

ORDINANCE BILL NO. 08-25

AN ORDINANCE RELATING TO PAID PARKING IN THE DOWNTOWN PARKING DISTRICT; AMENDING SRC SECTIONS 102.005, 102.040, 102.045, 102.050, 102.060, 102.065, 102.067 AND 102.135.

The City of Salem ordains as follows:

Section 1. SRC chapter 102 – Parking – is hereby amended as set forth in Exhibit A, attached hereto and by reference incorporated herein.

Section 2. Findings. The proposed amendments are consistent with Oregon law and the purpose and intent of the chapter, to provide for paid parking within the Downtown Parking District and the enforcement thereof and are in the public interest. With the initiation of paid parking in downtown, the Salem City Council will determine, by June 30, 2026, whether to continue, modify or repeal the Downtown Parking Tax as provided for in SRC chapter 7.

Section 3. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of reference; and
- (h) Correct manifest clerical, grammatical or typographical errors.

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Section 4. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Lance Jones

Sec. 102.005. Definitions.

- (a) Unless otherwise provided in this chapter, terms shall have the meaning prescribed in ORS chs. 801 through 826, the Oregon Vehicle Code. Where terms are not defined by this chapter or by the Oregon Vehicle Code, terms shall be given their plain and ordinary meaning.
- (b) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a public easement or right-of-way not more than 20 feet and not less than ten feet in width, which intersects a street.

Block means the properties abutting both sides of a street:

- (1) Between two cross streets;
- (2) Between the city limits and the nearest cross street; or
- (3) When there is only one cross street:
 - (A) Between a cross street and the dead end of a street; or
 - (B) Between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection.
- (4) When a block is abutted by a street which, if extended through the block, would create a cross street, but when no such street extends through the property, then the block shall be the area commencing at the curbline of the cross street with the next lowest consecutive numbering, and extending in units of 600 feet along the block.

Commercial vehicle means a vehicle used primarily for the delivery or transport of goods or services from a business to a premises or the transportation of persons for compensation. A vehicle that is not conspicuously marked with the business name, or that does not have a sign displayed on the dashboard with the business name, shall not be considered a commercial vehicle. For purposes of this definition, a "sign displayed on the dashboard" means a sign measuring a minimum of 8.5 inches by 11 inches with lettering not less than two inches high.

Curbline means the line defined by the raised edge forming the gutter of a vehicular roadway within the right-of-way, or, where no raised edge exists, the edge of the pavement.

Designated fire lane means a street or other passageway designated to allow the passage of fire apparatus, and identified by signs, marking, or other similar devices commonly used to indicate the road or passageway is a fire lane. A designated fire lane is not necessarily intended for vehicular traffic other than fire apparatus, and may be located on private property.

Designated parking area means an area which is identified by signs, markings, or other similar devices commonly used to indicate vehicle parking spaces.

Downtown Parking District means the Downtown Parking District established by SRC 7.010.

Enforcement officer means a person designated by the Director to enforce the provisions of this chapter, or any person who is defined as an enforcement officer under ORS 153.005.

Immobilizer means a device that is attached to a vehicle and is designed to restrict the normal movement of that vehicle.

Landscape strip means that area between the curblineline or edge of the roadway and the sidewalk line which has not been specifically dedicated, designated or improved for parking.

Loading zone means a designated parking area reserved for the exclusive use of vehicles during the loading or unloading of passengers or cargo for a period of time not to exceed 30 minutes.

Metered parking zone means a parking zone where the length of time allowed for parking is controlled by a parking meter.

Off-street parking facility means any ~~publically~~ publicly owned building, structure, land or facility used for off-street parking of motor vehicles.

Park means to stop, or to cause to permit, or to remain stopped, any vehicle or combination of vehicles, or any portion thereof, on any street, off-street parking facility, or other public right-of-way, including sidewalks, or within any designated fire lane, except such stops as are made in response to legal controls or requirements, conditions created by other traffic, emergencies related to the operation of the vehicle during the actual period of such emergency, or momentary stops for the expeditious loading or unloading of passengers.

