

## 📖 § 72.200 TITLE.

This Chapter of the Louisville/Jefferson County Metro Government Code of Ordinances may be referred to as the "Residential Parking Permit Program Ordinance" of Metro Government.

## 📖 § 72.201 FINDINGS AND DECLARATIONS.

(A) *In general.* The Mayor and Metro Council find and declare that serious adverse conditions in certain areas and neighborhoods of Louisville result from motor-vehicle congestion, particularly long-term parking of motor vehicles on the streets of those areas and neighborhoods ~~by nonresidents~~.

(B) *Program intent.* The permit parking program established by this subchapter is intended:

(1) To reduce hazardous traffic conditions resulting from the use of streets within these areas or neighborhoods by nonresidents;

(2) To protect these areas and neighborhoods from polluted air;

(3) To protect these areas and neighborhoods from excessive noise, trash and refuse caused by the entry of nonresident vehicles;

(4) To protect the residents of these areas and neighborhoods from unreasonable burdens in gaining access to their residences;

(5) To preserve the character of these areas as residential areas and neighborhoods;

(6) To preserve the value of the property in these areas and neighborhoods;

(7) To preserve the safety of children and other pedestrians;

(8) To encourage the use of public transportation, and parking facilities;

(9) To promote efficiency in the maintenance of streets in these residential districts in a clean and safe condition;

(10) To forestall dangers arising from the blocking of fire lanes, hydrants and other facilities required by emergency vehicles, both in reaching victims and in transporting them to hospitals; and

(11) For the peace, good order, comfort, convenience, and welfare of the inhabitants of Louisville.

## 📖 § 72.202 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless context clearly indicates or requires a different meaning.

**BLOCK FACE.** One side of the street between two consecutive intersections, from curb to curb.

**DWELLING.** A building or portion thereof designed and used exclusively for residential occupancy.

**DWELLING UNIT.** Either a single room or two or more connected rooms used exclusively as a single unit and intended for occupancy for no less than thirty (30) consecutive days or more by one family, and providing complete, independent living facilities (which at a minimum includes permanent provisions for living, sleeping, eating, cooking and sanitation which are accessed independently). This term does not include hotel or motel rooms, extended stay lodging facilities, nursing home rooms, or assisted living residence units.

**LOUISVILLE.** The location within the geographical boundaries of the Louisville/Jefferson County Metro Government within the Urban Services District.

**METRO GOVERNMENT.** The political entity, Louisville/Jefferson County Metro Government.

**NEIGHBORHOOD ADVOCATE.** The person or persons that originally petition PARC for an RPPP as provided in § 72.203(B).

**PARC.** The Parking Authority of River City, Inc.

**PARKING MANAGEMENT PLAN.** The plan developed by PARC to establish and set guidelines for a Residential Parking Zone.

**PERMIT.** The permission granted by PARC, represented by a decal, ~~or~~ window hanger, electronic tracking identification or marker, allowing the holder to park within an RPZ.

**PROPERTY OWNER.** The owner of record of a piece of property within the proposed RPPP area, as listed on the records of the Jefferson County Property Valuation Administrator.

**RPZ.** A Residential Parking Zone with a list of streets and sections of streets designated in this subchapter, for restricted parking by residential parking permit only at designated times.

**RPPP.** The Residential Permit Parking Program.

**VERIFIABLE REQUEST.** A document containing a list of the property owners within the Residential Parking Zone, obtained from the Property Valuation Administrator, with the address of the property in the Residential Parking Zone, the mailing address of the property owner, and the printed name, signature, and phone number of the property owner that has voted.

## **§ 72.203 APPLICATION AND PETITION FOR RESIDENTIAL PARKING PROGRAM.**

(A) *In general.*

(1) To qualify for the RPPP, an area or neighborhood must meet the criteria set forth in this subchapter, and any additional criteria that PARC establishes, consistent with the guidelines and standards of this subchapter.

