

ORDINANCE NO. 15-2018

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ESTABLISHING REGULATIONS GOVERNING PARKING IN THE EAST GATE AND UNIVERSITY PROMENADE AREAS

WHEREAS, on **July 27, 2009**, the Common Council of the City of Valparaiso (“Council”) adopted Ordinance No. 16-2009 entitled “An Ordinance of the Common Council of the City of Valparaiso, Indiana, Establishing Certain Guidelines of the East Gate Parking Area”; and

WHEREAS, Ordinance No. 16-2009 established certain parking regulations and a permit process for certain public parking spaces within the East Gate Parking Area; and

WHEREAS, on **June 22, 2015**, the Council adopted Ordinance No. 12-2015 entitled “An Ordinance of the Common Council of the City of Valparaiso, Indiana, establishing regulations governing parking in the University Promenade Area”; and

WHEREAS, Ordinance No. 12-2015 established certain parking regulations and a permit process for certain public parking spaces with the designated University Promenade Area; and

WHEREAS on **June 12, 2015**, the Board of Public Works and Safety and Valparaiso University approved a *Memorandum of Understanding* that outlined the process of joint enforcement of certain parking regulations within the East Gate Area and University Promenade Area; and

WHEREAS, the City has seen a substantial increase in vehicular traffic and parking congestion within the East Gate Area and University Promenade Area; and

WHEREAS, the Common Council is empowered by Indiana Code §36-1-3 to implement parking restrictions on certain public rights-of-way in the City of Valparaiso, Indiana; and

WHEREAS, the Common Council desires to revise certain aspects of Ordinances 16-2009 and 12-2015 to better reflect the current parking environment.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso, Indiana that:

1. The owner of a multiple residential unit structure within the designated East Gate Parking Area and University Promenade Parking Area that applies for multiple parking permits for use by tenants must secure a Permit Application from each recipient of a permit and maintain a record of each Permit Application. Attached as **Exhibit A** is a Form Permit Application. Upon request by the City, a copy of any such Permit Application shall be provided to the City at no charge.

2. Renewal of permits to owners of a multiple residential unit structure within the designated East Gate Parking Area and University Promenade Parking Area need not be approved by the Board of Works.

3. Permit Parking restrictions in University Promenade Parking Area shall be designated as provided in **Exhibit B**. To the extent minor modifications need to be made to this map or the East Gate Parking Area as established under Ordinance No. 12-2015 and Ordinance No. 16-2009, the Board of Works is empowered to do such.

4. Notwithstanding anything contained in prior Ordinances, fees for violations of either Ordinance No. 16-2009 or Ordinance No. 12-2015 shall follow the schedule provided in Ordinance 26-2010, as amended and codified in Section 72.36 of the City Code. In addition to the foregoing, if a violation of this Ordinance occurs, the City of Valparaiso Police Department

and/or its designee shall have the full right and authority to have the violating vehicle towed. The owner of the vehicle shall be solely responsible for all costs incurred as a result of having the vehicle towed.

5. All other provisions of Ordinance No. 16-2009 and 12-2015 not in conflict with or specifically amended by this Ordinance shall remain in full force and effect.

6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, re-established and confirmed.

7. If any portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion of provision of this Ordinance.

This Ordinance shall be in full force and effect from and after its adoption and the procedures required by law.

PASSED AND ADOPTED by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting this _____ day of August, 2018.

Jon Costas, Mayor

ATTEST:

Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of August 2018, at _____ o'clock p.m.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this _____ day of August 2018, at _____ o'clock p.m.

Jon Costas, Mayor