



## ORDINANCE 2023-04 ATTACHMENT A

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### **72.01 Purpose.**

This Chapter describes the regulation of parking on City of Monroe owned or operated property, including but not limited to surface parking lots, parking structures and designated parking areas; and public rights-of-way, including but not limited to streets, designated parking areas, planting strips, and sidewalks.

### **72.02 Generally.**

Persons parking a vehicle in the City of Monroe must comply with the following rules in addition to any rules mandated by a parking zone, permit, or district, unless specifically directed otherwise by this Title, a traffic control device or an authorized officer.

1. Emergency vehicles may stop or park in any manner necessary at any time while serving an emergency.
2. No person may park or stop a vehicle other than in the direction of traffic.
3. Head-in or angle parking is not lawful on a street unless designated by signage or parking space markings.
4. When parking spaces are designated on a street with parking space markings, the vehicle must be parked in such a manner that the entire vehicle is located within official parking space markings.
5. When parking spaces are not designated on a street with parking space markings and when angle parking is not lawful, the vehicle must be parked in such a manner that both the front and rear tires closest to the curb or curb line are located not more than 18 inches from the curb or curb line.
  - a. A two or three wheeled vehicle may park at an angle or perpendicular to traffic flow if its tire closest to the curb or curb line is located not more than one foot from the curb or curb line and the vehicle does not extend more than eight feet from the curb or curb line.
6. The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street or public lot has priority to park in that space, and no other vehicle operator or person may attempt to interfere.
7. When the operator of a vehicle discovers the vehicle is parked adjacent to a building to which the fire department has been summoned, the operator must immediately remove the vehicle from the area unless directed otherwise by law enforcement or fire officers.



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### **72.05 Prohibited Parking or Stopping of a Vehicle.**

Except when specifically directed by authority of this Title or when necessary to avoid conflict with other traffic, it is unlawful to park or stop a vehicle:

1. In violation of the state's Vehicle Code or in violation of a parking limit sign;
2. So as to prevent the free passage of other vehicles, including rail vehicles and bicycles, on any street, alley or City of Monroe owned or operated property.
3. Adjacent to a curb painted or taped yellow if the paint or tape is authorized by the City Council.
4. When the vehicle is: a truck, a truck trailer, a motor bus, a recreational vehicle, a utility trailer, a drop box or storage container, or has two or more rear axles in the public right-of-way adjacent to or directly across from residential, public park, church, or school property, except:
  - a. When loading/unloading property belonging to the occupants of or performing a service on the adjacent residence, for a period not to exceed 8 hours; or
  - b. Recreation vehicle when servicing or loading/unloading the vehicle for a period not to exceed 8 hours.
5. Without doing all of the following if leaving the vehicle unattended:
  - a. Stopping the engine;
  - b. Turning the front wheels to the curb or side of the street when on any grade;
  - c. Locking the ignition;
  - d. Removing the key from the ignition; and
  - e. Effectively setting the brake on the vehicle.
6. In the public right-of-way, public park, or city-owned or operated property if the vehicle is abandoned.
7. In a manner that creates a traffic hazard impeding the safe movement of vehicular or pedestrian traffic.

### **72.10 Prohibited in Specified Places.**

Except when specifically directed by authority of this Title or when necessary to avoid conflict with other traffic, it is unlawful to park or stop a vehicle in any of the following places:

1. Within 50 feet of an intersection when:
  - a. The vehicle or a view obstructing attachment to the vehicle is more than 6 feet in height; or
  - b. Vehicle design, modification, or load obscures the visibility or view of approaching traffic, any traffic control sign, any traffic control signal, or any pedestrian in a crosswalk.
2. Within 15 feet of a driveway to any fire station unless allowed by official signs or markings.
3. Within 10 feet of any fire hydrant, even when not marked by traffic control devices.
4. In front of any portion of a handicap access ramp.
5. In front of and 10 feet on either side of a rural (vehicle) delivery mail box between 8 a.m. and 6 p.m., except Sundays and official postal holidays.
6. Within any city park except in officially designated parking areas during the time the park is open to the public. This provision does not apply to City or City-authorized vehicles used in park service, or to vehicles authorized by a written permit from the City Council or designee.
7. On any planting strip, sidewalk, or pedestrian way.



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8. On City-owned or City-operated property designated for vehicle parking by authorized City personnel only, without consent of the City, if there is in plain view on such property a sign prohibiting or restricting public parking.
9. Over, upon, or in such manner as to prevent access to any water meter, gate valve, or other appliance in use on any water meter connection of the City of Monroe, located on public property, the public right-of-way or private property.
10. On or within an intersection.
11. On or within a crosswalk.
12. In the area between roadways of a divided street or highway.
13. On or within a bicycle lane, path, or trail.
14. In front of any portion of a driveway ingress/egress to the public right-of-way.
15. in an alley, except for a stop of not more than 15 consecutive minutes for loading or unloading persons or materials.
16. A motor truck on a street in a residential zone between the hours of 10:00 p.m. and 7:00 a.m.

