle that (1) contains an internal-combustion engine or other propulsion source in combination with an electric motor, which allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the electrical grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity.

(f) Violations and Enforcement; Penalty.

(1) Any person convicted of violating any provisions of this Section shall be guilty of an offense.

(2) Any vehicle parked in such space must abide by all other parking regulations applicable to such parking space.

SECTION 6. Chapter 10.68 of the Edmond Municipal Code is hereby amended to add new Section 10.68.150 to read as follows:

Section 10.68.050 - Penalties for Violations.
The amount of the fine which may be accepted by the Court Clerk in satisfaction of a parking violation shall be as follows:

(1)	Section 10.68.010(a), (b), (c), (d), (e), (f), (h), (i), (j), (l), (m), (n), (p), (q), (r)	- $55.00
(2)	Section 10.68.010(g)	- $40.00
(3)	Section 10.68.010(k)	- $130.00
(4)	Section 10.68.010(o)	- $250.00
(5)	Section 10.68.025	- $130.00
(6)	Sections 10.68.100, 10.68.110, 10.68.120, 10.68.130	- $55.00
(7)	Section 10.68.140	- $55.00

SECTION 7. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 8. SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED AND APPROVED the 12th day of April, 2021.

Dan O'Neil
MAYOR

Attest:

CITY OF EDMOND SEAL EDMOND, OKLAHOMA

City Clerk

APPROVED as to form and legality this the 12th day of April, 2021.

CITY ATTORNEY