Parking control device means any sign, standard, painted curb, marking, or any device, inscription, or designation giving notice of, delineating, controlling or restricting parking or use of parking zones.

Parking meter means a device placed at or near the curb adjacent to a street or on City-owned property and designed to register the duration of time and the limit thereof for parking in a parking zone, upon payment by United States coins, ~~United States currency~~, a credit card, ~~or a debit card~~, or through the City's parking payment internet connected device application. Parking meter as used in this chapter includes a pay station.

Parking zone means any space adjacent to the curb or edge of a street where parking is not prohibited and which is either designated by painted lines for the parking of one vehicle or is large enough to accommodate the parking of one vehicle with no part of such vehicle occupying any area prohibited; or any space in an off-street parking facility which is designated by painted lines for the parking of one vehicle.

Permit means an authorization issued in accordance with this chapter to park a vehicle at a location in the manner, at the times, and in compliance with the conditions specified by the permit.

Private street means highway, road, street, alley or way within the corporate limits of the City that is privately-owned or -maintained.

Residential Parking District means an area within an RA, RS, or RM zone and designated with time limited parking zones or metered parking zones. For the purpose of this chapter, a Residential Parking District shall include both sides of a street when the residential zone is

fronted on the street by a nonresidential zone, if there are designated time limited parking zones or metered parking zones on both sides of the street.

Salem Civic Center means that area bounded on the north by the south line of Trade Street, on the east by the west line of Liberty Street, on the south by the north line of Leslie Street, and on the west by the east line of Commercial Street.

Street means any public highway, road, street, alley or way within the corporate limits of the City of Salem. As used in this chapter, the term "street" does not include private streets.

Time limited parking zone means a parking zone designated by official signs or markings as restricted in use for a specified period of time.

Vehicle means any device in, upon or by which any person or property is or may be transported or drawn upon a street and includes vehicles that are propelled or powered by any means.

(Prior Code, § 102.005; Ord. No. 136-73; Ord. No. 183-79; Ord. No. 63-95; Ord. No. 64-99; Ord. No. 73-2002; Ord. No. 31-06; Ord. No. 21-08; Ord. No. 9-17, § 1(102.005), 6-12-2017; Ord. No. 2-19, § 1(Exh. A), 5-28-2019; Ord. No. 22-22, § 1(Exh. A), 11-28-2022)

Sec. 102.040. Prohibited parking.

It shall be unlawful for any person to park:

- (a) Any vehicle at any place prohibited by ORS 811.550;
- (b) Any vehicle at any place adjacent to a curb which has been painted yellow or red by the City;
- (c) Any vehicle within the landscape strip;
- (d) Any vehicle contrary to any parking control device;
- (e) Any vehicle in any public alley, except for the purpose of loading or unloading passengers or cargo, and then only for a period of time not to exceed 30 minutes;
- (f) Any vehicle in any parking zone when the vehicle is parked for the principal purpose of:
 - (1) Displaying the vehicle for sale;
 - (2) Selling, taking orders for, or attempting to sell or take orders for the present or future delivery of goods or services of any nature, if such sales or orders are made, taken, or attempted from the vehicle;
 - (3) Displaying advertising from the vehicle; or
 - (4) Repairing, constructing, reconstructing, or servicing the vehicle;
- (g) Any vehicle, or a combination of vehicles and trailers in excess of 23 feet in overall length or eight feet in overall width:
 - (1) On a street within any district zoned residential, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the district;