### **72.15 Prohibited Practices.**

No person may park or permit to be parked a vehicle on a street or other public property for the principal purpose of:

1. Displaying the vehicle for sale;
2. Repairing or servicing the vehicle, except while making repairs necessitated by an emergency for a period not to exceed 8 hours or as allowed for recreational vehicles in 72.05(4);
3. Displaying advertising from the vehicle; or
4. Selling merchandise from the vehicle, except when authorized by permit or City Code.

### **72.20 Storing Property on Street Prohibited.**

1. No person may store, or permit to be stored, a vehicle or other personal property on public right-of-way or other public property in excess of 72 hours without making an application with the City and approved by the City Council or designee.
2. Notwithstanding section A above, vehicles described in 72.05(4) are subject to the limitations established in those sections.

### **72.25 Use of Loading Zone.**

1. No person shall park a vehicle in a place designated as a loading zone when the hours applicable to that loading zone are in effect for any purpose other than loading or unloading persons or material. Such a stop shall not exceed the time limits posted. If no time limits are posted, use of the zone shall not exceed 30 minutes.

### **72.30 Parking Citations and Owner Responsibility.**

1. Citation on illegally parked vehicle. When a vehicle without an operator is found parked in violation of a restriction imposed by this title or state law, the officer finding the vehicle shall



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note the license number and any other information displayed on the vehicle that may identify the owner and shall attach a parking citation to the vehicle. The citation shall instruct the operator to answer to the charge at the next regularly scheduled municipal court session or pay the penalty imposed prior to that time at the City Hall during posted business hours.

2. Failure to comply with parking citation. If the operator does not respond to a parking citation attached to the vehicle by the end of the court session listed on the citation, the City Administrator shall send a letter to the owner of the vehicle informing the owner of the violation and giving notice that if the citation is disregarded for a period of 30 days:
  - a. The fine will be doubled; and
  - b. If the vehicle has three or more outstanding citations or \$500 or more in unpaid fines, it may be impounded, and an impounded vehicle shall not be released until all outstanding fines and charges are paid.
3. Owner responsibility. The owner of a vehicle that is in violation of a parking restriction shall be responsible for the offense unless the operator used the vehicle without the owner's consent.
4. Registered owner presumption. In a proceeding charging violation of a parking restriction against a vehicle owner, proof that the vehicle was registered to the defendant at the time of the violation constitutes a presumption that the defendant was the owner.

### **72.35 Exemptions.**

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to, but not returning from, a fire alarm, may park irrespective of the provisions of this chapter.
2. This section shall not relieve drivers of authorized emergency vehicles from the duty to park with regard for the safety of all persons.
3. The provisions of this title that regulate the parking of vehicles do not apply to any vehicle being used for public works or utility maintenance, construction, or repair work.

### **72.90 Definitions**

#### **.01 Crosswalk**

Any portion of a roadway at an inter-section or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway that conform in design to the standards established for crosswalks under ORS 810.200. Whenever marked crosswalks have been indicated, such cross- walks and no other shall be deemed lawful across such roadway at that intersection. Where no marked crosswalk exists, a crosswalk is that portion of the roadway described in the following:

1. Where sidewalks, shoulders or a combination thereof exists, a crosswalk is the portion of a roadway at an intersection, not more than 20 feet in width as measured from the prolongation of the lateral line of the roadway toward the prolongation of the adjacent property line, that is included within:
  - a. The connections of the lateral lines of the sidewalks, shoulders, or a combination thereof on opposite sides of the street or highway measured from the curbs or, in the absence of curbs, from the edges of the traveled roadway; or



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- b. The prolongation of the lateral lines of a sidewalk, shoulder, or both, to the sidewalk or shoulder on the opposite side of the street, if the prolongation would meet such sidewalk or shoulder.
2. If there is neither sidewalk nor shoulder, a crosswalk is the portion of the roadway at an intersection, measuring not less than 6 feet in width, that would be included within the prolongation of the lateral lines of the sidewalk, shoulder or both on the opposite side of the street or highway if there were a sidewalk.

### **.02 Curb**

Any raised margin defining the space in the street devoted to vehicular traffic.

### **.03 Curb Line**

The curb line separates a street or highway into the area dedicated to vehicle traffic (roadway) and the area dedicated to pedestrian and nonmotor vehicle traffic (planting strip, sidewalk, etc.).

### **.04 Emergency Vehicles**

Vehicles of the Monroe Rural Fire District, police vehicles, emergency vehicles of municipal departments, and ambulances while being used for emergency purposes and displaying lights as required by the Oregon Revised Statutes.

### **.05 Fire Station**

Any building used for the purpose of housing fire apparatus within the City.

