

5/6/47

ORDINANCE BILL NO. 4 FOR 1947

ORDINANCE ~~NO.~~ NO. 641

AN ORDINANCE RELATING TO TRAFFIC, REGULATING PARKING OF VEHICLES AND THE USE OF PARKING METERS, PROVIDING PENALTIES FOR VIOLATION HEREOF AND DECLARING AN EMERGENCY.

WHEREAS, because of traffic conditions that have existed in certain sections of the City of Lebanon, the free movement of traffic in those sections is, and has been, impeded for a long period of time; and

WHEREAS, attempts to regulate the traffic and parking in the aforsaid area have not been as successful as is desirable; and

WHEREAS, because of the habit of numerous operators of motor vehicles of parking for long periods of time in close proximity to other motor vehicles so parked on the most congested parts of the City's business streets tends to further impede traffic and in addition thereto constitutes a danger to the life, limb and property of motorists, pedestrians and others; and

WHEREAS, it is the opinion of the Council of the City of Lebanon that the best method by which the above-mentioned conditions may be remedied is by the designation of individual parking spaces in the said area, by providing for the use of mechanical parking-time indicators in conjunction therewith, by restricting parking in said area to reasonable intervals of time and by compelling the operators of vehicles who enjoy the use of the parking space so designated to pay a portion of the cost of establishing and maintaining the same.

"THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS":

SECTION I. For the purpose of this ordinance

- (a) The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.
- (b) The word "street" shall mean any public street, avenue, road, boulevard, highways or other public place located in the City of Lebanon and established for the use of vehicles.
- (c) The word "person" shall mean and include any individual, firm, copartnership, or corporation.
- (d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

SECTION 2. The street committee and council is hereby authorized to establish immediately zones to be known as parking meter zones in the following streets;

(a) Main St. from Oak to Vine St; and to the first alley on the East and West sides of Main St. between said streets and to Park St. on Grand St. and to Second St. on Ash St.

(From the Hours of 9 A.M. to 6 P.M.
Sundays and Holidays excluded)

And from time to time hereafter as traffic conditions require in such other streets as are selected by resolution of the City of Lebanon for the location of such zones. And in said parking meter zones the street committee shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones, and the hours during the day and night when the parking meter or meters must be used and when the time limitations shall be effective, in compliance with the provisions of this ordinance, and shall indicate the time limitations by designating the same on the parking meter or meters or by appropriate signs posted in proximity to said meter or meters in said zones.

SECTION 3. Street committee is hereby directed to provide for the installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this ordinance and to maintain the said meters in good workable condition.

SECTION 4. Parking meters installed in the parking meter zones established as provided in section 2 hereof shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the City and when operated shall indicate on or by its dial and pointer the duration of the period of legal parking, and on expiration of such period, shall indicate illegal or over parking.

SECTION 5. The street committee shall have lines or markings painted or placed upon the curb and or upon the street adjacent to each parking meter for the purpose of

designating the parking space for which said meter is to be used and each vehicle parking adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this ordinance to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

SECTION 6. When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

SECTION 7. When a vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this ordinance, the operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited a five-cent or one-cent coin or tokens of equivalent value or values the street committee may decide upon, in such parking meter, and put such meter in operation, and failure to deposit such coin or token of such specified values and put the meter in operation shall constitute a breach of this ordinance and shall subject such person to the penalty prescribed in Section 14 hereof. Upon the deposit of such coins or tokens of such specified values and placing said meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which said parking space is located. If said vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this ordinance and punished as hereinafter set out.

(a) Commercial trucks may park in the parking zones to load or unload merchandise, without depositing coins or tokens for the period necessary for loading or unloading provided a fee of Ten dollars (\$10.00) per calander year, payable quarterly that have been paid for such privilege for such vehicle. And the receipt therefore shall be plainly displayed therein. Parking for a period longer than necessary for loading or unloading shall be sufficient cause for revokeing the privilege granted by such permit.

SECTION 8. It shall be unlawful and a violation of the provisions of this ordinance for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the

the period of legal parking time established for any parking meter zone as herein described.

SECTION 9. It shall be unlawful and a violation of the provisions of this ordinance for any person to permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

SECTION 10. It shall be unlawful and a violation of the provisions of this ordinance for any person to deface, injure, tamper with, open or wilfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this ordinance.

SECTION 11. It shall be unlawful and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter, any slugs, device or metallic substance, or any other substitute, for the coins or specified tokens in lieu of the coins.

SECTION 12. It shall be the duty of police officers of the City, acting in accordance with instructions issued by street committee, to report:

- (a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this ordinance;
 - (b) The State license number of such vehicle;
 - (c) The time during which such vehicle is parking in violation of any of the provisions of this ordinance;
 - (d) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- Each such police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report at the recorder's office of the City of Lebanon in regard to such violation. Each such owner or operator may, within 24 hours of time when such notice was attached to such vehicle, pay to the City Recorder, as a penalty for and in full satisfaction of such violation, the sum of one-half dollar (\$.50). The failure of such owner or operator to make such payment of the \$.50, within said 24 hours, shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this ordinance.

SECTION 13. Any person who shall violate any of the provisions of this ordinance and any person who aids, abets or assists therein, shall, upon conviction thereof by the Recorder be subject to a fine of any amount not exceeding One-hundred.

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dollars for each offense or violation or be imprisoned for a term not exceeding five days, in the City Jail or in any place provided by the municipality for the detention of prisoners or both.

SECTION 14. The specified coin, coins, or tokens required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervision and regulating the parking of vehicles in the parking meter zones created hereby, and to cover the cost of purchasing, acquiring, installation, operation, maintenance, supervision, regulation and control of the parking meters described herein.

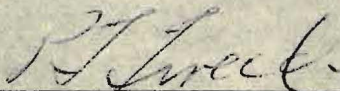
SECTION 15. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances of this City, but shall be an additional provision for the regulation of traffic and parking in those zones provided for herein.

SECTION 16. If a section, part of section, sentence, clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

SECTION 17. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and at the same time are hereby repealed. This ordinance shall take effect and be force from and after the earliest period allowed by law.

SECTION 18. Inasmuch as there is a serious congestion of traffic on the streets of the City of Lebanon by virtue of the lack of regulation of parking, this Ordinance is for the peace, health and safety of the people of the City of Lebanon, and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the council and approved by the mayor this 6th day of May, 1947.



Mayor

ATTEST:



City Recorder