

**Proposed Amendments to the Code of Ordinances
Chapter 10.16 – Parking Meters**

WHEREAS, the City desires to modernize its system of public parking to take advantage of new technologies, equipment, payment options, enhanced collection, enforcement and compliance techniques, and best management practices in the operation of its public parking infrastructure for the benefit of its citizens, businesses and visitors;

WHEREAS, in order to implement the City’s goals, it is necessary to revise Section 10.16.010 et seq. of the Code of Ordinances;

WHEREAS, the City recognizes, appreciates and desires to continue the important function of the Board of Police Commissioners in matters of traffic safety, police, fire and emergency vehicle travel, and the general health, safety and welfare of the public as the City’s “traffic authority” pursuant to Chapter 249 of the Connecticut General Statutes; and

WHEREAS, the City also desires to establish a parking management system operated by the Director of the Department of Public Facilities acting as the City’s “parking division” pursuant to Chapter 100 of the Connecticut General States in order to enhance the City’s current and future parking system, improve the user experience, facilitate economic development, and increase revenues while at the same time providing a variety of payment, revenue and enforcement options, encouraging voluntary rather than forced compliance with parking regulations, and utilizing best management practices for the continual improvement and expansion of the City’s current and future parking system.

NOW, THEREFORE,

BE IT ORDAINED: By the City Council of the City of Bridgeport that the Municipal Code of Ordinances, Chapter 10.16 shall be deleted and the following new ordinance presented as set forth below:

Chapter 10.16 - PARKING

Capitalized terms used herein that are not otherwise defined below shall have the meanings established in the Connecticut General Statutes, as amended, which shall be referred to as “Section ___ CGS”.

Sections:

10.16.010 - Definitions.

The following terms, wherever used or referred to in this chapter, shall have the following meanings unless otherwise defined in the Connecticut General Statutes:

“Highway” (sometimes herein referred to as a “Street”) means any state or other public highway, road, street, avenue, alley, driveway, parkway or place, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use. (See Section 14-1(37) CGS, as amended)

“Immobilization Device” means a device that prevents the Vehicle from moving after a Parking Violation has been issued due to the existence of five (5) accumulated and unpaid Parking Violations or Parking Violations and fines exceeding \$100.00 in amount, which device can be removed immediately by the Operator or Owner of the Vehicle upon making payment by phone to the Parking Administrator in the manner set forth on the Parking Meter or on signage in the vicinity of the Parking Meter.

“Local Authorities” includes a board of aldermen, common council, chief of police, warden and burgesses, board of selectmen or other officials having authority for the enactment or enforcement of traffic regulations within their specific towns, cities or boroughs. (See Section 14-1(42) CGS, as amended)

“Merchant Token” means a specialized promotional coin paid for and provided by local merchants to the patrons of their establishments that can be used to purchase time at a Parking Meter as an inducement or reward for using the merchant’s establishment.

“Notice” of a Parking Violation means, notwithstanding the language of any other City ordinance to the contrary, a notification from the City or its agent, including the Parking Administrator, to the Owner of the Vehicle issued in the manner required for Parking Violations under this Chapter.

“Operator” means any person operating a Vehicle.

“Owner” means any person holding title to a motor vehicle, or having the legal right to register the same, including purchasers under conditional bills of sale. (See Section 14-1 (60) CGS, as amended)

"Parked Vehicle" means a motor Vehicle in a stationary position within the limits of a public Highway.

“Parking” means the standing of a Vehicle, whether occupied or not, on a Highway, except it shall not include the temporary standing of a Vehicle for the purpose of and while engaged in receiving or discharging passengers or loading or unloading merchandise or while in obedience to traffic regulations or traffic signs or signals. (See Section 14-297(4) CGS, as amended)

“Parking Administrator” means the Parking Division or its consultant engaged to manage the Parking System.

“Parking Device” or “Parking Meter”, as the context requires, means a single or multi-space meter, kiosk, pay station, pay-by-space, pay-by-plate, pay-by-card or other future payment system or methodology for the Parking of Vehicles.

