

ORDINANCE #1259

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 404 OF THE LANSING CODIFIED ORDINANCES BY ADDING SECTION 404.13 TO PROVIDE FOR THE ISSUANCE OF ANNUAL AND TEMPORARY 2:00 A.M. TO 5:00 A.M. STREET PARKING PERMITS TO CITY OF LANSING RESIDENTS; AND TO PROVIDE FOR PERMIT APPLICATIONS, LIMITATIONS, AND FEES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 404 of the Lansing Code of Ordinances of the City of Lansing is hereby amended to add Section 404.13 as follows:

404.13 – ANNUAL AND TEMPORARY PERMIT FOR OVERNIGHT STREET PARKING PERMISSION FOR STREET PARKING BETWEEN THE HOURS OF 2:00 A.M. AND 5:00 A.M. IS ALLOWED THROUGH ANNUAL AND TEMPORARY PERMITS ISSUED IN ACCORDANCE WITH THIS SECTION. A PERSON ISSUED A PERMIT UNDER THIS SECTION SHALL COMPLY WITH ALL THE TERMS, CONDITIONS AND RESTRICTIONS OF THE PERMIT AS PROVIDED IN THIS SECTION.

(A) ADMINISTRATION

PERMITTING FOR THE OVERNIGHT STREET PARKING PROGRAM SHALL BE UNDER THE SUPERVISION AND ADMINISTRATIVE CONTROL OF THE OFFICE OF THE PARKING MANAGER, INCLUDING PREPARATION OF FORMS, RECEIPT OF APPLICATIONS, ISSUANCE OF PERMITS, AND COLLECTION OF FEES. THE PARKING MANAGER SHALL WORK WITH THE PUBLIC SERVICE DEPARTMENT TO FACILITATE TEMPORARY SUSPENSION OF PERMITS AND / OR ACCOMMODATE PARKING DURING SNOW REMOVAL, EMERGENCIES, OR CONSTRUCTION PURPOSES.

(B) APPLICATION

A PERSON REQUESTING AN OVERNIGHT STREET PARKING PERMIT FOR A MOTOR VEHICLE SHALL FIRST FULLY AND ACCURATELY PROVIDE A COMPLETED CITY APPLICATION FORM AND, UPON REQUEST, SUPPLY THE CITY WITH SUPPORTING SUPPLEMENTAL DOCUMENTATION. THE APPLICATION FORM SHALL REQUIRE AT A MINIMUM THE FOLLOWING INFORMATION:

1. THE NAME OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE PERMITTED;
2. THE PRIMARY RESIDENTIAL ADDRESS OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE, WHICH FOR PURPOSES OF THIS SECTION IS DEFINED TO INCLUDE UNIT OR APARTMENT, IF APPLICABLE;
3. THE EMAIL ADDRESS AND CELL PHONE NUMBER AND/OR LAND LINE PHONE NUMBER OF THE OWNER OR OPERATOR OF THE MOTOR VEHICLE TO BE USED FOR CONTACT IN CASE OF TEMPORARY SUSPENSION FOR SNOW REMOVAL, EMERGENCIES, OR CONSTRUCTION PURPOSES;
4. THE MOTOR VEHICLE'S MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER, AND CURRENT LICENSE PLATE REGISTRATION NUMBER;

5. AN EXPLANATION BY THE APPLICANT OF THE NEED TO PARK ON A RESIDENTIAL STREET WITHIN THE CITY OF LANSING BETWEEN THE HOURS OF 2 A.M. AND 5 A.M.

SUPPORTING SUPPLEMENTAL DOCUMENTATION INCLUDES, BUT IS NOT LIMITED TO:

