

GENERAL SERVICES COMMITTEE
STAFF REPORT

FROM: Parking Commission
 Wes Somerton – Chief Criminal Deputy City Attorney

DATE: April 23, 2015

RE: AMENDED CITY CODE REGARDING PARKING FACILITIES

DECISION POINT:

Adopt the proposed ordinance amendments regarding city off-street parking facilities.

HISTORY:

The restructure of McEuen Park allowed the consolidation of numerous off-street parking facilities and created a parking garage. The parking garage has seen an increase of police calls for service at the facility, many for disruptive behavior and actions that create public safety concerns and conflict with the intended uses of the parking facilities. Complaints from conflicting uses, including property damage, illegal drug usage and illegal speed contest have increased since the parking garage opened in March 2014.

The proposed ordinance amendments provide new definitions, new rules for conduct within parking facilities and specific prohibited activities within parking facilities, and makes these changes consistent throughout the city code as applied to parking facilities and the definitions of public property.

FINANCIAL ANALYSIS:

Direct costs included are staff time to prepare, Parking Commission review and publication costs of the proposed ordinance changes. Without tools to control and curb behaviors within the parking facilities repair costs will increase.

PERFORMANCE ANALYSIS:

The Parking Commission reviewed and provided comments, edits and valuable insight on how to reasonably address the unique problems and opportunities all the city parking facilities present. Currently law enforcement and parking enforcement can only encourage persons who gather for purposes other than the intended use of the parking facility to move on; however the enforcement personnel have very limited means to require compliance.

The proposed amendments establish rules of conduct for parking facilities and prohibit uses that conflict with the intended uses. Some parking facilities see conflicts between busy vehicle parking and associated pedestrian use and uses by persons that have no connection to vehicle use of the facility. These changes will allow the city enforcement personnel to ensure the parking structure is used as intended as a safe and clean parking facility.

DECISION POINT:

Adopt the ordinance amendments which include consolidating facilities, renaming and redefining public property, establishing rules of conduct, prohibiting activities that conflict with the purpose of the off-street parking facilities.

ORDINANCE NO. _____
COUNCIL BILL NO. 15-1009

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING [REDACTED]; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS improvements to McEuen Park allowed for the consolidation of public off-street parking areas adjacent to the McEuen Park;

WHEREAS the City of Coeur d'Alene constructed a public off-street parking facility adjacent to Front Avenue between Third Street and Sixth Street which includes a parking garage;

WHEREAS the McEuen parking facility provide cover from the elements of weather and creates locations where persons may hide or conceal themselves from public view which creates a public safety concern;

WHEREAS since opening in March 2014 unlawful activities conducted in the parking garage include underage drinking, theft, property damage, unruly and rowdy crowds and groups of people congregating within the city parking garage that disrupts the use and purpose of the parking facility;

WHEREAS based on the parking facilities being adjacent to large public parks the use of the parking surface for activities other than vehicle parking creates a public safety concern due to congestion of vehicles and people;

WHEREAS the city takes this opportunity to update public property definitions;

WHEREAS the city finds it is appropriate to identify activities that are not appropriate for public parking facilities;

NOW THEREFORE, after recommendation by the *General Services Committee* it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendments be adopted; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That Municipal Code Section 4.05.030 is amended to read as follows:*

4.05.030: DEFINITIONS:

A. Public Property: Whenever in this title, or in this municipal code generally, areas of public property are described by the following terms, such terms refer to the areas of property described below:

BLUEGRASS PARK: An approximate 11 acre park located in the Coeur d'Alene Place subdivision at 5757 Dalton Avenue and generally bounded by Dalton Avenue on the south and west sides, private

residences on the north side and Lafayette Lane on the east side (Lot 1, Block 14, Coeur d'Alene Place Subdivision).

BRYAN FIELD: An approximate 1.5 acre park located at 1135 North 10th Street and generally bounded by Maple Avenue to the south, private residences to the west, Harrison Avenue to the north and 10th Street on the east (Tax # 3962 and 3964). ~~The park is owned by School District 271 and maintained by the city.~~

CANFIELD MOUNTAIN TRAIL COMPLEX: An approximate 24 acre, natural open space area located at 2305 Mountain Vista Drive in the Copper Ridge subdivision and generally bounded by Mountain Vista Drive on the south and west sides (Lot 17, Block 1, Copper Ridge Subdivision).

CANFIELD SPORTS COMPLEX: An approximate 16 acre playfield located at 5525 Mountain Vista Drive and generally bounded by Dalton Ave. on the north, Mountain Vista Ave, on the east, private residences on the south and Canfield Middle School and private residences on the west (Lot 1, Block 17, Canfield Park Subdivision and Tax #15594).