“Parking Division” means the Director of the Department of Public Facilities (See Section 7-202 CGS, as amended) or his/her designee in writing, as the administrator of the Parking System with the right to enforce parking regulations pursuant to Section 7-204a CGS, as amended, and the right to receive amounts remitted to the City for parking violations and other fees collected by the Clerk of the Superior Court pursuant to Section 51-56a CGS, as amended.

“Parking Facilities” shall mean present and future lots, garages, parking terminals or other structures and accommodations for the parking of motor Vehicles off the street or Highway and open to the general public with or without charge, and off-street and on-street parking meters owned by the City wherever located, without limitation, including additions to or replacements of existing and future parking facilities and parking meters, parking meters within mixed-use facilities, including, but not limited to, the City’s current and future railroad stations and their related parking facilities, subject to appropriate agreements with the State of Connecticut, and all buildings and improvements and all means of ingress and egress used to access and travel within and around the railroad station facilities.

“Parking Fee” means the monetary charge imposed for the use of a Parking Meter on such days and within such time periods when a parking fee is required established by the City Council, except for users that are specifically exempted by statute or ordinance.

“Parking Manager” means the Director of the Department of Public Facilities, or his/her designee,

“Parking Restriction” means the power of the traffic authority to prohibit, limit or restrict the parking of vehicles and to erect and maintain signs in each block designating the time or terms of such prohibition or restriction on any highway or thoroughfare coming under the jurisdiction of such city, town or borough. (See Section 14-307 CGS, as amended)

“Parking System” or “Parking Operation” means the City’s oversight, management and coordination of a system of current and future Parking Facilities and the means and methods of financing the same, hardware and software systems, payment methods, permit arrangements in appropriate residential, retail, commercial, commuter and public event areas, cooperative arrangements with privately-owned parking facilities, collection and enforcement techniques, revenue-generating programs, way-finding techniques and equipment, and all other enhancements and improvements adopted by the Parking Division and implemented in the future in the best interest of the general public, local businesses, and visitors, taking into consideration that Parking Facilities may be phased initially and over time, with due consideration being given by the Parking Administrator for the transition of Parking Facilities from one to another in a manner that is fair and reasonable to the user during such transition period.

“Parking Space” means either (a) any physically-defined or marked space within a Parking Zone that is served by a Parking Device, (b) any location that is served by a Parking Device, or (c) any right to park in a Parking Space created by a future payment method such as but not limited to pay-by-plate, pay-by-phone, pay-by-card, parking permit, parking meter bag or other pre-paid payment method.

“Parking Violation” means the City’s or its agent’s issuance, by a means required by the City, the City’s parking administrator, or by its Parking Meter provider, as determined by the City; if the means is by mail, Notice of the Parking Violation shall be issued by depositing the Parking Violation into a repository of the United States Postal Service addressed to the Vehicle operator or Owner that such Vehicle has been parked in violation of a provision of this Chapter, the amount of the fine for such violation, and the penalty for failing to pay such fine within the time required to do so, such Notice being mailed to the Owner of the Vehicle at his/her/its last known address contained in the records of the State of Connecticut Department of Motor Vehicles.

“Parking Zone” means a parking zone established by the Traffic Authority within the geographical boundaries of the City of Bridgeport as part of the Parking System, as the same may be revised from time to time, which Parking Zones, the Parking Spaces and Parking Facilities within them, the means of access and egress to and from them in appropriate cases, the maintenance thereof, and the type and placement of signage within and about them, shall be managed by the Parking Division.

“Street” means a local Highway in the City and controlled by the City that is established and exists for the use of Vehicles, and including but not limited to use by pedestrians, cyclists and other users, but does not include Highways or bridges under the control of the State Department of Transportation.