(2) Residential permit parking areas may be established only in accordance with the procedures set forth herein.

(B) *Petition for study.*

(1) In order for an area to be considered for an RPZ, any person serving as a Neighborhood Advocate must submit a petition to PARC to investigate the need for the RPZ. The Neighborhood Advocate shall collect signatures of at least 60 percent of the property owners within the defined proposed area for the RPZ, via written verifiable vote and signatures. The property owners must agree to the RPZ as proposed, and indicate their approval by one vote per property owner. If a property owner owns multiple properties within the zone the property owner will be afforded one vote per property owned. If a property owner does not respond, the Neighborhood Advocate must provide PARC verification that all reasonable means to reach the property owner have been exhausted. At a minimum three verifiable attempts:

(a) Certified letter is sent to the address of the property owner as listed from the Property Valuation Records.

(b) For any property for which a return receipt is not received from first certified letter, a subsequent certified letter is sent to the address of the property owner as noted on the tax assessment records.

(c) Neighborhood Advocate forwards a final notice to all property owners who have yet to respond to the address of the property owner as noted on their tax assessment. Letter must be sent via certified mail advising that failure to respond will result in the property owner ~~forfeiting their right to vote~~ being deemed to abstain from voting.

(2) Any property owner who ~~chooses to abstain~~ from voting will not be included in the required 60 percent. All votes shall be obtained and forwarded to PARC within 120 days or less.

(3) Request will only be considered for two or more contiguous block faces on local streets in the Urban Services District ~~areas that contain at least ten adjacent block faces~~.

(4) The boundaries of and the streets within the proposed permit parking area must be clearly identified on each page of the request.

(5) A cover letter explaining the reason for the request, the boundaries of streets within the proposed permit parking area, and who is eligible to vote, shall accompany the request.

 **§ 72.204 RESIDENT PARKING PROGRAM REVIEW PROCESS.**

(A) Upon receipt of a valid verified request, PARC shall conduct a parking study within the area identified in the petition.

(1) An RPZ will not be considered for implementation unless the results of the study demonstrate that at least ~~75~~90% of the curb spaces in the defined area of the RPZ are utilized during peak periods under normal conditions.

(B) PARC shall schedule a meeting with the Neighborhood Advocate for a technical review of the issues to be considered in the creation of an RPZ.

(C) After PARC's technical review:

(1) The Neighborhood Advocate shall schedule a neighborhood meeting to determine the issues and needs of the neighborhood, and to identify problems and possible solutions that could be achieved by the implementation of an RPZ. Such identification may include:

- (a) The boundaries of the RPZ;
- (b) Effective date of the RPZ;
- (c) Types of businesses and institutions within RPZ;
- (d) Types of meetings or events held within RPZ;
- (e) Temporary and special permit issuance requirements; and
- (f) Limitations on permit issuance.

(2) The Neighborhood Advocate shall provide notice of the neighborhood meeting in accordance with the provisions of KRS Chapter 424, and also shall provide written notice of the neighborhood meeting, at least ~~seven~~14 days prior to the scheduled meeting to PARC, to the Council Member(s) of the District(s) in which the RPZ is proposed, and shall post notice at the location of the meeting.

(D) PARC shall utilize the information gathered from the neighborhood meeting to establish a Parking Management Plan for the RPZ, and subsequently shall hold a meeting with the neighborhood to discuss the Plan, RPZ boundaries, time restrictions and other requirements. Written notice of the meeting shall be provided by PARC in accordance with the requirements set forth in subsection (C)(2), above.

#### **§ 72.205 PARKING MANAGEMENT PLAN - DEVELOPMENT AND IMPLEMENTATION.**

(A) *PARC to develop; considerations.*

(1) PARC shall use the results of the parking study to design a Parking Management Plan designed to solve the identified problems.

