

ORDINANCE NO. 5156

**AN ORDINANCE AMENDING CHAPTER 13.21 OF THE ALBANY MUNICIPAL CODE AND AUTHORIZING AGREEMENT WITH THE ALBANY DOWNTOWN ASSOCIATION TO MANAGE PARKING AREAS UNDER OWNERSHIP OF THE CITY AND TO ENFORCE ON-STREET PARKING WITHIN CERTAIN AREAS; AND DECLARING AN EMERGENCY**

**THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:**

Section 1.: That Section 13.21.130 of the Albany Municipal Code is amended to read as follows:

"Section 13.21.130. Enforcement Responsibility. The Chief of Police, Police Officers and any other person or corporation contracted to manage on-street and off-street parking within the City shall have the responsibility for the enforcement of the provisions of this Chapter. The Chief of Police, Police Officers or any person or corporation who contracts to enforce and manage on and off-street parking within the City may appoint such persons as he/she/it deems necessary to act as parking enforcement personnel. Such personnel shall have the authority and responsibility to enforce all regulations of this Chapter. Police Officers appointed by the Chief of Police and other persons appointed by any person or corporation who contracts to enforce and manage on and off-street parking within the City shall be considered 'Issuing Officers' for the purposes of ORS 221.340."

Section 2.: Section 13.21.150 of the Albany Municipal Code is amended to read as follows:

"Section 13.21.150. Penalties for Parking Violations. Notwithstanding AMC 1.04.010, violations of AMC Sections 13.21.010 through 13.21.120, shall be punishable only through the imposition of a civil penalty in the amount not to exceed \$100 per violation, and shall be enforceable in any civil court of competent jurisdiction as well as the Albany Municipal Court."

Section 3.: That the Albany Municipal Code is amended by addition of Section 13.21.115 to read as follows:

"(1) The City Manager and the City Recorder are hereby authorized to enter into an agreement with the Albany Downtown Association providing for management of parking facilities and

enforcement of on-street parking in areas in conformance with the following described areas:

Beginning at the Willamette River and Montgomery Street, then South to the Northeast Intersection of Montgomery Street and Water Street proceeding South to the Northeast corner of First Avenue and Montgomery Street, heading East to the Northeast corner of First Avenue and Railroad Street, then South along Railroad Street to the Southeast corner of Second Avenue and Railroad Street, then West to the Southeast corner of Second Avenue and Montgomery Street, proceeding South to the Southeast corner of Fourth Avenue and Montgomery Street, then West to the Southwest corner of Fourth Avenue and Baker Street, then South to the Southwest corner of Fifth Avenue and Baker Street, then West to the Southeast corner of Fifth Avenue and Lyon Street, then South to the Southeast corner of Ninth Avenue and Lyon Street, then West on Ninth Street to the Southwest corner of Ninth Avenue and Ellsworth Street then North on Ellsworth Street to the Southwest corner of Sixth Avenue and Ellsworth Street, then West on Sixth Avenue to the Southwest corner of Sixth Avenue and Ferry Street, then North on Ferry Street to the Southwest corner of Fifth Avenue and Ferry Street, then West to the Southwest corner of Fifth Avenue and Washington Street, then North on Washington Street to the Southwest corner of Fourth Avenue and Washington Street, then West to the Southwest corner of Fourth Avenue and Calapooia Street, then North on Calapooia to the Willamette River, then along the Willamette River East to the point of beginning.

(2) The Finance Director of the City of Albany is authorized to advance funds pursuant to the aforesaid agreement.

(3)(a) Except as provided in subsection (b) and (c) of this section, no person shall, while at his or her residence or place of employment, cause, allow, suffer or permit any motor vehicle owned, operated or controlled by that person to be parked in any one or more parking spaces in an area designated for limited-time parking, upon the public streets or parking areas within the downtown parking area described in Section 3 of this ordinance between 9:00 a.m. and 4:00 p.m. on any day.

For the purpose of this section, the term "employment" shall include being engaged for wages, credit or other remuneration or as a volunteer for a public or private enterprise.

(b) This section shall not apply on Sundays or holidays designated in ORS 187.010 and 187.020 or to persons granted

special permits for reasons of disability or otherwise.

(c) Employer-owned or controlled vehicles shall be permitted in designated loading zones, subject to the limitations on the use of such zones as provided by City ordinance.

(4)(a) Every self-employed person and employer who employs one or more persons who work in or have as their primary place of employment a location within the downtown parking area described in section 3 of this ordinance, shall provide to the City of Albany or the management entity who is managing the area pursuant to a contract with the City, the employers and employees names and residence addresses and vehicle license number of the vehicles owned, operated or controlled by each employer and employee.

(b) The information required by subsection (a) shall be sworn to and submitted on January 1st, April 1st, July 1st and October 1st of each year or upon request of the management entity in a manner prescribed and on forms provided by the entity managing the downtown street parking."

Section 3.: Emergency Clause. The Council declares an emergency hereby exists and in order to insure the efficient management of the downtown parking areas and on-street parking within the City of Albany, this ordinance shall be in full force and effect upon its passage by the Council and approved by the Mayor.

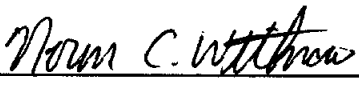
PASSED BY THE COUNCIL: October 26, 1994

APPROVED BY THE MAYOR: 

EFFECTIVE DATE: October 26, 1994

  
Mayor

ATTEST:

  
City Recorder