“Traffic Authority” means the Board of Police Commissioners exercising authority over Traffic, Traffic Control Signs and Traffic Control Signals except as to state highways and bridges (See Section 14-297 CGS et seq., as amended, for definitions and for the powers of a Traffic Authority) and pursuant to City Charter and this Chapter.

“Vehicle” means any device suitable for the conveyance, drawing or other transportation of persons or property, whether operated on wheels, runners, a cushion of air or by any other means, but does not include devices propelled or drawn by human power or devices used exclusively on tracks. (See Section 14-1 CGS, as amended, for other categories of vehicles)

10.16.020 – Designation of Traffic Authority

The Board of Police Commissioners is designated as the Traffic Authority for the City of Bridgeport with all of the powers granted by Chapter 249, Title 14-297 CGS et seq., as amended.

10.16.030 – Powers

- A. The powers of the Traffic Authority are set forth in Title 14 of the Connecticut General Statutes and include but are not limited to the installation of traffic control signals, use of traffic signal preemption devices, the location and marking of crosswalks, and the like as more fully set forth in Section 14-297 CGS et seq., as amended.
- B. The Traffic Authority shall have the power to prohibit, limit or restrict the Parking of Vehicles and to erect and maintain signs in each block designating the time or terms of such prohibition or restriction on any Highway coming under the jurisdiction of the City and may remove from State Highways, except limited access highways within the geographic limits of the City any Vehicles parked in violation of any regulation of the State Traffic Commission and of any rule, regulation, order or ordinance of the City relative to or in connection with parking on such Highway.

- C. The Traffic Authority shall prohibit parking of a Vehicle where parking is prohibited or allow a Vehicle to park for a longer period than that indicated as lawful by any sign erected and maintained in accordance with Chapter 249 CGS, as amended, except (1) a person operating an armored car vehicle or (2) a vehicle displaying a special license plate or a removable windshield placard identifying vehicles permitted to utilize parking spaces reserved for persons with disabilities which limit or impair their ability to walk or blind persons, may park in an area where parking is legally permissible, for an unlimited period of time without penalty, notwithstanding the period of time indicated as lawful by any (a) Parking Meter, or (B) sign erected and maintained in accordance with Chapter 249 CGS, as amended. (See Section 14-307 CGS, as amended)

10.16.040 – Designation of Parking Division

The Director, Department of Public Facilities, or his/her designee in writing, is designated as the Parking Division for the City of Bridgeport with all of the powers granted by Chapter 100, Title 7-202 CGS, et seq., as amended.

10.16.050 – Powers

The powers of the Parking Division include the management of the Parking System, including but not limited to the power to collect and receive all revenue from Parking Meters located on Highways and public streets and from Parking Facilities, to receive the amounts remitted to the City for Parking Violations and other fees pursuant to Section 51-56a(b) CGS, as amended, to take ownership of and responsibility for all existing Parking Meters, and to succeed to all of the City's obligations relative to payment for such Parking Meters and Parking Facilities.

10.16.060 – Use of Revenues

The Parking Division shall use all revenues from Parking Meters and Parking Facilities for the regulation and control of the parking of Vehicles at Parking Meters on-street and off-street zones and in Parking Facilities for the cost of purchase, installation, operation, inspection, supervision and maintenance of Parking Meters and Parking Facilities, for acquiring, financing, operating and maintaining off-street Parking Facilities, and to fulfill pledges made under the provisions of Section 7-206 CGS, as amended, for the payment of bonds for the construction and improvement of Parking Meters and Parking Facilities.

