



ORDINANCE NO. 5950

AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE TITLE 13 BY THE REVISION OF CHAPTER 13.21.112, CENTRAL ALBANY PARKING AREA

WHEREAS, the Albany City Council ratified Albany Municipal Code (AMC) Chapter 13.21.112, Central Albany Parking Area, on March 11, 2020, to address areas within the city where unlawful activity had increased; and

WHEREAS, City Council wished to set a "sunset clause" for October 10, 2020, under section 13.21.112(7) in case of unforeseen negative effects; and

WHEREAS, no increase in similar unlawful activity has been observed in a different area of the city; and

WHEREAS, due to that lack of negative effects, Section 13.21.112(7), Sunset Clause, has been removed.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Amending AMC Title 13, Vehicles and Traffic. AMC Title 13 is hereby amended to remove section 13.21.112(7), Sunset Clause, from Chapter 13.21.112, Central Albany parking area, as follows:

**(1) It is unlawful for any vehicle to park on the public streets, listed below, without a valid Central Albany parking area permit.**

**(a) Area.**

- (i) 11th Avenue SE, west of Jackson Street SE to Montgomery Street SE.**
- (ii) Montgomery Street SE, west of 11th Avenue SE to 13th Avenue SE.**
- (iii) 13th Avenue SE, west of Jackson Street SE to Industrial Way SW.**
- (iv) Howard Drive SE, north of 13th Avenue SE to dead end.**
- (v) Industrial Way SW, south of 13th Avenue SE to Queen Avenue SW.**

**(2) Enforcement.**

**(a) Any enforcement actions described in this section shall be in line with or in addition to other sections of this chapter.**

**(b) Upon first offense of the Central Albany parking area a parking citation, as laid out in AMC 13.21.155, shall be issued.**

**(i) If the operator of the vehicle is contacted upon issuance of the parking citation, the vehicle shall be removed immediately from the Central Albany parking area.**

**(ii) If the operator of the vehicle is not contacted upon issuance of the parking citation, the vehicle shall be removed from the Central Albany parking area within 24 hours.**

**(iii) If the vehicle is not removed within the time allotted, the vehicle shall be towed pursuant to subsection (5) of this section.**

**(c) Upon any additional violation of the Central Albany parking area by any vehicle, the vehicle shall be towed pursuant to subsection (5) of this section.**

**(3) Permits.**

**(a) All Central Albany parking area permits shall be the sole property of the City of Albany.**

**(b) Upon initial implementation of the Central Albany parking area, each business shall be given one parking permit per employee working at the local office, free of charge. Each business will also be given, free of charge, visitor parking permits equal to 15 percent of their employee permits. If the final number is uneven, the number shall be rounded up to the next number.**

**(i) Any additionally needed parking permits, employee or visitor, shall be obtained at the cost of \$5 per permit.**

(ii) The number of employee parking permits shall not exceed the number of employees on the payroll.

(iii) The number of visitor parking permits shall not exceed 30 percent of the number of employees on the payroll.

(iv) Additional permit requests shall be made through the Albany police records division.

(v) All permits shall be the sole property of the City of Albany and may be revoked for any misuse.

(c) Locations with addresses in the Central Albany parking area may apply to the Albany Police Department for a group parking permit exemption during special events or construction. These exemptions may be removed for any misuse.

(4) Records.

(a) It shall be the responsibility of each business to keep a record of permit issuance. These records shall include:

(i) Employee name.

(ii) Permit number issued.

(b) It shall be the responsibility of the business to retrieve any permits issued when an employee no longer works for them.

(i) In cases of an employee refusing to return a permit, said permit shall be filed as stolen with the Albany Police Department.

(c) It shall be the responsibility of the business to report any lost or stolen permits to the Albany Police Department. This report shall be made as soon as possible and within reason.

(i) Replacement of lost or stolen permits shall cost \$5.

(5) Towing.

(a) Upon discovering a vehicle in violation of the Central Albany parking area code, the Chief of Police or their designee may immediately cause the vehicle to be towed and impounded.

(b) The owner of the vehicle shall be responsible for all costs of towing and storing the vehicle.

(6) Towing and Storage Liens.

(a) A person who, at the request of the Chief of Police, takes a vehicle into custody under the provisions of this chapter shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle until the charges are paid, and may have the vehicle sold at public auction to satisfy the lien. The lien that attaches to the vehicle and its contents shall be a possessory chattel lien in accordance with ORS 87.152 and may be foreclosed in the manner provided in ORS 87.152 to 87.212. If the appraised value of the vehicle is \$1,000 or less, the vehicle may be disposed of in the manner provided in ORS 819.220.

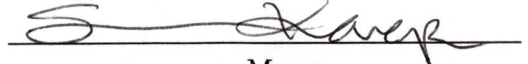
(b) If the vehicle is taken into custody under the provisions of this chapter and held by the City rather than by a private garage, the vehicle and its contents shall be disposed of in the manner provided in ORS 819.210 to 819.260.

~~—(7) Sunset Clause. This chapter shall remain in effect until October 10, 2020, and as of that date this chapter is repealed unless an extension or reauthorization of this chapter is approved by city council. (Ord. 5941, 2020; Ord. 5938, 2020).~~

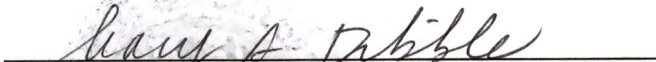
Passed by the Council: Oct 28, 2020

Approved by the Mayor: Oct 28, 2020

Effective Date: Nov 27, 2020

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

