

TO: Members of the Public Safety Committee

FROM: Jeffrey J. Mantes, Commissioner of Public Works

RE: File Number 081651 – Parking Vehicles for Periods Exceeding 24 hours

DATE: April 1, 2009

As part of Ordinance 101-27 regarding all night parking, a one year pilot project was enacted in late 2006 to suspend for one year the requirement that a vehicle had to be moved at least once every 24 hours. Instead, 101-27.1.5 allows vehicles parked on specific streets on the lower east side bordering downtown, to remain in place for up to five calendar days provided there are not other timed parking regulations during the day that require vehicles to move.

The original pilot project area was bordered by North Jefferson Street, East Pleasant Street, East Ogden Street, and North Franklin Place. Then in March 2008, the pilot was recreated with additional streets added that included those bordered by East Ogden Avenue, North Prospect Avenue, East Wells Street and North Milwaukee Street.

To patrol the designated area for violations of this ordinance, one parking enforcement officer was assigned to patrol it each weeknight. This was done for adjudication reasons. If a person disputes his/her citation in Municipal Court, the same officer who initially observed a vehicle parked would have to be the same one who viewed the vehicle in the same location every day and the same one who wrote the citation. If not, a judge would likely dismiss the case in favor of the defendant.

This is an extremely labor-intensive violation to enforce. To patrol this area for violation 667, it typically took the enforcement officer two hours per day plus up to 15 minutes per day for recordkeeping or greater than one-quarter of his shift for five days per week. He would chalk tires in one color on Monday, another color on Tuesday, etc. so as to determine when the vehicle was originally marked. He kept records of each color-chalking to help him in the event tickets are disputed. With patrolling and record-keeping and allowing for vacation time, this officer spent over 280 hours from March 1 – November 30, 2008 patrolling just for this violation. During that time, only 10 citations were issued, resulting in a low cost-benefit in terms of effort. In addition, there is the lost opportunity to patrol other areas for other quality of life violations.

The small number of violations is mainly attributable to the difficulty to enforce this. If there had been any precipitation at all which is always likely within a 5+ day period, the possibility of the chalk being naturally removed is high. There are also quite a few people who wipe chalk marks off of their own and/or other peoples' tires to avoid being ticketed, not just in this area but city-wide.

Anecdotally, staff has been told that due to the proximity to downtown, there are a number of non-residents who drive specifically to this area, park their vehicles for the entire day, and walk to their offices. This allows people to park for free. However, staff has no way of determining how many people do this or whether this is viewed as a problem by the area's residents.

DPW's street-sweeping crews have no method to determine whether people are parked for five days or not. They bring the brooms to the street and have to avoid the portions of the blocks on which there are vehicles parked. They observed more vehicles parked in the area but have no quantifiable list to provide as they do not track license plates or blocks that they are unable to fully sweep. As a result, the streets are not swept properly or overtime may be required to return to an area to re-sweep, resources permitted.

The reasons that vehicles on all other streets in the City are required to move within 24 hours are as follows:

- To enable streets to be swept without having brooms return to streets where cars were parked on both sides.
- To efficiently identify vehicles that has been abandoned on City streets.
- To quickly identify stolen vehicles as car thieves often fail to comply with other parking regulations such as having to move a vehicle every 24 hours.
- To keep the streets open and available for short-term parking needs of residents rather than using the public way as a vehicle storage location for long-term periods.

Staff has been unable to quantify the number of stolen vehicles not found in timely manner in this area, because the officer did not run the plates until after the five days. If this ordinance is made permanent or expanded, this will very likely decrease the effectiveness and efficiency of the officers who write tickets and of the street sweepers.

JJM:CA

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File

