

ORDINANCE NO. 13-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTIONS 24-412, 24-451, 24-452, 24-453, 24-455, 24-458, 24-463, and 24-467 AND REPEALING SECTION 24-462 OF SAID CODE; DELEGATING CERTAIN PARKING AUTHORITY TO THE CITY ADMINISTRATOR; AUTHORIZING SIGNED LIMITING TIME PARKING; AND, CLARIFYING LANGUAGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That section 24-412 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-412. Parking in violation of duly erected signs.

Whenever signs are erected by the city pursuant to an ordinance or resolution of the city council or order by the city administrator which establishes limited time parking zones or in any way limits or restricts parking, no person shall park, stop or stand a vehicle in violation of the provisions indicated on such signs.”

Section 2. That the definition of “parking meter” in section 24-451 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-451. Definitions.

Whenever in this division the following terms are used, they shall have the meanings respectively ascribed to them in this section:

...

Parking meter zones means city lots and portions of streets described and established by the city as zones within which the parking of vehicles may be controlled, regulated and inspected with the aid of timing devices or meters, herein referred to as parking meters or meters.

...”

Section 3. That subsection (a) of section 24-452 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-452. Establishment.

(a) Parking meter zones may be established upon such streets and avenues and in city parking lots as the city council from time to time shall designate. Pursuant to such parking meter zone designation, the city administrator ~~shall~~ may install parking meters or establish other limited time parking restrictions. The city council may order that parking meters be installed and enforced in other private or publicly owned parking lots by entering into agreements with the owner of the lots.
...”

Section 4. That section 24-453 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-453. Installation; time limits.

The city administrator shall supervise the installation and placing of parking meters or limited time parking signs in the parking meter zones as may be established by the city council. Parking meters shall be placed upon the curb alongside of individual parking places or as appropriate and in designated parking lots. Each parking meter shall be placed or set in such a manner as to show or display the parking duration allowed and the unexpired time after deposit of required coins. The city administrator shall be responsible for setting and adjusting all parking meters, for supervision and collection of the moneys.”

Section 5. That section 24-455 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-455. Immediate coin deposit required.

When any vehicle is parked in a metered city parking space, the driver of the vehicle shall, upon entering the parking meter space, immediately deposit in the meter the proper coin or coins for the parking time desired not to exceed the maximum available time. If the vehicle remains parked in the parking space beyond the legal parking time which is designated by a sign or a signal of the parking meter showing illegal parking, such vehicle shall be considered as parked overtime, and the parking of a vehicle overtime or failure to put the meter in operation is a violation of this division. The hours of enforcement and the days of enforcement shall be determined by the city administration consistent with proper enforcement procedures.”

Section 6. That section 24-458 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-458. Slug deposit or injury to meter prohibited.

- (a) It is unlawful to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a coin of the United States, except that the city administrator may direct the issuance of Billings parking meter tokens for use in its meters. The tokens may be issued in denominations equal to US coins and may be sold to merchants or others.
- (b) It is unlawful for any person to deface, injure, tamper with or open or willfully break, destroy or impair the usefulness of any parking meter installed under the terms of this division.
- (c) Every person who violates this section shall be subject to civil penalties as specified in section 18-1304.”

Section 7. That section 24-462 of the Billings, Montana City Code be repealed in its entirety.

Section 8. That section 24-463 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-463. Parking garages.

City parking garages are designated as reserved, hourly or general parking. Each parking space shall be designated with lines or marks, and each vehicle shall park entirely within the lines or markings so established. Any person improperly parking or parking in violation of posted directions shall be fined for each offense. Citations for violations may be issued in the same manner as citations for violation of parking meter zones in the city.”

Section 9. That section 24-467 of the Billings, Montana City Code be amended to read as follows:

“Sec. 24-467. Failure to pay parking fees.

A person who parks in a non-metered city parking space controlled by limited time parking signs is required to pay an hourly or monthly parking fee in the manner and at the time set by the city. A person who fails to pay the required parking fee when due shall be subject to civil penalties as specified in section 18-1304. Each day that a violation occurs is a separate offense.”

Section 10. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of these ordinances are declared to be severable.

Section 11. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 12. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

APPROVED on first reading this ___ day of _____, 2013.

ADOPTED and APPROVED on second reading this ___ day of _____, 2013.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk