

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 10.12. ENTITLED “PARKING” OF THE CODE OF ORDINANCES CONCERNING THE ISSUANCE AND USE OF PARKING PASSES FOR PUBLIC PARKING LOTS OWNED OR OPERATED BY THE CITY OF MANITOU SPRINGS, COLORADO.**

**WHEREAS** the City of Manitou Springs has had a Parking Permit program in City-owned and managed public parking lots for many years; and

**WHEREAS** it has come to the attention of the Parking Authority Board that there are no formal provisions authorizing the issuances and use of these parking permits; and

**WHEREAS** upon review, the Parking Authority Board recommends adoption of the code revisions below that will provide for the continuation of the existing, parking permit program; and

**WHEREAS** City Council hereby finds and concludes the amendments proposed to the Parking section of the Manitou Springs Municipal Code are necessary and desirable to provide clarity to the current program.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** Section 10.12.019 “Residential permit parking” shall be re-titled to “Permit Parking” and amended as follows:

A. Residential permit parking

The City of Manitou Springs hereby adopts the "Rules and Regulations for Residential Permit Parking" dated May 2013, which sets forth how the residential permit parking program will operate in the city. Copies of these rules and regulations are available for inspection at the office of the city clerk.

B. Permit Parking in publicly-owned or controlled paid or permit-required parking lots.

1. The City is authorized to issue parking permits for a fee set by resolution of the Manitou Springs City Council.
2. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle to remain in any City-owned or City-controlled off-street, paid or permit-required parking lot at any time without immediately depositing, or causing to be deposited, a payment in the parking meter, if such is installed, or without a valid parking permit authorizing such vehicle to be parked at the location.
3. Parking Permits for use in City-owned or City-controlled parking lots:
  - i. Shall authorize parking in the specified location without payment of any additional fees.

- ii. Shall be governed by written rules and regulations established by the Parking Manager or designee. Each permittee shall, upon issuance of the permit, receive a copy of these rules and regulations.
- iii. Shall be issued for a specified term, not to exceed ONE year.
- iv. Shall be transferable by the Parking Manager.

**Section 2:** Section 10.12.020, entitled “Violation” is hereby amended to provide as follows:

It is unlawful for any person to fail to comply with the terms of this chapter, including the Rules and Regulations for Residential Permit Parking, dated May 2013, and the Parking Manager’s rules and regulations. Violations shall constitute a civil offense punishable by one or more of the following penalties: (a) loss of permit privileges; (b) impoundment of the vehicle; (c) termination of the right to receive residential parking permits in the future; and (d) a fine not exceed four hundred ninety-nine dollars (\$499.00).

**Section 3:** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4:** The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

**Section 5:** This ordinance shall take effect five (5) days after final approval and adoption on second reading.

Passed on First Reading and Ordered Published this 4<sup>th</sup> day of August, 2015

/s/ Donna Kast  
City Clerk

A Public Hearing on Ordinance No. 3115 will be held at the August 18, 2015, City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published August 6, 2015 (in full)  
*City’s Official Website and City Hall*

The Public Hearing on this ordinance was postponed until the December 1, 2015 meeting. The meeting will be held at 7:00 p.m. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Postponement Published: November 25, 2015 (in full)

*City's Official Website and City Hall*

Passed on second reading and ordered published by Council this 1<sup>st</sup> day of December, 2015.

Approved: /s/ Marc A. Snyder  
Mayor and Council

Attest: /s/ Donna Kast  
City Clerk

Ordinance Published: December 3, 2015 (in full)  
*City's Official Website and City Hall*