10.16.070 – Rates and Charges; Grace Period; Prompt Payment Discount; Immobilization; Exemptions

- A. Rates and Charges. The City Council shall fix the minimum rates, rentals, fees and other charges for the use of, and for the administration, operation, construction, maintenance, replacement, services rendered and facilities furnished or to be furnished by each Parking Meter and Parking Facility. Such rates, rentals, fees and other charges shall be so fixed and revised as to provide funds sufficient at all times (a) to pay the cost of maintaining, repairing and operating the Parking System, Parking Meters and Parking Facilities, including reserves for such purpose and for replacements and depreciation, (b) to pay the principal of and the interest

on revenue bonds as the same become due and reserves therefore and (c) to provide a reserve fund as a margin of safety for making such payments as such revenue bonds may require. The rates, rentals, fees and other charges for the service and facilities furnished or to be furnished in the City's Parking System are as follows:

Parking Meters:

Daily ordinary rate unless otherwise authorized	
by ordinance	\$1.00/hour
Special parking zone rate	\$2.00/hour
Delivery meter bag permit until Midnight	\$25.00/day
Failure to Timely Return Immobilization Device	
in 24 hours to Parking Administrator	\$125.00

- B. Grace Period. No Parking Violation shall be issued until **five (5)** minutes after the time paid for with the Parking Fee for the Vehicle has elapsed.

- C. Prompt Payment Discount. After the expiration of the time limit paid for by the Parking Fee has expired, the Vehicle Owner or Operator may obtain a discount from the fine ordinarily assessed for the Parking Violation upon making payment by phone to the Parking Administrator in the manner set forth on the Parking Meter or on signage in the vicinity of the Parking Meter.

- D. Immobilization Device. In the event that an Immobilization Device is placed on the Vehicle for five (5) or more accumulated and unpaid Parking Violations, upon making payment by phone to the Parking Administrator in the manner set forth on the Parking Meter or on signage in the vicinity of the Parking Meter, the Owner or Operator will receive instructions that will enable the Owner to immediately remove the Immobilization Device, which must be returned to the office of the Parking Administrator within twenty-four (24) hours after the issuance of the Parking Violation in order to avoid the imposition of additional fines.

- E. Exemptions. The City authorizes the Parking Administrator to review and validate Parking Violations and send notices to Owners based upon the data captured by the Parking Meters and other information available to it, and shall have the power to invalidate Parking Violations (i) under Chapter 10.12.010(D) of the Code of Ordinances, (ii) on account of inoperative or inaccurate Parking Meters, or (iii) for other good cause shown, and shall have the power to exempt certain Owners of public service Vehicles, emergency Vehicles, and the like in a manner consistent with City ordinances and State law.

10.16.080 – Parking Meter Installation, Maintenance and Control.

- A. The Parking Division is authorized and empowered to install, regulate, control, operate, manage, use, maintain and replace the Parking Meters and Parking Facilities authorized in this chapter.

- B. The Parking Division is authorized and empowered to enter into one or more contracts for the purchase, lease, financing, installation and maintenance of Parking Meters and Parking Facilities; provided, however, that the cost of purchasing, leasing, financing, installing and maintaining of such Parking Meters and Parking Facilities shall be made solely from the receipts, funds and revenues obtained from the operation of the Parking System and without in any manner obligating the City to pay for the same from any other source whatsoever without the City Council's prior approval.

10.16.090 – Placement and Marking of Parking Meters.

Parking Meters installed in the Parking Meter Zones established by the Traffic Authority as provided in this chapter shall be placed upon the curb immediately adjacent to the individual parking meter spaces where single head and dual head Parking Meters are used and at a convenient location when multi-space Parking Facilities are used. To the extent reasonably possible:

- each Parking Meter shall be placed or oriented in such manner as to visually indicate or signal that the space controlled by such Parking Meter is or is not legally in use; and
- each Parking Meter shall indicate by a proper sign, label or display the limit of legal parking time established as provided in this chapter, the Parking Fee required to be deposited for the use of such parking space and, when in operation, shall indicate the duration of the period of legal parking and, upon the expiration of the legal parking period, shall indicate illegal parking.

Because the City's Parking System will incorporate new Parking Meter technologies including new payment methods, cell phone texting capabilities, email and internet-based alerts, and as-yet unknown technologies, the Parking Division has the authority to substitute the placement, labeling, and status displays described above with other methods, tools, and devices designed to provide the Owner actual notice of the legal status of the Parking Meter, the status of legal parking, how to pay Parking Violations and remove Immobilization Devices, and other information.