(2) Special attention will be given to the definition of a permit-area boundary and to the impact upon various population groups in designing the Parking Management Plan. Alternatives to an RPZ also will be considered, including, but not limited to,

parking time limits, special meter zones, one-way or two-way streets, installation of parking meters, and alternate-side-of-the-street parking.

(B) *Review by ~~Metro Development Agency~~ Louisville Forward, others.*

(1) PARC shall transmit the proposed Parking Management Plan to ~~the Metro Development Agency~~ Louisville Forward for review.

(2) The ~~Metro Development Agency~~ Louisville Forward shall review the economic impact of the Parking Management Plan on the nonresidential uses in the affected area. Such analysis shall, among other things, consider the adequacy of available and future off-street parking for these uses.

(3) If special districts, historic areas or other special designations exist within, or near the area proposed to be covered by the Parking Management Plan, ~~the Metro Development Agency~~ Louisville Forward shall notify the appropriate Metro Government agencies for their comments.

(4) All comments shall be returned to PARC within 30 days of its transmittal.

(C) *Public comments.*

(1) PARC shall present the Parking Management Plan at a public meeting held in accordance with a formal set of procedures adopted by PARC, in order to obtain public response to the proposed plan.

(2) Notice of the public meeting shall be made in accordance with KRS Chapter 424, as well as posting notice of the meeting at the site of the meeting. Written notice of the public meeting also shall be sent to the Mayor and members of the Metro Council, to Metro Government agencies affected by the Plan, and to any identified community organizations representing the affected area. Such organizations may register with PARC at any time following the initial petition for inclusion within the RPPP.

(3) PARC may seek additional comment on the proposed Plan from the neighborhood, Metro Council members, and/or Metro agencies before a final decision is made.

(D) *Adoption and implementation of Parking Management Plan.*

(1) Based upon information collected and reviewed, if PARC's written findings of fact support a conclusion that the Parking Management Plan is in compliance with this subchapter, and that all required steps of creating an RPZ have been met, PARC shall create a Parking Management Plan to be included in the RPPP.

(2) The Parking Management Plan shall include, at a minimum:

- (a) The boundaries of the RPZ;
- (b) Parking time restrictions;
- (c) Effective date of the RPZ; and
- (d) Any other limitations on permit issuance.

(E) *Written notice.* PARC shall provide written notice to all property owners within the RPZ of the RPZ boundaries, permit application/renewal process, cost, time restrictions, issuance of visitor/temporary/special permits, enforcement regulations, and the appeals process available if a citation for a violation of the restrictions of an RPZ is issued.

(F) *Posting signs.* At the direction of PARC, the Director of Public Works shall be responsible for posting signs to provide notice of the parking restrictions within the RPZ at the expense of the program.

## § 72.206 RPZ PERMITS.

(A) *Permit eligibility.*

(1) *Resident permits.*

(a) Resident permits may be issued to:

1. Each person with a primary residence within the RPZ, limited to one resident parking permit per resident having any motor vehicle owned by and registered to, or principally used by the RPZ resident;

2. A vehicle regularly utilized by a person who ~~owns, or leases commercial property, or is employed by a person or entity that owns or leases commercial~~ residential property and ~~actively engages in a business activity~~ within the RPZ;

3. Any vehicle utilized in the area by an institution, such as a church, school, or hospital, located wholly or partially within the RPZ. However, no more than one parking permit may be issued for each institution within an RPZ for a motor vehicle registered to, or under the control of, such an enterprise, unless PARC determines a greater number may be appropriate for the particular RPZ involved.

(b) Information required on application. Permits will be issued only to residents of an address within the RPZ, or as otherwise set forth herein. Final determination of eligibility will be made by PARC, based upon criteria clearly set forth within its rules and regulations. Each application for a parking permit shall contain at least the following information:

1. Applicant name and address;
2. Proof of residency deemed acceptable by regulation adopted by PARC;
3. Make, model and license tag number of motor vehicle(s) for which an application is made;
4. Proof of ownership of motor vehicle, or principal use by the applicant of the motor vehicle;
5. Vehicle registration that indicates registration within the area for which the permit is to be issued; and
6. Any other information required by a rule or regulation adopted by PARC pursuant to this subchapter.

