



Legislation Text

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030092
SUBSTITUTE 1

ALD. DONOVAN

A substitute ordinance relating to a pilot program granting parking privileges to employees of elementary schools in commuter parking impacted areas.

81-83.5 cr

101-27.8 cr

This ordinance provides that any permanent, regular employe of an elementary school located in the St. Luke's Hospital commuter parking impacted area shall be eligible to obtain a special parking permit to allow the employe's vehicle to be parked in the commuter parking impacted area in excess of posted time limits.

The permit shall only be valid if the vehicle is parked within 600 feet (approximately 2 blocks) of the main entrance to the school at which the permit holder is employed. As with permits for residential daytime parking permits for commuter parking impacted areas, the special privilege permits for school employes shall be issued by the police department, free of charge. Permits shall be issued on a school-year basis, and may be renewed. This pilot program will be in effect from the effective date of the ordinance through July 31, 2004.

Whereas, The City of Milwaukee currently has 19 designated commuter parking impacted areas, in which residents of each area are eligible to obtain permits to allow them to park on area streets in excess of posted time limits; and

Whereas, Many commuter parking impacted areas contain one or more elementary schools; and

Whereas, Staff of these schools often have great difficulty finding parking spaces near their schools, because of both resident permit parking and the large number of "commuter" vehicles parked near the major employer/traffic generator for which the commuter parking impacted area was established; and

Whereas, One potential means to alleviate the parking problems experienced by school staff in commuter parking impacted areas is creation of a program under which school employes would be eligible to obtain special parking permits to allow them to park in commuter parking impacted areas in excess of posted time limits; and

Whereas, The Common Council finds that, at the present time, it is most prudent to establish a pilot school-employe parking privilege program, rather than one that applies to schools in all commuter parking impacted areas, because of uncertainties relating to the following:

1. The effectiveness of the program in terms of making more parking available to school staff.

2. The impacts of the program on the availability of parking for residents of commuter impacted parking areas.

3. The ease and costs of the City's implementation and administration of such a program.

; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-83.5 of the code is created to read:

81-83.5. Parking Permit: Commuter Parking Impacted Areas; Elementary School Employee Parking Privilege. There shall be no fee charged for permits for elementary school employee parking privileges in commuter impacted parking areas. (See s. 101-27.8.)

Part 2. Section 101-27.8 of the code is created to read:

101-27.8. Elementary School Employee Parking Privilege; Commuter Parking Impacted Areas. 1. PURPOSE. The common council finds that employees of elementary schools located in commuter parking impacted areas often have difficulty finding parking spaces near their schools, because of both resident permit parking and parking by "commuters." The common council further finds that this parking problem may be alleviated by creation of a program under which school employees are eligible to obtain special parking permits that allow them to park in commuter parking impacted areas in excess of posted time limits.

2. EXEMPTION FROM PARKING RESTRICTIONS. Any permanent, regular employee of an elementary school located in a commuter parking impacted area identified in this subsection who works at least 20 hours per week at that school shall be eligible to obtain a special parking permit issued pursuant to this section to allow the person to park his or her vehicle in the commuter parking impacted area in excess of the posted time limits. Such permit shall be valid only during the hours of 7 a.m. to 5 p.m., Monday through Friday. In addition, this exemption shall apply only if the vehicle for which a permit has been issued under this section is parked within 600 feet of the main entrance to the school at which the permit holder is employed. Designated commuter impacted parking areas in which these special parking permits are available are as follows: Saint Luke's Hospital impacted area, as identified in s. 101-27.7-9-c-16.

3. APPLICATION AND PERMIT. a. Number of Vehicles per Permit. Only one special parking permit may be issued to each elementary school staff member who is eligible for a permit; however, each eligible staff member may register 2 vehicles on the same permit provided they are both owned and operated by that person and only one vehicle uses the permit at a time.

b. Application. Application for a special parking permit for an elementary school employee shall be made to the police department upon a form provided for such purpose by the police department. The application shall contain the name, address and Wisconsin driver's license number of the owner or operator of each vehicle, and the make, model and registration number of each vehicle. Each vehicle shall have valid Wisconsin motor vehicle license plates. If the owner of

the vehicle has applied for, but not received, Wisconsin license plates, the police department shall accept a receipt of sale and a copy of the license plate application as proof of registration. At the time of application, the applicant shall present to the police department written documentation provided by the applicant's school verifying that, for the current school year, the applicant is a regular, permanent staff member of an elementary school located in a commuter parking impacted area who works at least 20 hours per week at that school. For purposes of this subsection, "current school year" shall mean the school year contained entirely within the period between the most recent August 1 and the next July 31.

c. Permit Issuance. The police department shall issue a permit to any applicant who complies with the application requirements of par. b. The permit shall display the permit number, the school year for which the permit is valid, the name of the school where the permit holder is employed, the commuter parking impact area in which the school is located and the make and year of the permit holder's vehicle or vehicles.

d. Permit Renewal. Each permit issued under this section shall be valid only for the current school year. Permits may be renewed annually by the police department.

4. VIOLATIONS. a. Transferability. A parking permit issued under this section may only be displayed in a registered motor vehicle identified on the permit. Any transfer of this permit to a vehicle other than a vehicle identified on the permit shall constitute a violation of this section.

b. Fraud. It shall constitute a violation of this section for any person to falsely represent himself or herself as eligible for the type of parking permit provided herein or to furnish any false information in an application submitted to the police department to obtain a permit.

c. Permit Revocation. The police department shall revoke the permit of any permittee found to be in violation of this section. Upon receiving written notice of the revocation, the permittee shall surrender the permit to the police department. Failure to surrender a revoked permit when requested to do so shall constitute a violation of this section.

d. Penalty. Any person who violates any of the provisions of this section shall be subject to the general penalty provided in s. 50-14.

Part 3. This ordinance shall be null and void after July 31, 2004.
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB03116-3

JDO

4/28/03