10.16.100 - Marking of Parking Spaces.

The Traffic Authority is authorized and empowered to paint lines or markings upon the street or curb adjacent to each Parking Meter for the purpose of designating the parking space controlled by a Parking Meter, and each Vehicle using a parking space shall park within the lines or markings so established and within such proximity to the curb as the law requires.

10.16.110 - Vehicles to be Parked within Marked Parking Spaces.

It is unlawful and a violation of this chapter to park any Vehicle beyond the limits of the marked parking space or in a manner that impedes traffic, causes a safety hazard for other vehicles and pedestrians, or impedes the use of an adjacent parking space.

10.16.120 - Forms of Payment

To the extent reasonably possible, the Parking Division shall arrange for Parking Meters to accept the widest forms of payment so that users are able to pay by coin, credit card, Vehicle plate number, internet or web application, Merchant Token, and other forms of payment technology as-yet unknown. Use of slugs, foreign currency, coins having no domestic value, or other items, devices or methodologies designed to avoid or having the effect of avoiding payment of the Parking Fee, are illegal and will subject the Owner or Operator to a Parking Violation and other legal action.

10.16.130 - Overtime Parking; Grace Period; Using Expired or Inoperative Parking Meter.

- A. Any Vehicle that utilizes a Parking Meter space during periods when a Parking Fee is due shall immediately deposit or make payment of the Parking Fee for such parking space in compliance with this chapter. Failure to pay the Parking Fee shall be a violation of this chapter and shall subject such person to the Parking Violations authorized by this Chapter. If such Vehicle shall remain parked in any such Parking Meter space beyond the parking time limit fixed for such Parking Meter space, such Vehicle shall be deemed illegally parked.
- B. A Vehicle shall not be deemed illegally parked until five (5) minutes after the time paid for by the Parking Fee has expired.
- C. A Vehicle that is parked at a Parking Meter for which the Owner or Operator has paid no Parking Fee or is parked at a Parking Meter that is broken or inoperative for any reason shall constitute illegal parking under this chapter.

10.16.140 - Defacing or Tampering with Parking Meters.

It is unlawful and a violation of the provisions of this chapter for any person to deface, injure, tamper with, open or willfully damage, destroy or impair the usefulness of any Parking Meter and any person engaging in such behavior shall be punished as provided in this chapter and under applicable law.

10.16.150 - Purpose of Parking Fee

The Parking Fee required to be paid for the use of Parking Meters is charged and assessed as a fee to provide for the proper regulation and control of traffic and parking upon the public Highways and streets, the cost of supervising and regulating the parking of Vehicles in the Parking Meter Zones created by Traffic Authority, and to cover the cost of the purchase, lease, financing, supervision, protection, inspection, installation, operation, maintenance, control and use of the Parking Meters and Parking Facilities described in this chapter.

10.16.160 - Violation Reports

The Parking Division shall arrange for the preparation of monthly reports of Parking Violations by vehicle plate number, Owner's name and address, and shall collect facts and other evidence of a Parking Violation sufficient for a thorough understanding of the circumstances leading to such Parking Violation.

10.16.170- Penalty.

Except as otherwise provided in this chapter or by applicable law, every person who shall violate or fail to comply with any of the provisions of this chapter shall be punished by a fine not exceeding one hundred dollars (\$100.00) or by imprisonment not exceeding thirty (30) days, or both.

This ordinance shall be effective upon publication.

AMENDED FROM THE FLOOR ON JULY 5, 2016:

Motion to approve Item# 151-15 subject to the approval of the Board of Police Commissioners of the Parking Fees.

APPROVED BY THE
BRIDGEPORT CITY
COUNCIL ON:
JULY 5, 2016

APPROVED BY MAYOR
JOSEPH P. GANIM
ON:
JULY 5, 2016

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CONNECTICUT
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