### **.06 Handicap Access Ramp**

An inclination, ramp-like structure, or any other such device designed to serve and provide ease of access from the sidewalk to the roadway or from the street to adjacent property for individuals using a mobility aid. If winged, it includes the winged area of the structure.

### **.07 Intersection**

The area of a roadway created when two or more public roadways join together at any angle, as described in one of the following:

1. If the roadways have curbs, the intersection is the area embraced within the prolongation or connection of the lateral curb lines.
2. If the roadways do not have curbs, the intersection is the area embraced within the prolongation or connection of the lateral boundary lines of the roadways.
3. The junction of an alley with a roadway does not constitute an intersection.
4. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersection highway is a separate intersection. In the event the intersection highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways is a separate intersection

### **.08 Load/Unload**

To load or unload a vehicle means to be actively engaged in removing merchandise from or putting merchandise in a vehicle.

### **.09 Operator**

Any person who is in actual physical control of a vehicle.



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### **.10 Park, Parking, or Parked**

"Park", "parking", or "parked" 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 property or passengers, or in obedience to traffic regulations, signs, signals, or officers.

### **.11 Pedestrian**

"Pedestrian" means any person afoot or confined in a wheelchair.

### **.12 Planting Strip**

The area between the curb or edge of the roadway and an improved sidewalk.

### **.13 Recreational Vehicle**

A vehicle which is designed for sport or recreational use, or which is designed for human occupancy on an intermittent basis. Recreational vehicle is divided into two categories as follows:

1. Motor Home. A motor vehicle designed for human occupancy on an intermittent basis. A camper is considered a motor home when it is on the back of a pick-up or truck.
2. Accessory Recreational Vehicle. A nonmotor vehicle designed for human occupancy on an intermittent basis such as vacation trailers and fifth-wheel trailers. A camper is considered an accessory recreational vehicle when it is not on the back of a pick-up or truck. Accessory recreational vehicle also includes vehicles designed for off-road use such as off-road vehicles, dune buggies, and recreational boats.

### **.14 Repair (a vehicle)**

To perform work on the motor, mechanical, or body parts of a vehicle.

### **.15 Right-of-Way**

1. The area between property lines of a street, easement, tract or other area dedicated to the movement of vehicles, pedestrians and/or goods.
2. A public right-of-way is dedicated or deeded to the public for public use and under the control of a public agency.
3. A private right-of-way is in private ownership, for use by the owner and those having express or implied permission from the owner, but not by others.

### **.16 Roadway**

The portion of a street or highway improved for vehicle movement, including any parking lane. On an improved street, the area between the curbs or edge lines of a street.

### **.17 Shoulder**

The portion of a public street or highway without curbs, whether paved or unpaved, contiguous to the roadway that is primarily for use by pedestrians, for the accommodation of stopped vehicles, for emergency use and for lateral support of base and surface courses.

### **.18 Sidewalk**

The portion of the street between the curb or lateral lines of the roadway and the adjacent property lines, intended for use by pedestrians. An improved sidewalk is a pedestrian walkway with permanent surfacing in the sidewalk area of a street or highway.





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### **.19 Stop, Stopping, or Stopped**

Any halting, even momentarily, of a vehicle, whether occupied or not, except to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

### **.20 Street or Highway**

The entire width of a right-of-way when any portion thereof is intended for motor vehicle movement or motor vehicle access to abutting property.

### **.21 Storage Container**

A Storage Container in which any material is temporarily stored or collected. For the purposes of Title 70, a storage container will be considered a vehicle in terms of parking provisions and restrictions.

### **.22 Traffic Hazard**

Any object, including vehicles, that impede the safe movement of vehicles in the public right-of-way or, on City of Portland owned or operated property.

### **.23 Traffic Lane**

An area of a street or highway, designated by official signs or markings, as dedicated to the movement of one vehicle at a time.

### **.24 Truck**

Every motor vehicle designed, used or maintained primarily for the transportation of property, goods or providing a service, tow truck with passenger plates, step vans, vehicle length or width or height greater than original manufacturer's vehicle dimensions, and meeting the description as defined by DMV registration as a truck, van or pickup.

### **.25 Truck Trailer**

A vehicle which is not a recreational vehicle or utility trailer, is more than 16 feet in length, and is designed to be pulled by a motor vehicle.

### **.26 Uncontrolled Intersection**

Any intersection with no official traffic control device to designate vehicular right-of-way.

### **.27 Utility Trailer**

A vehicle which is used to carry property, refuse, or special equipment, is 16 feet or less in length and is designed to be pulled by a motor vehicle. Boat trailers are included as utility trailers no matter what their length.

## **72.99 Penalties**

1. Any violation of this chapter is subject to citation or fine for each violation.
2. Violation of this title is punishable by a fine not to exceed \$500.
3. Successive violations are \$100 per day of violation.