- (2) On a street within that area bounded on the west by the west line of Front Street, on the north by the south line of Union Street, on the east by the west line of 12th Street, and on the south by the centerline of Trade Street, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the area, and then only for a period of time that shall not exceed 30 minutes; or
 - (3) On any street which is less than 30 feet in overall width;
- (h) Any motorized recreational vehicle:
 - (1) On a street within any district zoned residential between 10:00 p.m. and 6:00 a.m., if the motorized recreational vehicle is in excess of 20 feet in overall length, or in excess of eight feet in overall width;
 - (2) On a street within that area bounded on the west by the west line of Front Street, on the north by the south line of Union Street, on the east by the west line of 12th Street, and on the south by the centerline of Trade Street, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the area, and then only for a period of time that shall not exceed 30 minutes; or
 - (3) On any street which is 30 feet or less in overall width;
- (i) Any vehicle that is not designed for self propulsion, or is not connected to a vehicle designed for self propulsion and is parked on a street or off-street parking facility;
- (j) Any vehicle in the same location on a street or in an off-street parking facility for a continuous period of time of more than five days;
- (k) Any motor vehicle meeting the definition of "junk" in SRC 50.025(a) and which is in a parking zone, alley, landscape strip, on a street or in an off-street parking facility;
- (l) Any vehicle in violation of SRC 806.025(a);
- (m) Any vehicle in any crime prevention zone designated in SRC chapter 95 when the vehicle is in the zone for the principal purpose of transporting a person in violation of an exclusion order issued pursuant to SRC 95.770;
- (n) Any vehicle within any area which is designated as a fire lane;
- (o) Any vehicle in violation of an administrative parking order relating to on-street and off-street parking issued pursuant to SRC 102.020.
- (p) Any motor vehicle that has expired registration as described in ORS 803.455(1) and which is in a parking zone, alley, landscape strip, on a street or in an off-street parking facility;
- ~~(q) Any vehicle owned by a person whose residence is located within the Downtown Parking District boundary in a City-owned off-street parking facility without a valid parking permit.~~

(Prior Code, § 102.040; Ord. No. 4251; Ord. No. 5638; Ord. No. 136-73; Ord. No. 148-79; Ord. No. 183-79; Ord. No. 37-86; Ord. No. 46-94; Ord. No. 30-2002; Ord. No. 73-2002; Ord. No. 74-

07; Ord. No. 21-08; Ord. No. 31-13; Ord. No. 9-17, § 2(102.040), 6-12-2017; Ord. No. 2-19, § 1(Exh. A), 5-28-2019; Ord. No. 6-23, § 1(Exh.A), 4-26-2023)

Sec. 102.045. Prohibited parking in Downtown Parking District.

- ~~(a) Within the Downtown Parking District described in SRC 7.010, parking meters and time limits are prohibited for any City-owned parking (on or off street), except as permitted in this section.~~
- ~~(b) The City-owned multi-level parking structures (Chemeketa, Liberty, and Marion Parkades) and any City-owned surface parking lot are exempted from the prohibition of subsection (a) of this section.~~
- (e~~a~~) Increased annual assessments to finance the operation of the Downtown Parking District, SRC 7.110(a), are capped at the lesser of the percentage increase in the Bureau of Labor Statistics general consumer price index for the Portland, Oregon, metropolitan area for the preceding year or 2.0 percent.
- (d~~b~~) Except when authorized by a valid parking permit, the following persons may not park a motor vehicle in an off-street parking facility within the Downtown Parking District ~~in any on-street parking zone between the hours of 8:00 a.m. and 8:00 p.m. or in an off-street parking facility, 24 hours a day, except Sundays and legal holidays:~~
 - (1) A student, during the time the student is attending a class at an educational institution; ~~This subsection shall not apply to any student attending the first scheduled day of class in which the student is enrolled;~~
 - (2) A person working in his or her place of employment; ~~except that such persons may park in 30 minute parking zones for up to 30 minutes;~~
 - (3) A person engaged in the conduct of his or her business or profession; ~~at one location within the Downtown Parking District for a period lasting two or more consecutive days;~~
 - (4) A person summoned to serve as a juror in the circuit court of the State for Marion County;
 - (5) A person who is an unsalaried employee or volunteer worker who is assigned to or working at any agency, office, or business establishment, including nonprofit organizations located within the Downtown Parking District, but not including volunteers who are working temporarily within the Downtown Parking District for recognized nonprofit charitable organizations whose immediate purpose is the temporary promotion of their organization whose normal place of business is located outside the area described in SRC 7.010; or
 - (6) A person whose residence is located within the Downtown Parking District.