1. AN EXECUTED LEASE OR OTHER REASONABLE PROOF EVIDENCING THAT THE PERMIT APPLICANT'S PRIMARY RESIDENCE DWELLING UNIT OR ADDRESS IS WITHIN THE CITY OF LANSING.
2. THE CURRENT, VALID REGISTRATION FOR THE MOTOR VEHICLE FOR WHICH THE PERMIT IS BEING APPLIED;
 - a. IF THE APPLICANT FOR AN OVERNIGHT STREET PARKING PERMIT IS THE OWNER OF THE VEHICLE SOUGHT TO BE REGISTERED AND HIS/HER PERMANENT RESIDENCE IS AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT, THEN SAID VEHICLE SHALL BE REGISTERED AT THE PERMANENT ADDRESS AND SHALL HAVE VALID STATE OF MICHIGAN MOTOR VEHICLE PLATES; OR
 - b. IF THE APPLICANT FOR AN OVERNIGHT STREET PARKING PERMIT HAS HIS/HER PERMANENT RESIDENCE AT THE ADDRESS FOR WHICH THE PERMIT IS SOUGHT BUT THE VEHICLE UNDER HIS/HER CONTROL INDICATES ANOTHER ADDRESS OF RESIDENCE FOR THE OWNER OF SAID VEHICLE, THE APPLICANT SHALL BE REQUIRED TO CERTIFY THAT SAID VEHICLE IS KEPT BY THE APPLICANT AND ONLY AT THE ADDRESS FOR WHICH THE PERMIT IS REQUESTED AND THAT IT WILL NOT BE KEPT AT ANY OTHER LOCATION FOR THE DURATION OF THE PERMIT'S VALIDITY.

THE PARKING MANAGER IS NOT REQUIRED TO GRANT A PERMIT TO ANY APPLICANT.

(C) ANNUAL PERMIT

THE ISSUANCE OF AN ANNUAL OVERNIGHT STREET PARKING PERMIT IS SUBJECT TO ALL THE FOLLOWING REQUIREMENTS:

1. THE ANNUAL PERMIT IS VALID ONLY FOR THE MOTOR VEHICLE FOR WHICH IT IS ISSUED;
2. THE ANNUAL PERMIT SHALL DISPLAY THE MOTOR VEHICLE'S LICENSE PLATE NUMBER AND EXPIRATION DATE;
3. THE ANNUAL PERMIT SHALL BE IN A PHYSICAL FORMAT APPROVED BY THE PARKING MANAGER, THAT IS NOT A HANGTAG AND IS NOT EASILY REMOVED, AND MUST BE AFFIXED IN A VISIBLE PLACE ON THE PERMITTED MOTOR VEHICLE AS SPECIFIED BY THE PARKING MANAGER AT THE TIME THE PERMIT IS GRANTED;
4. THE ANNUAL PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE;
5. THE ANNUAL FEE FOR ANY ANNUAL PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND SHALL BE FOR THE PERIOD OF JULY 1, UNTIL JUNE 30 OF THE NEXT YEAR;

6. AN ANNUAL PERMIT IS ONLY VALID FOR AS LONG AS THE OWNER OR OPERATOR OF THE PERMITTED MOTOR VEHICLE CONTINUES TO HAVE AS HIS OR HER PRIMARY RESIDENCE AN ADDRESS THAT IS WITHIN THE CITY OF LANSING;
7. THE ANNUAL FEE SHALL BE PAID AT THE BEGINNING OF THE PERMIT YEAR OR WHEN THE APPLICATION IS GRANTED, EXCEPT THAT A PAYMENT PLAN MAY BE SET UP AT THE DISCRETION OF THE PARKING MANAGER;
8. A REPLACEMENT ANNUAL PERMIT MAY BE ISSUED ONLY IF ALL OR PART OF THE ORIGINAL PERMIT IS PRODUCED AT THE TIME THAT A REPLACEMENT PERMIT IS APPLIED FOR, OR IF PROOF OF THEFT OF THE VEHICLE IS DEMONSTRATED TO THE SATISFACTION OF THE PARKING MANAGER;
9. THE FEE FOR ANY REPLACEMENT ANNUAL PERMIT SHALL BE SET BY RESOLUTION OF CITY COUNCIL.
10. NO MORE THAN ONE ANNUAL PERMIT MAY BE GRANTED PER RESIDENTIAL ADDRESS AT ANY GIVEN TIME.

