

**A RESOLUTION EXTENDING PRIVATE)
PARKING LOT ENFORCEMENT AT)
LEBANON HIGH SCHOOL)**

**Resolution Number 32
for 2001**

WHEREAS, the provisions of Lebanon Municipal Code, 10.28.030, provide that the Lebanon City Council may, by resolution, provide for the extension of the provisions of said chapter to include other private parking lots than those specifically mentioned in said code by resolution; and

WHEREAS, the Lebanon City Council hereby finds that it is necessary and in the best interests of the public that said provisions extend to the enforcement of parking lot regulations for cars parked on the private parking lot located on the east side of Fifth Street, directly across said street from Lebanon High School, said lot designated by the High School as the Student Parking Lot, or as otherwise designated in the future; and

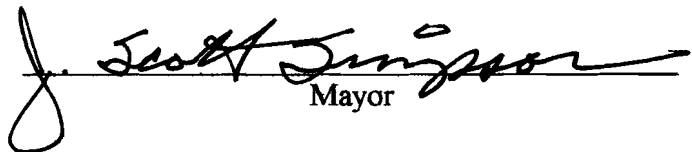
WHEREAS, the Lebanon High School Administration joins in the request to extend the provisions of LMC chapter 10.28 to include the enforcement of parking at said parking lot;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

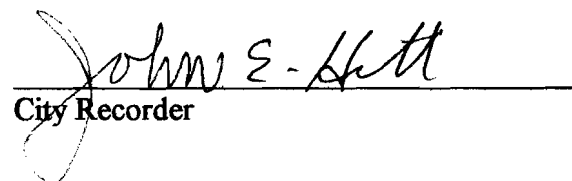
Section 1. The provisions of Chapter 10.38 concerning Private Parking Lot Regulations are hereby extended to include the enforcement of said parking regulations to that parking lot which is located on the east side of Fifth Street, directly across the street from the Lebanon High School, 1700 S. Fifth St., Lebanon, Linn County, Oregon. At the time of the passage of this resolution, said parking lot was designated as the "Student Parking Lot." It is intended by the Lebanon City Council that this extension of parking lot regulations shall survive any change in the designation of the parking lot at said location.

Section 2. This resolution shall take effect immediately upon its passage and shall remain in effect until further resolution of the Lebanon City Council.

Passed by the vote of 5 for and 0 against by the Lebanon City Council at its meeting on the 14th day of November, 2001.


Mayor

ATTEST:


City Recorder

**OFFICE OF THE CITY ATTORNEY
CITY OF LEBANON
80 E. Maple St.
Lebanon, OR 97355
Telephone: (541) 451-7419
email: tmchill@centurytel.net**

**To: John Hitt
City Administrator**

November 2, 2001

**From: Thomas McHill
City Attorney** 

RE: Parking lot enforcement at Lebanon High School

As you know, this school year has seen increased enforcement of parking regulations at the parking lots at Lebanon High School. New parking signs have been installed and the School Resource Officer, Mike Fiala, has been aggressive in writing tickets for students, faculty and members of the general public who park in the wrong places or don't have the proper permits.

Lebanon Municipal Code, Chapter 10.28, provides for the enforcement of parking regulations in certain private parking lots by the Lebanon Police Department, with enforcement carried out in the Lebanon Municipal Court.

Recently, Mike has discovered an anomaly in the ordinance concerning enforcement of the parking regulations in the student parking lot located on the east side of Fifth Street, across from the high school. The ordinance, LMC 10.28.030, allows the Council to, by resolution, extend the provisions of the enforcement of the parking lot regulations to lots not mentioned in the Code. Therefore, in order to clear up any confusion about the ability to enforce regulations on the lot, I have drafted such a resolution.

I have talked with Mr. Ken Woody, the high school principal, who supports the extension of these regulations.

I recommend and request that the Council consider and approve the proposed resolution at its meeting of November 14, 2001.

Cc: Mike Fiala, LPD