(Prior Code, § 102.045; Ord. No. 69-77; Ord. No. 132-78; Ord. No. 167-78; Ord. No. 68-80; Ord. No. 34-83; Ord. No. 65-85; Ord. No. 74-87; Ord. No. 33-91; Ord. No. 31-98; Ord. No. 73-2002; Ord. No. 29-2004; Ord. No. 74-07; Ord. No. 21-08; Ord. No. 27-10; Res. No. 2013-68; Ord. No. 20-14; Ord. No. 9-17, § 3(102.045), 6-12-2017; Ord. No. 2-19, § 1(Exh. A), 5-28-2019)

Sec. 102.050 - Reserved. Required information for the Downtown Parking District.

(a) ~~Upon request by the City:~~

(1) ~~An employer of a person employed part time or full time in the City shall furnish the City the full name of the employer and employee, including unsalaried or volunteer workers;~~

(2) ~~A person self-employed part time or full time in the City shall furnish to the City his or her full name.~~

(b) ~~The information requested by this section shall be supplied in a mode and on forms prescribed by the Director.~~

(Prior Code, § 102.050; Ord. No. 69-77; Ord. No. 107-77; Ord. No. 68-80; Ord. No. 74-87; Ord. No. 73-2002)

Sec. 102.060. Overtime parking in metered zones.

It shall be unlawful for any person to park in a metered parking zone:

(a) ~~At any time when the parking meter indicates that the parking time authorized by the parking meter has expired;~~

(b) At any time without paying the applicable parking meter fee. For the purposes of this subsection, payment at a pay station is valid in all metered parking zones. Nothing in this subsection shall be interpreted as extending the "maximum time limits" for a metered parking zone as set forth in subsection (c). Example, A person who purchases 10-hours of time at a pay station may park their vehicle in any metered parking zone during the 10-hour period subject to the maximum time limits of that parking zone. ~~At any time when the receipt received from a parking meter indicates that the authorized parking time has expired; or~~

(c) In excess of the maximum lawful time limits applicable in a metered parking zone. For purposes of this subsection, the term "maximum time limits" means a continuous period of time designated as the time limit on the parking meter. Calculation of the continuous period of time shall commence when the vehicle enters the metered parking zone, and shall not be extended beyond such continuous period of time by the deposit of coins or other payment that adds time beyond maximum time limits; or

(d) At any time when the parking meter indicates that parking is prohibited.

(Prior Code, § 102.060; Ord. No. 136-73; Ord. No. 147-74; Ord. No. 73-2002; Ord. No. 21-08; Ord. No. 9-17, § 5(102.060), 6-12-2017)

Sec. 102.065. Application of time limits on certain days.

(a) ~~Except as provided in subsection (b) of this section, and u~~ Unless specifically designated otherwise by a parking control device, the time limitations and deposit requirements

imposed on metered or time limited parking zones shall not apply on January 1, Martin Luther King Day, Presidents Day, Memorial Day, Juneteenth Day (June 19th), July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, and the following Monday if any such day falls on a Sunday in any year.

- (b) ~~Unless specifically designated otherwise by a parking control device, time limited parking zones in the Downtown Parking District apply all days of the year except December 25.~~

(Prior Code, § 102.065; Ord. No. 3401; Ord. No. 4551; Ord. No. 5303; Ord. No. 160-72; Ord. No. 136-73; Ord. No. 63-95; Ord. No. 35-97; Ord. No. 73-2002; Ord. No. 20-14; Ord. No. 6-23, § 1(Exh.A), 4-26-2023)

Sec. 102.067. Failure to display ~~proof of payment~~ license plate or Vehicle Identification Number in a space metered by a pay station.

It shall be unlawful to park or permit to be parked any vehicle in a parking space metered by a pay station without ~~properly displaying valid proof of payment. As used in this section, properly displaying valid proof of payment means~~ either a full license plate issued to the vehicle or the full Vehicle Identification Number (VIN) assigned to vehicle being readily visible to an enforcement officer from the exterior of the vehicle. placing the payment receipt on the dashboard of the vehicle in such a manner that the expiration time and date are readily visible from the exterior. For motorcycles, the payment receipt shall be displayed in a manner where it is readily visible.

(Ord. No. 9-17, § 8(102.067), 6-12-2017)

Sec. 102.135. Violations.

