

CODE REVISION

First Reading: 6-10-2019

Second Reading: 7-8-2019

Chapter 163 - Vehicles and Traffic

Article III. Parking Regulations

Add

§ 163-28.5. Designation of proprietary parking spaces.

Upon receipt of the fee set by resolution of the Sunbury City Council, the City Administrator may designate up to 3 specific parking spaces in a municipal lot for the proprietary use of a licensed business, agency, organization or other entity (hereafter, "proprietor") in accordance with the regulations set forth herein. For more than 3 parking spaces, the proprietor must submit a letter to the City Council for consideration and approval by majority vote. Such letter may be submitted at any time.

A. Proprietary parking space: a parking space which is designated and posted as such for the sole use of a proprietor.

(1) Not more than 30% of the total number (metered, permit only, proprietary, and handicapped) of parking spaces within a municipal lot may be designated as proprietary. Exception to the 30% limit for proprietary spaces may be made only by majority vote of the City Council.

(2) Proprietary parking spaces shall be to the benefit of the customers served by the proprietor. Spaces to the primary benefit of proprietor or employees may be approved based on justification provided by the applicant.

B. Application and fee.

(1) Any proprietor may apply for up to 3 proprietary parking spaces to be designated in any municipal parking lot. Applications will be accepted annually in the month of September. The application fee will be \$25.00 in September of 2019 and thereafter will be equivalent to the Administration Fee published in the Annual Fee Schedule. The applications will be accepted at the City Administration Office. Application fee will be paid by the applicant at time of application submission.

(2) Applications submitted at any time other than September may be considered on a case-by-case basis at the discretion of the City Administrator and the Department Head. If approved, fees will be prorated as applicable.

(2) Requests for more than 3 proprietary parking spaces must be submitted by letter to the City Council for consideration and approval by majority vote. The City Council will set the

contract terms and fees on a case by case basis. The contract will be entered into and signed by the proprietor and the designated signatory of the City of Sunbury.

C. Application Approval

(1) Applications will be reviewed by the City Administrator and the Department Head, Department of Parks and Public Property.

(2) When the total number of spaces requested by all applicants is less than 30% of the total number of spaces in a municipal lot, the applications will be approved.

(3) When the total number of spaces requested by all applicants exceeds 30% of the total number of spaces in a municipal lot, the City Administrator and Department Head will negotiate a resolution among relevant applicants by reducing the number of spaces requested. If a resolution cannot be negotiated, spaces will be allotted by lottery.

(4) The City Administrator will notify all applicants of the approval or disapproval of applications by letter no later than October 31st. Applicants who have been disapproved may request consideration by the City Council at the first Council Meeting in the month of November.

(5) Proprietary use of the approved spaces will begin on January 1st. Applicable fees must be paid by January 31st. For applications submitted outside the annual process, proprietary use of approved spaces will begin following payment of prorated fee in full.

D. Fee for Proprietary Spaces

(1) An invoice will be prepared by the City Treasurer's Office and mailed to the proprietor no later than December 31st. Prorated fees will be paid in full at the Treasurer's Office within 30 days of approval.

(2) Fees for proprietary spaces shall be equivalent to the Monthly Parking Pass (municipal lot) fee published in the Annual Fee Schedule plus \$10 per month unless other terms and fees have been set forth in a contract approved by the City Council. Fees for proprietary spaces will be paid for the year in full no later than January 31st.

E. Contract. Upon approval of the application and receipt of requisite fees, a contract shall be entered between the City and the proprietor. The term of the contract shall be 1 year with the option to renew annually.

- (1) The contract shall:
- a. Specify the location of each parking space so designated as proprietary.
 - b. Specify the days and times during which proprietary use is in effect.
 - c. Provide for rescission of the contract with a 30-day notification by the City or by the business, agency, organization, or other entity.

d. Provide for prohibition of parking as necessary for the City to conduct maintenance, repairs or other work and in the case of emergency.

(2) The proprietor shall notify the City of intent to renew no later than September 1st of each year.

F. Proprietary Parking Signs

(1) A sign shall be posted at the front of each proprietary parking space. It is the responsibility of the proprietor to ensure signs are posted in accordance with the regulations herein. Sign must:

- a. be of a rigid vinyl, plastic, or non-corrosive metal material no larger than 12 inches wide by 18 inches tall; and no smaller than 8 inches wide by 10 inches tall.
- b. include the name of the proprietor entitled to proprietary use of the space;
- c. include the days and times during which proprietary use is in effect.

(2) Proprietor is responsible for providing signs in compliance with standards described above. Signs may be purchased by the proprietor from the Department of Public Works for a fee of \$75.00 per sign.

(3) Upon approval of the application, DPW will contact the proprietor to arrange for temporary and/or permanent signs to be installed at the front of each proprietary space. Temporary "Reserved Parking" signs will be provided by DPW.

a. If the sign is to be installed on a building, the proprietor must be the owner of the building or provide a letter from the owner of the building authorizing the installation of the sign.

b. Temporary signs must be in place no later than January 1st or the first of the month following prorated payment. Permanent signs must be installed no later than March 1st or 60 days after prorated payment. Deadline extensions must be approved by the Department of Parks and Public Property supervisor or City Administrator.