(D) TEMPORARY PERMIT

TEMPORARY OVERNIGHT STREET PARKING PERMITS MAY BE ISSUED BY THE OFFICE OF THE PARKING MANAGER. TEMPORARY PERMITS FOR PERSONS WHO DO NOT LIVE IN THE CITY OF LANSING, AND THEIR VEHICLES, MUST BE APPLIED FOR BY AN APPLICANT WITHIN THE CITY OF LANSING WHO IS WILLING TO SPONSOR THE PERSON WHO WILL USE THE TEMPORARY PERMIT. THE ISSUANCE OF A TEMPORARY OVERNIGHT STREET PARKING PERMIT IS SUBJECT TO ALL THE FOLLOWING REQUIREMENTS:

1. THE TEMPORARY PERMIT IS VALID ONLY FOR A PERIOD OF 72 HOURS;
2. THE TEMPORARY PERMIT SHALL DISPLAY THE ADDRESS OF THE APPLICANT AS WELL AS THE START DATE AND END DATE OF THE 72 HOUR PERIOD;
3. THE TEMPORARY PERMIT SHALL BE A HANGTAG WITH ALL RELEVANT INFORMATION FILLED IN PRIOR TO ITS ISSUANCE AND MUST BE HUNG FROM THE REAR VIEW MIRROR OF THE VEHICLE;
4. THE TEMPORARY PERMIT IS VALID ONLY WHEN VISIBLY AND PROPERLY DISPLAYED ON THE VEHICLE,;
5. THE FEE FOR ANY TEMPORARY PERMITS SHALL BE SET BY RESOLUTION OF COUNCIL, AND MUST BE PAID PRIOR TO ISSUANCE OF THE TEMPORARY PERMIT.
6. AT ANY GIVEN TIME, NO MORE THAN 2 TEMPORARY PERMITS MAY BE GRANTED IN THE SAME 72 HOUR PERIOD TO THE SAME RESIDENTIAL ADDRESS.

(E) CONDITIONS ON THE PERMIT AND PERMIT HOLDER

THE USE AND VALIDITY OF AN ANNUAL OR TEMPORARY OVERNIGHT STREET PARKING PERMIT IS SUBJECT TO ALL THE FOLLOWING CONDITIONS:

1. A PERMIT MAY BE USED ONLY BY THE PERMIT HOLDER TO WHOM IT IS ISSUED, OR IN THE CASE OF A TEMPORARY PERMIT, BY THE SPONSORED USER;
2. A PERMIT SHALL NOT BE ISSUED FOR RECREATIONAL VEHICLES, MOBILE HOMES, TRAILERS, BOATS, OR MOTOR VEHICLES WITH MORE THAN TWO AXLES;
3. A PERMIT SHALL NOT GUARANTEE OR RESERVE TO THE HOLDER A STREET PARKING SPACE;
4. A PERMIT SHALL NOT EXEMPT THE HOLDER FROM THE OBSERVANCE OF ANY PARKING OR TRAFFIC REGULATION OR ORDINANCE, OTHER THAN THE 2:00 A.M. TO 5:00 A.M. PARKING PROHIBITION IN SECTION 404.01(J) OF THIS CODE;
5. THE CITY MAY TEMPORARILY SUSPEND PERMITS FOR SNOW REMOVAL, EMERGENCIES, OR CONSTRUCTION PURPOSES;
6. A PERMIT SHALL BE COMPLETELY REMOVED FROM A VEHICLE UPON ITS EXPIRATION OR TERMINATION;
7. IN THE EVENT A VALID ANNUAL PERMIT HOLDER SELLS, TRANSFERS, OR OTHERWISE DISPOSES OF THE MOTOR VEHICLE FOR WHICH A PERMIT IS GRANTED, THE PERMIT SHALL TERMINATE AUTOMATICALLY;
8. AN ANNUAL PERMIT HOLDER WHO DESIRES TO TRANSFER THEIR VALID PERMIT TO A DIFFERENT VEHICLE MUST MAKE A SUPPLEMENTAL APPLICATION TO THE PARKING MANAGER INDICATING THE CHANGE IN VEHICLE, AND MUST TURN IN ALL OR A PART OF THE ORIGINAL PERMIT AS PROOF THAT IT HAS BEEN REMOVED FROM THE MOTOR VEHICLE FOR WHICH THE PERMIT WAS PREVIOUSLY GRANTED;
9. IF A PERMIT HOLDER VIOLATES ANY OF THE CONDITIONS IN THIS SECTION, THE PERMIT SHALL AUTOMATICALLY BECOME VOID AND BE TERMINATED AND REVOKED WITHOUT NOTICE.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on March 1, 2020, unless given immediate effect by City Council, and pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2028.