(2) *Visitor permits.*

(a) Upon application of any resident of an RPZ, PARC shall issue a visitor parking permit to the resident for temporary use on a visitor's vehicle.

(b) No more than two visitor parking permits shall be issued to any one household/dwelling unit, at any one time. For the purposes of this regulation, the resident shall be the holder of the visitor permit, and shall be responsible for its use or misuse.

(c) Visitor permits are transferable between automobiles. No resident of the RPZ may use the visitor permits for their personal vehicles. A visitor permit may only be used during the time a visitor is visiting with or working for the resident at the resident's residence. It is the resident's responsibility to ensure that the visitor permit is obtained after each use.

(d) A visitor permit shall be displayed on or about the front windshield of the vehicle so as to be easily visible from outside the vehicle.

(e) PARC may issue regulations regarding the use of visitor permits in order to prohibit the abuse of such permits.

(3) *Special permits.*

~~(a) *Event permits.* Any person or persons requesting special exception from the residential neighborhood permit parking regulations who will be attending a special meeting or event within the boundaries of the RPZ may apply for an event special permit. Such application will be reviewed by PARC to determine the applicable restrictions, including day/date/time of validity, which shall be prominently indicated upon the face of the permit. While the event period may be granted for certain days within a period of time, no permit shall be valid for a period of longer than one year.~~

~~(b) *Temporary permits.* Any person or persons requesting special exception from the residential neighborhood permit parking regulations for a one day period only, may make such a request to PARC and may be granted a temporary one day permit. There will be no fee for this permit. Any person will be limited to no more than four such temporary permits per 12 month period; any excess requests shall be charged as an event permit.~~

~~(B) *Decal/Permit required.* Resident, visitor and special permits shall be visibly displayed and permanently affixed to the vehicle in the lower left corner of the rear window or other location as determined by PARC. Visitor and special permits shall be visibly displayed by handing the permit from the rearview mirror in the front windshield.~~

~~(C) *Replacement of permit.* If the make, model or license tag number of a permitted vehicle changes during the year, the applicant may bring in submit the new information to the parking enforcement office to obtain a replacement sticker. The permit previously issued to the permit holder immediately shall become void.~~

~~(D) *Change of residency.* If residents of a property change during the calendar year, the new resident(s) may complete a change of residency form and request application~~

for permit. The permit(s) previously issued to the RPZ residents immediately shall become void upon application by the new resident(s).

(E) Fees shall be set by rule or regulation adopted by PARC and readopted or amended every 12 months.

~~(1) Resident Permit - \$20 per 12 months~~

~~(2) Visitor Permit - \$10 per 12 months~~

~~(3) Event Permit - \$10 per event period~~

~~(4) Replacement Permit - \$5.00~~

~~(5) Temporary Permit - No charge up to four times per 12 month period; additional requests charged as Special Permit.~~

(F) *Expiration of permits.* Permits will expire 12 months after the issuance date of the permit. ~~The date of expiration will be clearly marked on all permits.~~

(G) *Appeals of decision denying parking permit.* Any person who has been denied a parking permit by PARC may appeal that decision in writing to the ~~Metro Development Agency~~ Director of PARC, or a designee of the ~~Metro Development Agency~~ Director of PARC. Such appeal shall be answered within ten days of receipt of said appeal, and the decision of the ~~Metro Development Agency~~ PARC Director or designee shall be final.

#### § 72.207 RPPP PROVISIONS.

(A) *PARC authority.* PARC shall have the authority to:

(1) Issue rules or regulations governing the issuance of permits, application for permits, fees, penalties, or other matters necessary for the implementation of this subchapter, which shall be available upon request from its main office.