CHERRY HILL PARK: An approximate 30 acre park and natural open space area located at 1525 Hazel Avenue and generally bounded by Best Hill Road to the east, Hazel Avenue to the south, 15th Street and Fire Station #3 to the west, and private property to the north (Tax # 18342 and a portion of Tax # 18970).

CITY BEACH: A public beach located in City Park and generally bounded on the east by the west line of Government Lot 49, on the west by Park Drive, on the north by the south line of the concrete seawall abutting the south edge of the city park, and the south by Coeur d'Alene Lake.

CITY HALL PARKING LOT FACILITY: A parking ~~lot~~ facility adjacent to city hall, ~~paved, reserved and designated for the parking of vehicles east of the west line of Seventh Street, which is the east line of McEuen Field, south of Mullan Avenue, west of the west line of Eighth Street, and north of the north line of Young Avenue.~~ bounded by Eighth Street on the east, the right-of-way of Young Avenue on the south, McEuen Park on the west, and City Library on the north. This parking facility contains areas reserved for city vehicles and city hall specific business uses and overflow boat trailer parking for the Third Street Boat Ramp.

CITY PARK: An approximate 17 acre park located at 415 West Mullan Road and generally bounded by Lake Coeur d'Alene to the south, Park Drive to the west, Mullan Road to the north and the Human Rights Institute, the Museum of North Idaho, and Independence Point to the east (portions of lots 48 and 49 of the Fort Sherman Abandoned Military Reserve recorded in book "B" of Plats at page 153A, Records of Kootenai County, in sections 13 and 14, Township 50 North, Range 4 West, Boise Meridian).

COEUR D'ALENE SOCCER COMPLEX: An approximate 8.5 acre playfield located at 6701 N. Courcelles Parkway in the Coeur d'Alene Place subdivision and generally bounded by Skyway Elementary School on the south, Courcelles Parkway on the east, Charlemagne Drive to the north and private property to west (Lot 3, Block 1, Coeur d'Alene Place Seventh Addition and Tax #18992).

COMMERCIAL DOCK: A floating dock extending from Independence Point into Lake Coeur d'Alene but excluding a private sea-plane dock attached to the end of the commercial dock with a gangway and gate.

EAST TUBBS HILL PARK: An approximate 2 acre natural open space area and trail head located at 982 E. Lakeshore Drive and generally bounded by Lake Coeur d'Alene on the south, Tubbs Hill on the north and west and E. Lakeshore Drive on the east (Tax # 882).

FERNAN LAKE NATURAL AREA: An approximate 47.20 acre natural open area located at 2751 East Potlatch Road on the south shore of Fernan Lake generally bounded by Lake Fernan on the north and private property on the south, east and west (Government Lot 1 in Section 20, except the south 100 feet thereof, and the east 1050 feet of Government Lot 2 in Section 19, Township 50 North, Range 3 West, Boise Meridian).

FIRST STREET DOCK: A floating dock extending into Lake Coeur d'Alene located between the Hagadone office building and the Coeur d'Alene Resort inside of the resort's floating dock at the extension of First Street south from Sherman Avenue.

FOREST CEMETERY: An approximate 21.20 acres cemetery located at 1001 Government Way and generally bounded by Short Avenue to the north, Government Way to the east, Lincoln Way to the west and private homes on A, B, C and D streets to the south (Ft. Sherman Aban'd Mil Res: Forest Cemetery; Forest Cemetery 1st & 2nd Addn's, Tx #904, All In Lots 9 & 10 Fort Sherman Abandoned Military Res).

FORT SHERMAN PLAYGROUND: ~~Fort Sherman Playground is~~ A large mostly wooden playground facility encompassed within a wooden picket fence located in City Park between the Kiwanis Bandshell and ~~Mullan~~ Park Drive.

FOURTH STREET AND COEUR D'ALENE AVENUE PARKING ~~LOT~~ FACILITY: A parking lot abutting the southwest corner of the intersection of 4th Street and Coeur d'Alene Avenue (Lots 3 and 4, Block H, The Town of Coeur d'Alene and Kings Addition, and the north 85 feet of Lots 5 and 6, Block H, The Town of Coeur d'Alene and King's Addition, Book "C" of Deeds, at page 144, records of Kootenai County, Idaho).

~~FOURTH STREET PARKING LOT: An approximate .75 acre parking lot located at the south end of 4th Street and generally bounded by Tubbs Hill/McEuen Field on the south and east, the Coeur d'Alene Resort on the west and Front Street on the north (Beginning at the SE corner of Block Q of Coeur d'Alene and Kings Addition to Sec. 13, Twp. 50 N., R. 4 W.B.M.; thence S. 60 ft. to the true point of beginning; thence S. 390 ft.; thence W. 600 ft.; thence N. 390 ft.; thence E. 600 ft. to the true point of beginning).~~

HUBBARD STREET BEACH: An approximate 0.4 acre park located on the south side of the 800 block of West Lake Shore Drive across from the end of Hubbard Street and generally bounded by Lake Coeur d'Alene to the south, North Idaho College beach front to the west, Lakeshore Drive to the south and private beaches to the east (Finch's Sub-Div, Lt 6 EX Tax # Blk 2).

INDEPENDENCE POINT: An approximate 3.1 acre passive use area within City Park located at 105 Northwest Boulevard, generally bounded on the north by a line extended from the seawall to the

southwest line of Northwest Boulevard, on the northeast by the southwest line of Northwest Boulevard, on the east by the east line of Lot 49 and the southerly prolongation thereof to Coeur d'Alene Lake and on the west and the south by Coeur d'Alene Lake and the west line of Lot 49.

INDEPENDENCE POINT BEACH: A beach within Independence Point generally bounded by Lake Coeur d'Alene to the south, the Commercial Dock to the west, the Independence Point parking lot to the north and Coeur d'Alene Resort property to the east.

INDEPENDENCE POINT PARKING ~~LOT~~ FACILITY: An 87 space parking ~~lot~~ facility located at the intersection of First Street and Northwest Boulevard at Independence Point reserved and designated for public parking.

JENNY STOKES FIELD: An approximate 4 acre sports field located at 3880 N. Ramsey Road and generally bounded by Fire Station #2 and the Street Department yard to the south, Ramsey Road to the west, Kathleen Avenue to the north and private property to the east (Schreiber Addn, Tx # 14468 In Lt 2 Ex Pr/W).

JEWETT HOUSE: An approximate 2.2 acre special use facility, located at 1501 East Lakeshore Drive and generally bounded by Lake Coeur d'Alene to the south, 15th Street to the west and private property to the north and west (Tax # 11205).

JEWETT HOUSE BEACH: The shoreline and beach in Government Lot 3, Section 19, Township 50 North, Range 3 West, Boise Meridian, lying east of the west line of Section 19 and west of a line that is 200 feet east of and parallel with the west line of Section 19, along with all that land in Government Lot 5, Section 24, Township 50 North, Range 4 West, lying west of the east line of Section 24 and east of a line that is 20 feet west of and parallel with the east line of Section 24 and south of the south line of East Lakeshore Drive.

JOHNSON MILL RIVER PARK: An approximate 2 acre park located at 4340 W. Shoreview Lane generally bounded by the Spokane River on the south, the Mill River Home Owners Association Park on the west, Shoreview Lane on the north and private property beginning at the approximate west right of way line of Grand Mill Road extended on the east (Lot 2, Block 6, Mill River 1st Add).

LANDINGS PARK: An approximate 11 acre park located at 3849 West Long Meadow Drive in the Landings subdivision generally bounded by private residences and West Long Meadow Drive to the south, Carrington Lane to the west, West Princeton Lane to the north and North Talon Lane to the east (Lt 1, Blk 6, Landings At Waterford 1st Add, Lt 1, Blk 8, Landings At Waterford 2nd Add & Lt 1, Blk 1, Landings At Waterford 3rd Add).

LEGACY PLACE PARK: An approximate 1 acre park located at 1201 West Joy Avenue generally bounded by Joy Avenue on the south, Barbie Street to the west, private farm land to the north and Aaron Street to the east (Lot 1, Block 2, Legacy Place).

LIBRARY PARKING ~~LOT~~ FACILITY: An approximate 1 acre parking ~~lot~~ facility adjacent to the Coeur d'Alene Public Library at the southwest corner of Front Avenue and Eighth Street. (All or portions of Lots 1 through 12, Block 38, Coeur d'Alene and Kings Addition, Kootenai County, ID.)

MCEUEN ~~FIELD PARK~~: An approximate 15 acre park and sports field located at 420 East Front Avenue and generally bounded by Front ~~Street Avenue~~ on the North, Tubbs Hill on the south, City Hall and ~~Coeur d'Alene Public Library~~ to the east and the Coeur d'Alene Resort on the west (Ptn of Lt 1 & Vac City of Cda). McEuen ~~Field Park~~ includes Veterans Memorial Plaza, ~~the Third Street Parking Lot, the McEuen parking Facility and~~ the Third Street Boat Ramp and Mooring Docks ~~and Legion Field~~.

MCEUEN ~~FIELD PARKING LOT FACILITY~~: ~~The partially enclosed parking structure located between Third Street and Sixth Street directly beneath and south of Front Avenue including the driverways, stariways and elevators contained therein. The paved area reserved for parking within McEuen Field (Beginning at a point which is at the intersection from the west of the south curbline of Front Street extended from the west and the west curbline of Fifth Street extended; Thence, southerly, 150.5 feet, said point being the true point of beginning; Thence, westerly, 17.5 feet to the west curbline of the parking lot as it now exists; Thence, southerly, 98.5 feet, along the west curbline, which is adjacent to and runs parallel with the sidewalk as it now exists, to a point; Thence, easterly, 76.4 feet along the south curbline of the existing parking lot, to a point; Thence, northerly, 107.6 feet along the east curbline of said parking lot, which runs adjacent to and parallel with the sidewalk which abuts the public restroom and public tennis courts, to a point; Thence, westerly, 58.9 feet to a point; Thence, southerly, 9.1 feet to the point of beginning).~~

MEMORIAL FIELD: An approximate 5 acre park and play field located at 501 West Mullan Road and generally bounded by Mullan Road on the south, Park Drive on the west, West Garden Avenue on the north and former BNSF rail line on the east (Sherman Park Add Lt 72 & A Portion Of Lt 48 Ft Sherman Aban'd Mil Res Ex R/W). Memorial Field includes the Memorial Field Skateboard and BMX Freestyle Park, Memorial Field Parking ~~Lot Facility~~ and the large wooden grandstand on the north side of Mullan Road between the softball field and ~~Mullan Road~~ the Memorial Field Parking Facility.

MEMORIAL FIELD PARKING ~~LOT FACILITY~~: An approximate 40 space paved parking area reserved for public parking within Memorial Field and generally bounded by Mullan Road, the Memorial Field grandstands and the former BNSF rail line.

MEMORIAL FIELD SKATEBOARD AND BMX FREESTYLE PARK: A skate park and BMX freestyle park and playground located within Memorial Field at 480 West Garden Avenue and generally bounded by Memorial Field softball field on the south, Park Drive on the west, West Garden Avenue on the north and the former BNSF rail line on the east.

MUSEUM PARKING ~~LOT FACILITY~~: An approximate 107 space paved parking area reserved for public parking adjacent to the North Idaho Museum ~~(Beginning at the intersection of the south right-of-way line of Mullan Avenue with the east right-of-way line of the Burlington Northern Railroad; thence southeasterly 600 feet or more or less along said east line; thence east to the west right-of-way line of Northwest Boulevard; thence northwesterly along said west line and continuing westerly along the south right-of-way line of Mullan Avenue to the point of beginning)~~ generally bounded by Northwest Boulevard to the east, North Idaho Museum and City Park to the south, City Park to the west and Mullan Road to the north.

NORTH PINES PARK: An approximate 3.5 acre park located at 1015 East Lunceford Lane and generally bounded by East Lunceford Lane to the south, fenced private property to the west and north and 12th Street to the east (Lot 37, Blk 1, North Pines).

NORTHSHIRE PARK: An approximate 3.3 acre park located at 3889 West Nez Perce Road and generally bounded by West Nez Perce Road on the south, Abbey Road on the west, ~~undeveloped land owned by School District 271, currently used as a dog park~~ private property on the north, and Atlas Road to the east (Lot 1 Northshire Park Add).

PERSON FIELD: An approximate 7 acre park and play field ~~owned by the City of Coeur d'Alene and School District 271~~ located at 701 North 15th Street and generally bounded by Garden Avenue to the south, 13th Street to the west, an alley serving private residences off of Pennsylvania Avenue to the north, and 15th Street to the east (Lot 2, Block 1, Persons Add). ~~The dividing line between School District 271 property and city-owned property is just east of the eastern edge of the track.~~

PHIPPENY PARK: An approximate 2.5 acre park located at 827 North 8th Street and generally bounded by private residences to the south, ~~Seventh~~ 7th Street to the west, Montana Avenue to the North and ~~Eighth~~ 8th Street to the East (South 101 feet of Block 9, Block 10 and the North 100 feet of Block 11, Reid's Add To Cda and Tax #832).

RAMSEY PARK: An approximate 29 acre park and sports field located at 3525 North Ramsey Road and generally bounded by the Kroc Center on the south, the Prairie Trail to the west, a private office building and apartments to the north and Ramsey Road to the east (Lots 1 and 2, Secondary Addition EX R/W & N2-NE-SE E OF RR EX R/W).

RIVERSTONE PARK: An approximate 11 acre park and pond located at 1805 Tilford Lane in Riverstone and generally bounded by the Prairie Trail to the south, private property to the west, north and east (Lots 9 and 12, Block 1, Riverstone West 1st Add).

RIVERVIEW CEMETERY: An approximate 7.2 acre cemetery located at 1065 North Lincoln Way and generally bounded by Northwest Boulevard and private property on the west, Harrison Avenue on the north. The cemetery has irregular property lines. The south side is bordered by condominiums and a commercial business. Lincoln Way on the east and private property on the south (Ft Sherman Abn'd Mil Res; Forest Cemetery Annex & Forest Cemetery Annex Replat Into Riverview Addition, All In Lot 2 Fsamr).

SHADDUCK LANE PARK: An approximate 6 acre park located at 1875 East Shadduck Lane and generally bounded by Shadduck Lane to the south, North Deerfield Drive to the west and Magnolia Drive to the north and east (Lot 1, Block 4, Canfield Park).

SUNSET FIELD: An approximate 5 acre park and sports field located at 1355 East Best Avenue and generally bounded by Best Avenue on the south and private property on the west, north and east (W 240' - Tax #3076, Tax #4201 & E 65' Of Tax #3287). A commercial building on Best Avenue is located between the two parking lots on the south side of the property.

SUNSHINE MEADOWS PARK: An approximate 2.5 acre park located at 2625 West Larix Court and generally bounded by West Larix Court and private property on the south, West Timberlake Loop on the west and north and Courcelles Parkway on the east (Sunshine Meadow 4th Add, Tr A).

THIRD STREET BOAT RAMP AND MOORING DOCKS: A watercraft launch and mooring facility located within McEuen ~~Field~~ Park at the south end of 3rd Street (Beginning at a point on the 3rd Street ramp adjacent to the City seawall, said point being located at the approximate elevation 2,128 feet (WWP datum) above sea level and being 312 feet, more or less, northerly from the southwest corner of said seawall; said point also bearing south 16°09'18" east a distance of 451.91 feet from the easternmost Western Frontiers property point on Front Avenue as shown on the survey recorded in book 4, page 4A, book of surveys, Kootenai County, Idaho; thence northerly 343 feet, more or less, along said seawall to its northwest corner; thence easterly 67 feet, more or less, to the edge of the asphalt paving; thence, northerly along the edge of the paving 177 feet, more or less, to a point; thence, west north 42°23' west, 112.6 feet, more or less, to the curb on the west side of the City property; thence, southerly along the curb, 280 feet, more or less, to the northwest corner of the ramp; thence, southerly 57.4 feet, more or less, along the west edge of the ramp to a point located at the approximate elevation of 2,128 feet (WWP datum); thence generally east 112.1 feet, more or less, to the point of beginning). The double lane boat ramp is accessed ~~through the from~~ Third Street ~~Parking Lot~~ and includes three service docks directly adjacent to the boat ramps. Boat trailer parking for this facility is located ~~southeast of the ramp within the Third Street Parking Lot in the McEuen Parking Facility and the City Hall Parking Facility.~~ The mooring docks are directly west of Tubbs Hill and southeast of the Third Street Boat Ramp.

~~THIRD STREET PARKING LOT: A 600 space paved parking lot located within McEuen Field generally bounded by the mooring docks and the boat ramp on the south, Veteran Memorial Plaza on the west, Front Street on the north and the landscaped areas of McEuen Field on the east (Beginning at the SE corner of Block "P" of Coeur d'Alene and Kings Addition in Sec. 13, Twp. 50 N., R 4 W.B.M.; thence S. 480 ft. to the true point of beginning; thence S. 220 ft.; thence southwesterly along the base of Tubbs Hill to a point that intersects the extended east-west line of the seawall; thence westerly along said east-west line 120 ft. more or less to a point that is on the NS line of the seawall; thence N. 340 ft.; thence SE 230 ft. more or less to the true point of beginning).~~

TUBBS HILL: An approximate 120 acre, natural open space area located at 210 South 3rd Street. Tubbs Hill extends into Lake Coeur d'Alene and is generally bounded ~~by Lake Coeur d'Alene~~ on the south, west ~~sides~~ and ~~on~~ part of the east ~~sides~~ of the property ~~the Lake~~. The remainder of the east side of the park is bounded by East Tubbs Hill Park. The north side of Tubbs Hill is bordered by McEuen ~~Field~~ Park and several single family residences. There are several privately owned parcels within Tubbs Hill, three of which contain residences.

TWELFTH STREET BEACH: A small waterfront access area on Lake Coeur d'Alene on East Lakeshore Drive. The public access area is generally the width of 12th Street extended south to the lake.

VETERANS CENTENNIAL NATURAL AREA: An approximate 16 acre natural open space at 3013 East Fernan Hill Road and generally bounded by private property on the south and west sides, an undeveloped forest area on the north and the Victoria Estates subdivision on the west (Tax #14228 [In Se-Ne], Tx#14738 [In Ne-Se] Ex Tx#17561). Veterans Centennial Natural Area is owned by the Coeur d'Alene Parks Foundation, LLC.

WINTON PARK: An approximate 6.5 acre park located at 810 West Lacrosse ~~Street~~ Avenue and generally bounded by Idaho Transportation Department property associated with the US 95 interchange with Northwest Boulevard to the south, private property and Winton Elementary School to the west, Lacrosse ~~Street~~ Avenue to the north and Melrose Place to the east (College Add To Cda, Lt 1, N2 Lt 2, 7, 8 & 9 Blk 8, Lts 1, 2, & 3 Blk 9 & Ptn of Vac Sts & Alley).

B. General Terms: Whenever the following terms are used in this title, they have the following meanings unless the context indicates otherwise:

COMMERCIAL ACTIVITY: Commercial displays, commercial enterprises, commercial promotions, arts and crafts displays, exhibits and other commercial activities with items for sale, including food concessions.

MOTORIZED FOOD CONCESSIONS: Motorized vehicles from which food and beverages are sold, including trailer houses and vans.

OVERSIZED VEHICLE: A vehicle that cannot fit into a parking stall without protruding over the marked stall lines or extending beyond the end of the marked stall lines.

PARKING FACILITY: Any property owned by the City of Coeur d'Alene on which private vehicles are allowed to park. A parking facility can be a garage, a permanent surface lot, semi-permanent surface lot or an area that is used on a temporary basis for vehicle parking, and includes ancillary fixtures, equipment and utilities for the use, operation and maintenance of such facilities.

PARKING OFFICIAL: Any peace officer or reserve officer of the Coeur d'Alene Police Department, any person providing security services in any City parking facility pursuant to any contract with the City or any person, firm or corporation managing City owned or leased parking facility on the City's behalf.

PARKING TENANT: Any individual, group, or entity that has a valid city issued special permit to occupy a portion of a City parking facility.

ROBOT: A self-powered, programmable, mechanical device capable of operating autonomously or via remote control. This definition does not include autonomously-operated motor vehicles defined under Chapter 1, Title 49, Idaho Code.

SECTION 2. *That Municipal Code Section 4.15.010, is amended to read as follows:*

4.15.010: COEUR D'ALENE PUBLIC PARKING ~~LOT~~ FACILITY CAPITAL IMPROVEMENT FUND:

A. There is hereby established within the City of Coeur d'Alene a "capital improvement fund" which shall be known and cited as "the Coeur d'Alene public parking ~~lot~~ facility capital improvement fund". The levy or appropriation to such fund shall not exceed in the aggregate in any one year more than four-hundredths of one percent (0.04%) of the market value for assessment purposes of the city of Coeur d'Alene in that year. The total amount of such fund shall never exceed in the aggregate four-tenths of one percent (0.4%) of the market value for assessment purposes of the city of Coeur d'Alene. The fund shall not be subject to the provisions of Idaho Code section 50-1014 (which provides that the city council of the city may transfer an unexpended balance in one fund to the credit of another fund).

B. The purposes for which the Coeur d'Alene public parking ~~lot~~ facilities capital improvement fund may be used are as follows:

1. The acquisition of land, buildings, structures, equipment and appurtenances necessary for the parking of motor vehicles. ~~for public parking lots or buildings.~~

2. The construction of public off-street parking facilities, buildings, structures, equipment and appurtenances necessary for the parking of motor vehicles.

3. The improvement of Coeur d'Alene public parking facilities by upgrading equipment and appurtenances, grading, paving, sealing, signing, striping, draining or otherwise capital improving of such city parking facilities.

C. None of such funds shall be expended unless specifically appropriated by the City Council pursuant to Idaho Code sections 50-1001 through 50-1003, both inclusive. (Ord. 3382 §17, 2010)

SECTION 3. *That Municipal Code Section 4.15.020 is amended to read as follows:*

4.15.020: SIGN ERECTION:

A. The street superintendent shall cause appropriate signs and markings to be erected and painted on the surface of the parking ~~lots~~ facilities or otherwise establish in the parking ~~lots~~ facilities directions to carry out the purpose of the regulations set forth in this chapter. Signs containing the regulations provided in this chapter for each parking ~~lot~~ facility shall be placed in a conspicuous place at the entrances to the parking ~~lots~~ facilities so as to be visible to any person entering the parking ~~lot~~ facility.

B. The street superintendent shall cause appropriate signs and markings to be erected and painted in conspicuous places on the ~~3rd Third~~ Street ~~watercraft launching~~ Boat Ramp to carry out the purpose of the regulations contained in this chapter.

SECTION 4. *That Municipal Code Section 4.15.030 is amended to read as follows:*

4.15.030: PARKING AND LAUNCHING FEES:

A. The city council will establish parking and watercraft launching fees for the parking ~~lots~~ facilities and launch ramps regulated by this chapter.

SECTION 5. *That Municipal Code Section 4.15.040 is amended to read as follows:*

4.15.040: PARKING REGULATIONS FOR ALL PUBLIC PARKING ~~LOTS~~ FACILITIES:

The following regulations govern the use of ~~the 3rd Street, 4th Street, 4th Street and Coeur d'Alene Avenue, Independence Point, McEuen Field, Memorial Field, Museum and Library Parking Lots~~ all public parking Facilities as defined by Section 4.05.030 of this Title:

A. Parking Regulations:

1. Vehicles can only be parked within the stalls designated by markers and as nearly in the center of the designated stalls as possible.

2. Vehicles cannot be parked or left unattended on any driving isle in the parking facility.
3. Trailers cannot be left parked in any parking facility unless attached to a parked motor vehicle.

B. Other Regulations:

1. Vehicles can only be driven in a parking facility on the designated deriving isles and only in the direction indicated by signs or traffic control devices.
2. Vehicles cannot be driven in a parking facility faster than five (5) miles per hour.
3. Vehicles can only be driven into or out of a parking facility at the designated entrances and exits.
4. No portion of any parking facility can be used in any manner that endangers the person or property of another or disrupts the normal operations of the parking facility, including but not limited to, conduct that involves the use of abusive or threatening language or gestures, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior; placing objects such as bicycles, backpacks, carts or other items in a manner that interferes with free passage within the facility.
5. No person can distribute, throw or affix to vehicles any literature, handbills or fliers in any City parking facility.
6. No person can camp or sleep in a parking facility, either in, on or near a vehicle, between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M., unless the camping or sleeping is permitted by the City in conjunction with a special event being held on City property.
7. No person shall deface, or destroy, signage or other City property located within a parking facility.
8. Other than City authorized events, no person shall participate in gatherings within the parking facility;
9. All persons within a City parking facility shall obey posted regulations and / or the direction of an authorized parking official.
10. It is unlawful for any person to intentionally come into contact with buildings, stairs, stairways, railings, curbs, planters, benches, chairs, tables, curbs, plants or shrubbery, signs, light poles, pillars or other improvements or fixtures with any skateboard, skates, in-line skates, rollerblades or similar device(s).

C. The parking provisions contained in this chapter do not apply to City vehicles operated in the normal course of city business.

~~A. Vehicles can only be parked within the stalls designated by markers and as nearly in the center of the designated stalls as possible.~~

~~B. Vehicles can only be driven in the parking lot on the designated roadways and only in the direction indicated by signs.~~

~~C. Vehicles cannot be driven in the parking lot faster than five (5) miles per hour.~~

~~D. Vehicles cannot be parked or left unattended on any roadway in the parking lot.~~

~~E. Vehicles can only be driven into or out of the parking lot at the designated entrances and exits.~~

~~F. No portion of the parking lot can be used in any manner that endangers the person or property of another.~~

~~G. No person can distribute, throw or affix any literature, handbills or fliers in the parking lot into any car parked in the parking lot or on any car parked in the parking lot.~~

~~H. No person can camp or sleep in the parking lot, either in, on or near a vehicle, between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M., unless the camping or sleeping is permitted by the city in conjunction with a special event being held on city property.~~

~~I. Trailers cannot be left parked in the parking lot unless attached to a parked motor vehicle.~~

~~J. The parking provisions contained in this chapter do not apply to city vehicles operated in the normal course of city business. (Ord. 3442, 2012; Ord. 3382 §17, 2010)~~

SECTION 6. *The Municipal Code Section 4.15.050 is hereby repealed.*

~~4.15.050: ADDITIONAL REGULATIONS FOR THE 3RD STREET PARKING LOT:~~

~~In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the 3rd Street Parking Lot:~~

~~A. Vehicles, including motor vehicles with an attached trailer, longer than forty four feet (44') cannot be parked in the parking lot.~~

