



AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) TITLE 13 BY THE REVISION OF CHAPTER 13.21.112 TITLED CENTRAL ALBANY PARKING AREA AND DECLARING AN EMERGENCY

WHEREAS, the Albany City Council ratified 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, it was discovered that AMC Chapter 13.70.040 improperly cited towing; and

WHEREAS, the creation of AMC Chapter 13.21.112(5) and 13.21.112(6) would address the issue within the code.

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 revise Chapter 13.21.112 titled Central Albany Parking Area as follows:

13.21.112 Central Albany Parking Area.

(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 AMC 13.21.

(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 ~~AMC 13.70.040~~ **AMC 13.21.112(5).**

(c) Upon any additional violation of the Central Albany Parking Area by any vehicle, the vehicle shall be towed pursuant to ~~AMC 13.70.040~~ **AMC 13.21.112(5).**

(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 round up to the next number.

- (i) Any additionally needed parking permits, employee or visitor, shall be obtained at the cost of \$5.00 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 \$5.00.

(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.

~~(5)~~ **(7) Sunset Clause**


(a) 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 the Chapter is approved by the Albany City Council.

Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, or to facilitate the prompt and timely completion of important City business, an emergency is hereby declared to exist; and this ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the Council: May 13, 2020

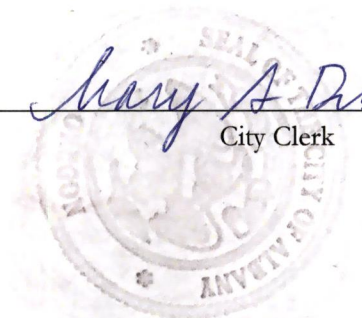
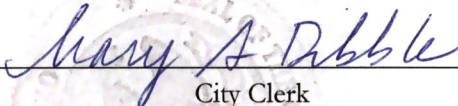
Approved by the Mayor: May 13, 2020

Effective Date: May 13, 2020



Mayor

ATTEST:

City Clerk