

ORD1189-2018
Parking Services - May 2018 Code Changes
Summary of Changes in Title 21 - Traffic Code

Summary of Changes:

Enact new sections; 219.034, 2151.25, 2151.26, and 2155.13

Amend Sections 219.01, 219.033, 2101.58, 2105.16, 2105.21, 2105.27, 2150.01, 2150.02, 2150.04, 2150.10, 2151.09, 2151.18, 2151.21, 2155.01, 2155.04, and 2155.05

New Sections Enacted:

Section 219.034 - Division of parking services.

The division of parking services is established as a division of the department of public service. The administrative head of the division shall be the assistant director for parking services. The division of parking services shall have as its primary duties the administration, operation, enforcement, and management of public parking. The division shall include the parking violations bureau as established by 2150.04 of the Columbus City Code.

Section 2151.25 - Parking in dedicated car-sharing parking space.

- (a) No person shall park a vehicle in a designated car-sharing vehicle parking space, as authorized by the service director, except vehicles with a valid dedicated car-sharing permit, as provided for in rules and regulations promulgated pursuant to Section 2105.27.
- (b) A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

Section 2151.26 - Overtime parking.

- (a) No vehicle shall remain parked in a parking space in excess of the posted time restriction pursuant to the provisions of this chapter. A vehicle shall be considered in violation of this section if the vehicle has not been moved at least seventy-five (75) feet from the original parking space within the posted time restricted area.
- (b) A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

Section 2155.13 - Parking Benefit Districts.

- a) There are hereby created Parking Benefit Districts. A Parking Benefit District is a geographic area with a higher than optimal parking demand. Designating an area as a Parking Benefit District allows a portion of the on-street parking revenues to be collected and reinvested into transportation related enhancements to improve a neighborhood and promote walking, biking, and public transportation.
- b) The service director shall promulgate rules and regulations, pursuant to Section 2105.03 for the administration of a Parking Benefit District and shall have the authority to disperse funds generated

from parking meter revenue to assist in funding transportation, parking, and mobility related projects and initiatives within the limits of a defined parking benefit district.

- c) The provisions of this chapter shall only apply when a Parking Benefit District has been designated by ordinance of City Council for a defined geographic boundary.

Amended Sections:

Section 219.01 - Department of public service established.

There is established a department of public service consisting of a director of public service, two (2) deputy directors of public service, the division of traffic management, the division of infrastructure management, the division of design and construction, the division of parking services, and the division of refuse collection. The department of public service shall perform all lawful functions as may be directed by the mayor or ordinance of council.

Section 219.033 – Division of traffic management.

The division of traffic management is established as a division of the department of public service. The administrative head of the division shall be the traffic division administrator. The division of traffic management will focus on ~~parking services, parking enforcement,~~ traffic engineering services and traffic maintenance. ~~The parking services and~~ Traffic engineering will include safety studies, ~~parking studies,~~ speed studies, capacity reviews, signal warrant analysis and will work closely with the public on needs throughout the city. The division shall also provide traffic maintenance services including installation and maintenance of pavement markings, traffic signals, and traffic signage, ~~and parking meters.~~ The division shall also provide parking management and violation services including the parking violations bureau as established by 2150.04 of the Columbus City Code.

Section 2101.58 - Car-sharing organization (CSO).

"Car-sharing organization (CSO)" ~~means either a not for profit or for profit entity approved by the director of public service to operate in the public right of way a fleet of vehicles to subscribers on a minute or hourly basis for a fee.~~ means an entity approved by the Director of Public Service, or designee, to operate in the public right-of-way a fleet of vehicles to subscribers on a minute, hourly, or daily basis for a fee.

Section 2105.16 – Individual parking spaces.

~~The service director shall designate and mark off individual parking spaces at points or places to be approved by resolution of council in certain sections of the downtown area and outlying districts, such parking spaces to be established along the curb of streets in such sections and to be approximately twenty three (23) feet in length along side curbs. At each place where individual parking spaces are so marked off, each vehicle shall be parked entirely within an individual parking space.~~

~~A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of [Chapter 2150](#).~~

The service director shall designate individual parking spaces of approximately twenty (20) feet in length along the curb of streets in high demand parking areas such as downtown and outlying districts. Individual parking spaces shall be marked off by device, sign, or pavement marking. Each vehicle shall be parked entirely within an individual parking space and only one vehicle shall be parked within an individual parking space.

A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

Section 2105.21 - Residential-permit ~~Permit~~ parking.