(2) Issue rules and regulations, and to enter into contracts regarding the enforcement of the restrictions for an RPZ.

(B) *Posting of RPZ.* Upon the adoption of an RPZ by PARC, at the direction of PARC, the Director of Public Works shall install appropriate signs to be erected in the RPZ, indicating prominently thereon the parking time limitation, period of the day for its application, and a phone number to call for assistance regarding the RPZ.

(C) *Funds derived from RPPP.* All revenue from the RPPP is dedicated to the cost of enforcing and administering the RPPP by PARC.

#### § 72.208 MODIFICATION OF RPZ AREA.

(A) *In general.* PARC may modify the area of an RPZ by adding or deleting part of the area of an RPZ upon petition of the property owners within the area to be added to, or deleted from, an RPZ.



(1) *Request process.*

(a) The Neighborhood Advocate shall collect signatures of at least 60 percent of the property owners within the defined proposed area for addition to, or deletion from the RPZ, via written verifiable request. The property owners must agree to the RPZ amendment as proposed, and indicate their approval by one vote per property owner. All votes and verified signatures shall be obtained and filed with PARC within 120 days or less of the initial signature on the request.

~~(b) Petitions will only be considered if~~ to add to the area of an existing RPZ shall have a minimum size requirement for the additional area of one contiguous block face. Petitions to delete part of the area of an existing RPZ must have the resulting area of a modified Residential Parking Zone, post-deletion, contains at least ten adjacent block faces two contiguous block faces on local streets in the Urban Services District.

(c) The boundaries of and the streets within the proposed addition to or deletion from the RPZ must be clearly identified on each page of the petition.

(d) A cover letter explaining the reason for the request, containing the boundaries of streets within the proposed addition to, or deletion from the RPZ, and who is eligible to sign the petition, should accompany the petition.

(2) *Public comment.* Upon receipt of a valid verified modification request, PARC shall follow the procedures set forth in §72.205(B), (C) and (D).

~~(a) PARC shall present the proposed modification of the RPZ's Parking Management Plan at a public meeting held in accordance with a formal set of procedures adopted by PARC, in order to obtain public response to the propose modification of the area of an RPZ.~~

~~————(b) Notice of the public meeting shall be made by PARC in accordance with KRS Chapter 424, as well as posting notice at the site of the meeting. Written notice of the public meeting also shall be sent to the Mayor and members of the Metro Council, to Metro Government agencies affected by the modification plan, and to any identified community organizations representing the affected area.~~

~~————(c) PARC may seek additional comment on the proposed plan before a decision is made on the final version of the Parking Management Plan.~~

(B) *Adoption of RPZ Modification Plan.* If PARC's written findings of fact, based upon the information presented, support a written conclusion that the modification to the RPZ Parking Management Plan is in compliance with this subchapter, and that all required steps of RPZ modification have been met, then PARC shall revise the Parking Management Plan for the RPZ.

(1) The modification of an RPZ shall include:

(a) The new boundaries of the RPZ; and

(b) The effective date of the modification of the RPZ.

(2) Upon the adoption of a modification to an RPZ by PARC, PARC shall notify the Director of Public Works to install or remove RPZ designation signs, as may be appropriate.

**§ 72.209 PARKING SPACE NOT GUARANTEED.**

Possession of any RPZ permit shall not guarantee or reserve the holder an on-street parking space.

**§ 72.210 PARKING RESTRICTIONS.**

(A) All permitted vehicles must adhere to all state and local parking regulations.

(B) RPZ permits do not take precedence over No Stopping Zones, or any other temporary or permanent no parking zones posted by Louisville for tree removal, snow removal, street sweeping, TARC bus stops, utility work, or other actions deemed necessary by Metro Government.

(C) The restrictions of an RPZ shall not apply to any marked Metro Government vehicle or a marked emergency vehicle actually in use for a governmental purpose.

**§ 72.211 EXEMPTIONS.**

(A) The following vehicles shall be exempt from the parking restrictions imposed within the RPZ, as set forth herein:

(1) Any vehicle, including but not limited to, a clearly-marked delivery, emergency utility or service vehicle with appropriate commercial license plates, which is under the control of an individual providing service to a property located within the RPZ, while actually engaged in making pick-ups or deliveries of goods, wares, or merchandise from to any building or structure within the RPZ, or rendering emergency service to a resident within the RPZ. Identification of such vehicle is the responsibility of the driver of such vehicle.

(2) Emergency or utility vehicles identified in subsection (A)(1), above, shall be limited to parking within the RPZ for a period of no greater than ~~two~~24 hours, unless said emergency utility vehicle has contacted PARC to identify the problem that prevents adherence to the parking restrictions.

(3) For purposes of this subchapter, service or delivery vehicles, including moving vans or trucks, that must be parked within the RPZ for longer than 24 hours must obtain a ~~temporary~~special permit. However, no parking is allowed on sidewalks, grass, or any non-parking areas.

**§ 72.212 ENFORCEMENT.**

(A) *Violations.* The following shall constitute violations of the RPPP:

- (1) Display of an invalid or expired permit;
- (2) Display of a resident permit not registered to the vehicle in which it is displayed;
- (3) Parking a vehicle within an RPZ without a valid permit; and

(4) Other violations may be set forth within PARC's rules and regulations for a particular RPZ.

(B) *Citation for violations.*

(1) Parking citations may be issued in accordance with the provisions of Chapter 72, Parking Regulations.

(2) All other enforcement provisions of Chapter 72 shall be applicable within an RPZ.

(C) *Appeal of citations.* Any person who receives a citation for a violation of the restrictions of an RPZ may file an appeal in accordance with the provisions of this Chapter, as set forth in the subchapter, Parking Citation Enforcement.

**§ 72.213 REVIEW/REPORTING PROVISION.**

~~The RPPP/~~PARC shall be monitored and reviewed by annually provide to the Metro Council a written. ~~The council may periodically re-evaluate~~evaluation of the RPPP for its effectiveness and desirability; and ~~may pass an ordinance to recommend any adjustments or amendments to the RPPP.~~ Additionally, ~~for purposes of evaluating the reasonableness and effectiveness of this subchapter, only two RPPP's may be implemented within the Louisville Metro without further approval by the Metro Council.~~

**§ 72.998 SEVERABILITY.**

If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

**§ 72.999 PENALTY.**

(A) (1) Except as provided by subsection (A)(3) below, the civil fine for each of the parking violations in this chapter shall be not less than \$20 and not more than \$100. Each day a parking violation continues shall be a separate and distinct offense.

~~(2) If the civil fine is paid within seven days of the date the parking citation was issued, the fine shall be discounted by not less than \$10 nor more than \$50. Payment of the discounted fine within seven days of the date the parking citation was issued shall constitute full payment of the fine for the parking violation. Payments received by Metro Government on or after the eighth day from the date the parking citation was issued must be for the full fine amount, plus any other applicable fees or penalties.~~

~~(23)~~ Violations of § 72.033 or § 72.081 shall have a civil fine of not less than \$50 nor more than \$100 for each offense. Each day a parking violation continues shall be a separate offense. In addition, any violation of § 72.033 which continues for more than 24 hours, or violations by the same vehicle more than twice during any 30-day period, or violations by the same vehicle more than three times during a calendar year, shall cause the violating vehicle to be towed and the owner thereof shall be responsible for the towing charges pursuant to § 72.062(A).

(34) Violations of § 72.065 shall be a misdemeanor and punishable by a fine of not more than \$500, or no more than 365 days in jail, or both.

(B) The ~~Assistant~~ Director of PARC is authorized to raise the civil fines and discount rate provided in this section within the ranges set forth in subsection (A), upon reasonable necessity, ~~subject to the Metro Council voiding any fine or discount rate increase.~~