(a) *Infractions.*

- (1) Violation of SRC 102.030(b) "Application; Adoption of State Parking Offenses"; SRC 102.035 "Method of Parking"; SRC 102.040 "Prohibited Parking"; SRC 102.045 "Prohibited Parking in Downtown Parking District"; SRC 102.055 "Overtime Parking in Time Limited Parking Zones"; SRC 102.060 "Overtime Parking in Metered Zones"; SRC 102.067 "Failure to display license plate or Vehicle Identification Number in a space metered by a pay station~~Proof of Payment~~"; SRC 102.070 "Failure to Display Permit when Required"; SRC 102.075 "Failure to Obey Administrative Parking Regulations"; SRC 102.080 "Prohibited Parking in Carpool Permit Zone"; SRC 102.085(b) "Parking for Persons with Disabilities; Parking in Violation of Disabled Parking Laws Prohibited"; and SRC 102.110 "Unauthorized Use of Parking Permits", is an infraction and is punishable by the fines set forth in subsection (2) of this section.
- (2) Fines for infractions established by this chapter shall be:
 - (A) SRC 102.030(b) "Application; Adoption of State Parking Offenses": The fine amounts provided for the specific violation of the Oregon Vehicle Code and incorporated by reference under SRC 102.030(b).
 - (B) SRC 102.035 "Method of Parking": \$25.00.

- (C) SRC 102.040 "Prohibited Parking": \$50.00.
 - (D) SRC 102.045 "Prohibited Parking in Downtown Parking District": \$50.00.
~~\$100.00. If a person has violated this section two times within any one year period, the fine shall be \$175.00, and if a person has violated this section more than two times, within any one year period, then the fine shall be \$250.00.~~
 - (E) SRC 102.055 "Overtime Parking in Time Limited Parking Zones": \$25.00;
Residential Permit Overtime Parking: \$30.00; Loading Zone Over-Time: \$30.00.
 - (F) SRC 102.060 "Overtime Parking in Metered Zones": \$30.00.
 - (G) SRC 102.067 "Failure to Display license plate or Vehicle Identification Number
in a space metered by a pay station~~Proof of Payment~~": ~~\$3025.00~~
 - (H) SRC 102.070 "Failure to Display Permit when Required": \$15.00.
 - (I) SRC 102.075 "Failure to Obey Administrative Parking Regulations": \$20.00.
 - (J) SRC 102.080 "Prohibited Parking in Carpool Permit Zone": ~~\$5040.00.~~
 - (K) SRC 102.085 "Parking for Persons with Disabilities; Parking in Violation of
Disabled Parking Laws Prohibited": The fine amounts listed in ORS
811.615—811.630 and ORS Chapter 153.
 - (L) SRC 102.110 "Unauthorized Use of Parking Permits" \$100.00. If a person has
violated this section two times within any one-year period, the fine shall be
\$175.00, and if a person has violated this section more than two times within any
one-year period, then the fine shall be \$250.00.
- (b) *Misdemeanors.* A violation of SRC 102.090 "Obstructing Enforcement"; SRC 102.095
"Tampering with Parking Control Devices"; SRC 102.100 "Unauthorized Use of a Parking
Meter"; SRC 102.105 "Unauthorized Parking Control Devices"; SRC 102.115 "False
Statement by Applicant"; SRC 102.165 "Immobilizer Removal"; and SRC 102.180
"Tampering with or Damaging an Immobilizer" is a misdemeanor.
- (Prior Code, § 102.135; Ord. No. 136-73; Ord. No. 69-77; Ord. No. 193-79; Ord. No. 27-81;
Ord. No. 63-81; Ord. No. 111-82; Ord. No. 47-90; Ord. No. 45-92; Ord. No. 27-93; Ord. No. 82-
94; Ord. No. 49-95; Ord. No. 46-97; Ord. No. 73-2002; Ord. No. 21-08; Ord. No. 22-13; Ord.
No. 9-15; Ord. No. 9-17, § 6(102.135), 6-12-2017; Ord. No. 6-23, § 1(Exh.A), 4-26-2023)