Whenever the service director determines that on-street parking congestion in ~~the streets of~~ a particular residential district or a portion of a residential district is such that the restriction or prohibition of parking to ~~nonresidential users~~ during certain hours of the day and days of the week is necessary to reduce hazardous traffic conditions and to promote the health, safety and welfare of the ~~residents of the~~ district by providing adequate parking spaces to gain access to ~~their~~ residences, businesses, and institutions, residential-permit parking may be authorized in such districts. Such authorization shall be made only after a parking study has been conducted by the department of public service and shall be implemented by regulations promulgated by the service director pursuant to Section 2105.03 of the City Codes. The issuance or renewal of a permit under this section shall not be granted until all outstanding parking infractions under the city code are paid in full. The establishment of residential-permit parking shall not conflict with any other restrictions contained in this traffic code.

Section 2105.27 – Car-sharing.

The director of public service is empowered to promulgate rules and regulations for the operation of car-sharing organizations within the City of Columbus, including car-sharing parking at public parking meters and within residential permit parking districts. Such rules and regulations shall establish procedures for the recovery of parking meter charges and permit fees, and shall be promulgated according to Section ~~421.05~~ 2105.03.

Section 2150.01 - Definitions.

- (A) "Parking Infractions" means a violation of Section 919.23(C), Section 2105.16, division (B) of 2131.27, Sections 2137.09, 2151.01, 2151.03, 2151.04, 2151.06, 2151.08, 2151.09, 2151.10, 2151.11, 2151.12, 2151.13, 2151.14, 2151.15, 2151.16, 2151.17, 2151.18, 2151.19, 2151.20, 2151.21, 2151.22, 2151.23, 2151.25, 2151.26, 2155.02, 2155.05, 2155.06, or 2157.04.
- (B) "Vehicle" has the same meaning as in Section 2101.51.
- (C) "Court" or "Municipal Court" means the Franklin County Municipal Court, unless specifically identified as another court, in which case it means the specifically identified court.
- (D) "Bureau" means the City of Columbus, Ohio, Parking Violations Bureau, unless specifically identified as another bureau, in which case it means the specifically identified bureau.
- (E) "Local authority" means every county, municipal corporation, township or other local board or body having authority to adopt police regulations pursuant to the constitution and laws of this State.

Section 2150.02 – Impoundment and immobilization.

- (A) The commission of a parking infraction, as defined in division (A) of Section 2150.01 of this chapter, within the City of Columbus shall not be considered a criminal offense for any purpose.
- (B) A vehicle involved in ~~five (5)~~ three (3) or more parking infractions in which judgments or default judgments have been filed with the Clerk of the Municipal Court pursuant to division (C) of Section 2150.07 of this chapter is subject to impoundment or immobilization by law enforcement officers of the City of Columbus or their agents. Impoundment or immobilization pursuant to this division of this section is permitted without regard to whether the vehicle, at the time of impoundment or immobilization, is legally parked. The owner of a vehicle impounded pursuant to this chapter shall be liable for impoundment fees and storage charges as provided by Section 2107.06 of the Columbus City Code.
- (C) A vehicle impounded or immobilized under division B or division D of this section shall be released to the owner upon the owner presenting a valid certificate of title to the vehicle to the violations clerk of the parking violations bureau and upon the owner either paying the fines, penalties, fees and costs due on the parking infractions issued or outstanding or payment of the judgments or default judgments

which led to the impoundment or immobilization or posting a bond equal to the amount of said fines, penalties, fees and costs. In no case, however, shall the owner of a vehicle impounded or immobilized pursuant to this chapter be required to post a bond in excess of one thousand dollars (\$1,000.00) to obtain release of the vehicle.

- (D) Notwithstanding divisions (B) and (C) of this section, a vehicle parked, stopped or standing on a public street or highway in commission of a parking infraction is subject to impoundment.

Impoundment of a vehicle parked, stopped or standing on a public street or highway in commission of a parking offense may be ordered, directed or caused by division of Police or Parking Violations Bureau personnel.

Section 2150.04 – Parking Violations Bureau.

- (a) The City of Columbus Parking Violations Bureau is hereby established pursuant to Section 4521.04 of the Ohio Revised Code. The Bureau shall be a section within the division of ~~traffic management~~ parking services within the department of public service. The bureau has jurisdiction over each parking infraction that occurs within the territory of the City of Columbus. The bureau will also issue ~~residential~~ parking permits for areas established pursuant to Section 2105.21 of this Code. The issuance or renewal of a permit under this section shall not be granted until all outstanding parking infractions under this code are paid in full. Notwithstanding any other provision of law to the contrary, each parking infraction that occurs within the jurisdiction of the bureau and the enforcement of each such parking infraction shall be handled pursuant to and be governed by the provisions of Title 21 of this Code.
- (b) The operating costs of the bureau shall be paid by the City of Columbus. The director of public service shall appoint a ~~parking violations bureau coordinator~~ security manager (~~violations clerk~~), hearing examiners and the necessary clerical employees. No person shall be employed as a hearing examiner unless the person is an attorney admitted to the practice of law in this state or formerly was employed as a law enforcement officer.
- (c) The fines, penalties, fees and costs established for a parking infraction shall be collected, retained and disbursed by the violations clerk if the parking infraction out of which the fine, penalties, fees and costs arose occurred within the jurisdiction of the bureau. The violations clerk shall issue tickets for parking infractions to law enforcement officers for the City of Columbus and prescribe conditions for issuance and accountability. The fine, penalties, fees and costs collected by a violations clerk for a parking infraction shall be disbursed by the clerk to the City of Columbus.
- (d) The director of public service shall have authority to contract with any non-governmental entity to provide services in processing, collecting and enforcing parking tickets issued by law enforcement officers and civil judgments and default civil judgments entered pursuant to this chapter. No contract shall affect the responsibilities of hearing examiners as prescribed in this chapter or the ultimate responsibility of the violations clerk to collect, retain and disburse fines, penalties, fees and costs for parking infractions and monies paid in satisfaction of judgments and default judgment entered pursuant to this chapter.

Section 2150.10 – Parking infraction fines.

The following fines for parking infractions are hereby established:

Code Section	Violation	Current Penalty
919.23(C)	Parking on Grass in city Park	\$30.00
2105.16	Individual Parking Spaces	\$47.00
2137.09	Lights on Parked Vehicle	\$47.00
2151.03	Parking without 10 ft. clearance	\$25.00
2151.04	Stopping not to obstruct street or crossing	\$39.00
2151.08	Motor running or brakes not set	\$47.00
2151.09	Parking more than 72 hours	\$30.00
2151.11	Parking near railroad spur tract	\$22.00
2151.12	Blocking driveway or garage	\$63.00
2151.13	Funeral service parking in front of church or funeral home	\$25.00
2151.14	Parking prohibited for displaying vehicle for sale	\$25.00
2151.15	Parking limited for displaying advertising	\$22.00
2151.16	Parking limited while offering materials for sale	\$25.00
2151.17	Parking for washing, greasing or repairing	\$25.00
2151.18	Parking in residential permit districts	\$50.00
2151.19	Moving vehicle when loading space requested	\$25.00
2151.2	Overtime, truck, bus or house vehicle	\$30.00
2151.21	Fail to register or display	\$50.00

2151.22	Junk motor vehicles	\$89.00
2151.23	Junk motor vehicles on private property	\$47.00
2155.02	Meter spaces limited to vehicles only	\$39.00
2155.05	Overtime, meter <u>Meter Non-Payment</u>	\$30.00
2155.06	Illegal parking	\$30.00
2157.04	Parking, standing of vehicles prohibited - snow emergency	\$63.00
2131.27(B)	Parking Near Emergency Vehicle	\$63.00
2151.01A	Parking prohibited on a sidewalk, shared-use path, curb, or street lawn area between a curb and right-of-way line, except a bicycle	\$55.00
2151.01AA	Parking - prohibited within 1 ft. of wheelchair ramp	\$55.00
2151.01B	Parking - prohibited within 5 ft. of drive	\$55.00
2151.01BB	Obstructing bus loading area	\$63.00
2151.01C	Parking - within an intersection	\$55.00
2151.01CC	Parking in a loading zone	\$30.00
2151.01D	Parking - prohibited within 10 ft. of fire hydrant	\$55.00
2151.01DD	Parking in a bike lane	\$55.00
2151.01E	Parking - prohibited on crosswalk	\$55.00
2151.01F	Parking - prohibited within 20 ft. of crosswalk	\$39.00
2151.01G	Parking - prohibited within 30 ft. of stop sign	\$39.00
2151.01H	Parking in or near a safety zone	\$55.00
2151.01I	Parking within 50 feet of railroad crossing	\$55.00

2151.01J	Parking near fire station entrance	\$55.00
2151.01K	Parking near street excavation or obstruction	\$55.00
2151.01L	Double Parking, Standing or Stopping	\$55.00
2151.01M	Parking - prohibited, bridge, viaduct or tunnel	\$55.00
2151.01N	Parking - prohibited within 1 ft. of another auto	\$25.00
2151.01O1	Parking - prohibited, signs, no parking	\$55.00
2151.01O2	Parking - prohibited, signs, no stopping	\$55.00
2151.01P	Parking - prohibited in front of schools	\$63.00
2151.01Q	Parking - prohibited in front of theaters	\$22.00
2151.01R	Parking - prohibited in street or alley 23 ft. or less in width	\$63.00
2151.01S	Parking - prohibited in front of church	\$22.00
2151.01T	Parking - prohibited in parkway	\$25.00
2151.01U	Parking - prohibited in front of auto mail box	\$25.00
2151.01V	Parking - prohibited on expressway	\$30.00
2151.01W	Parking - prohibited on service road	\$55.00
2151.01X	Parking - prohibited 20 ft. of junction of alley & street	\$55.00
2151.01Y	Parking - prohibited within 10 ft. of bulk refuse container	\$55.00
2151.01Z	Parking prohibited in handicap space	\$500.00
2151.06A	More than 12 inches from curb	\$22.00
2151.06B	Parking facing wrong direction	\$25.00
2151.10B	Parking on public property	\$25.00

2151.10C	Parking on private property	\$22.00
<u>2151.25</u>	<u>Parking in dedicated car-sharing parking space</u>	<u>\$50.00</u>
<u>2151.26</u>	<u>Overtime Parking</u>	<u>\$30.00</u>

Section 2151.09 - Maximum continuous street parking in same location.

- (a) No person who is the owner, agent, operator, or other person in charge of any vehicle shall permit such vehicle to remain parked, standing, or abandoned upon any street for longer than seventy-two (72) consecutive hours without moving such vehicle at least seventy-five (75) feet. This section shall not be construed as affecting any other parking regulation now in effect or that may hereafter become effective but shall be construed as an additional parking limitation. Likewise, the impounding procedures of vehicles on any freeway, expressway or accessway are not affected by this section. The purpose of this section is to prohibit continuous long-time parking and the storage of vehicles on city streets.
- (b) A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

Section 2151.18 - Parking in ~~residential permit districts~~ permit parking area.

- (a) No person shall park a vehicle beyond the posted time in a ~~residential district~~ permit parking area authorized by the service director as a ~~residential~~ permit parking ~~district~~-area except vehicles displaying valid permits for that area, ~~handicapped designated vehicles~~, non-residential commercial vehicles and delivery vehicles providing services to residents and businesses of that area, except as provided for in the rules and regulations promulgated pursuant to Section 2105.27.
- (b) A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.

Section 2151.21- Failure to register or display.

- (a) No person shall park any vehicle upon the public streets or highways when any of the following apply:
- (1) The owner has failed to annually file the application for registration or to pay the tax therefore, as required by Chapter 4503 of the Ohio Revised Code.
 - (2) The vehicle was acquired from a former owner who has registered the same in Ohio, while the vehicle displays the distinctive number or identification mark assigned to it upon its former registration.
 - (3) The vehicle displays a distinctive number or identification mark issued by or under the authority of another state without complying with the laws of Ohio relating to the registration and identification of motor vehicles.
 - (4) The vehicle displays license plates, including a validation sticker issued pursuant to Chapter 4503 of the Ohio Revised Code and license plates issued in another state, for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.
 - (5) The vehicle displays a license plate not legally registered and issued for such vehicle.
 - (6) The vehicle fails to display a valid front and rear license plate issued by the state of Ohio pursuant to Chapter 4503 of the Ohio Revised Code. A law enforcement officer as defined in Section 2301.01(K) shall only issue a ticket, citation, or summons, or cause the arrest or commence a prosecution, for the failure to display a license plate in plain view on the front of a parked motor vehicle if the officer first determines that another offense has occurred and either places the operator or vehicle owner under arrest or issues a ticket, citation, or summons to the operator or vehicle owner for the other offense.
 - (7) The vehicle fails to display a handicap parking placard or handicap license plate for an authorized handicapped designated vehicle as defined under Section 2155.01(g).
- (b) A violation of any provision of this section constitutes the commission of a parking infraction to be

handled pursuant to and governed by the provision of Chapter 2150.

Section 2155.01 - Definitions.

The following definitions shall apply to terms used in this chapter:

- (a) "Individual street parking space" ~~means a portion of the paved surface of the street extending from the curb or edge of paved surface into the street a sufficient distance to accommodate a vehicle when the same is parked as prescribed by [Section 2151.06](#).~~ means a portion of the paved surface approximately twenty (20) feet in length along the curb of streets and shall accommodate a vehicle when the same is parked as prescribed by Section 2151.06.
- (b) "Parking" means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in compliance with directions of a police officer or traffic control device.
- (c) "Parking meters" ~~means a device which indicates thereon the length of time during which a vehicle may be parked in a particular place, which has as a part thereof a receptacle or chamber for receiving and storing required coin, coins, currency, credit card, or electronic fund transfer card equivalence of United States money, a slot or place in which such coin, coins, currency, credit card, or electronic fund transfer card equivalence can be deposited, a time mechanism to indicate the passage of an interval of time during which parking is permissible, and which also displays an appropriate signal when the aforesaid interval of time has elapsed or a receipt which displays the time the parking will expire.~~ means any mechanical or electronic device used, placed, installed, or erected at or near the curb adjacent to the parking lane, or otherwise on property which is owned, leased, or operated by the city. A parking meter includes, but is not limited to, single space meters, multi-space meters, and parking mobile payment applications authorized by the city of Columbus.
- (d) "Vehicle" means any device in, upon, or by which any person or property is or may be transported upon a public street, except such devices as are used exclusively upon stationary rails or tracks and such devices as are propelled exclusively by human power.
- (e) "Off-street parking lot" means any lot, piece, or parcel of land owned by the city and designated by council for the purpose of metered, time-regulated storing or parking of vehicles.
- (f) "Individual off-street parking space" means a portion of the paved surface of the off-street parking lot approximately twenty (20) feet in length and nine (9) feet in width.
- (g) "Handicapped designated vehicle" means a motor vehicle that displays either (1) a parking card issued under Section 4503.44 of the Ohio Revised Code or (2) a special license plate issued under Section 4503.44 of the Ohio Revised Code and is being operated by or for the transport of a handicapped person. For purposes of this section "handicapped person" means any person who has lost the use of one (1) or both legs or one (1) or both arms, who is blind or deaf, or so severely handicapped as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition. When a motor vehicle displays a temporary parking pass, disabled veteran plate, permanent parking card from the appropriate state agency, or special license plate, that is being operated by or transporting a disabled or handicapped person, the motor vehicle shall have the decal or parking card clearly displayed on the left dashboard or in the left front windshield of enclosed vehicles so that the parking privilege information is on the front side of the card and is readily readable from outside the windshield. (ORC 4503.44)
- (h) "Handicapped designated parking space" means parking spaces on public or private streets, parking lots and parking garages designated for the exclusive use of a handicapped designated vehicle and denoted as such in accordance with the requirements of the Ohio Revised Code Section 4511.69 (E), Ohio Revised Code Section 3781.111 (C), the Ohio Manual of Uniform Traffic Control Devices and the city of Columbus Transportation Sign Installation Manual.
- (i) "Meter day" means any day that parking meters are enforced.

Section 2155.04 - Powers and duties of service director.

The service director is authorized and directed to make, modify, change from time to time and promulgate such administrative rules as in the director's discretion shall be deemed necessary to effectuate the provisions of this chapter.

The service director is hereby authorized to establish, modify, and change from time to time, regulations which set forth the days of the week, hours of the day, and the intervals of time for which parking is permissible, and the ~~coin or coins of United States money~~ funds required for parking in individual parking spaces so designated and marked as provided for in [Section 2155.01](#).

Such regulations shall be signed by the service director, filed with the clerk of the city, and published in the City Bulletin.

The maintenance and repair of parking meters shall be under the supervision and direction of the service director.

The service director is further authorized to establish the rates for fees to be charged in the event that parking meters are temporarily removed for construction or other purposes as described in [Section 2155.055](#), in accordance with the guidelines stated therein.

Section 2155.05 - Deposit of ~~coin~~ funds required; ~~overtime parking meter non-payment~~.

- (a) Whenever a vehicle shall be parked ~~in an individual street or off-street parking space where a~~ at a parking meter ~~has been installed~~, during the days of the week and during the hours of the day for which the service director has established regulations as provided for in Section 2155.04, the person parking such vehicle shall immediately deposit or cause to be deposited the required ~~coin or coins of United States money in such parking meter~~ funds, except as provided for in the rules and regulations promulgated pursuant to Section 2105.27. Upon the deposit of such ~~coin or coins~~ funds, and the placing of such parking meter in operation, the parking space may be lawfully occupied by such vehicle during the period indicated on the meter. Any vehicle which fails to deposit the required funds and remains in an individual street or off-street parking space after the prescribed time for parking ~~is~~ will be determined to be illegally parked and in violation of the provisions of this chapter. When a handicapped designated vehicle is parked in a handicapped designated space or any legal available parking space the vehicle shall be permitted to park two (2) hours beyond the legal limits on the meter or applicable parking space but not beyond the designated parking hours or other restricted hours that may apply.
- (b) A violation of this section constitutes the commission of a parking infraction to be handled pursuant to and governed by the provisions of Chapter 2150.