~~B. Single unit vehicles cannot park in stalls marked for multi unit vehicles except from twelve o'clock (12:00) midnight December 21 until twelve o'clock (12:00) noon March 20 annually.~~

~~C. Cranes are not allowed in the parking lot unless the mayor declares an emergency.~~

SECTION 7. *That Municipal Code Section 4.15.060 is amended to read as follows:*

4.15.060: ADDITIONAL REGULATIONS FOR THE 8TH STREET CITY HALL PARKING LOT FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the ~~8th Street~~ City Hall Parking Facility:

A. No vehicle can be parked or allowed to remain parked in the parking ~~lot~~ facility continuously for more than forty eight (48) hours ~~unless the owner has purchased a permit from the city to do so.~~ .

B. Single vehicles cannot park in stalls marked for over-sized or multi-unit vehicles. On weekdays and Saturdays between October 1 and April 30 annually, vehicles shall not be parked or allowed to remain parked in the first two (2) rows of the parking lot between the hours of seven o'clock (7:00) A.M. and nine thirty o'clock (9:30) A.M.

C. The City, by permit or contract, may authorize mobile food concessions and other vehicles to park in spaces designated by the City and may exempt special events held in McEuen Park from any of the requirements of this chapter pertaining to the use of this parking facility.

D. No person shall enter or remain within the parking facility for any purpose other than to park or retrieve a motor vehicle or to do valid and legitimate business with a City parking facility or structure tenant or official.

E. It is unlawful for any person to operate or ride on any skateboard, roller skates, rollerblades, in-line skates, coaster, sled, toy wagon, scooter or similar device on any vehicle travel ramp or within the parking facility. This prohibition shall not apply to handicapped person using wheeled equipment in order to be ambulatory.

SECTION 8. *That Municipal Code Section 4.15.070 is amended to read as follows:*

4.15.070: ADDITIONAL REGULATIONS FOR THE 4TH FOURTH STREET AND COEUR D'ALENE AVENUE PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the 4th Fourth Street and Coeur d'Alene Avenue Parking ~~Lot~~ Facility:

A. A parking permit is required to park in the ~~lot~~ facility except on holidays, weekends and weekdays after six o'clock (6:00) P.M. Each permittee must park in the assigned parking stall and must hang or display the parking permit, showing the calendar year and permit number, from the vehicle's rearview mirror. The monthly permit fee must be paid in advance by the fifteenth day of each month for the succeeding month or the permit becomes invalid.

B. No trailers, RVs, or oversized vehicles can be parked in the ~~lot~~ facility.

SECTION 9. *That Municipal Code Section 4.15.080 is amended to read as follows:*

4.15.080: ADDITIONAL REGULATIONS FOR THE INDEPENDENCE POINT PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the Independence Point Parking ~~Lot~~ Facility:

A. No trailers, RVs or oversized vehicles can be parked in the ~~lot~~ facility.

B. No vehicle can be parked or allowed to remain parked in the parking ~~lot~~ facility continuously for more than forty eight (48) hours ~~unless the owner has purchased a permit from the city to do so.~~

C. The City, by permit or contract, may authorize mobile food concessions and other vehicles to park in spaces designated by the City and may exempt special events held in City Park from any of the requirements of this chapter pertaining to the use of this parking ~~lot~~ facility.

D. No person shall enter or remain within the parking facility for any purpose other than to park or retrieve a motor vehicle or to do valid and legitimate business with a City parking facility or structure tenant or official.

E. It is unlawful for any person to operate or ride on any skateboard, roller skates, rollerblades, in-line skates, coaster, sled, toy wagon, scooter or similar device on any vehicle travel ramp or within the parking facility. This prohibition shall not apply to handicapped person using wheeled equipment in order to be ambulatory.

SECTION 10. *That Municipal Code Section 4.15.090 is amended to read as follows:*

4.15.090: ADDITIONAL REGULATIONS FOR THE MCEUEN ~~FIELD~~ PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the McEuen ~~Field~~ Parking ~~Lot~~ Facility:

A. No trailers, RVs, multi-unit vehicles or oversized vehicles can be parked in the facility except in the designated boat trailer parking stalls. Vehicles exceeding eight feet (8') in height are prohibited from parking in this facility. Unless a parking space is otherwise designated by the city, no vehicle can be parked or allowed to remain parked longer than two (2) hours in any space in the parking lot.

B. The City, by permit or contract, may authorize mobile food concessions and other vehicles to park in spaces designated by the City and may exempt special events held in McEuen Park from any of the requirements of this chapter pertaining to the use of this parking facility. No trailers, RVs or oversized vehicles can be parked in the lot.

C. Smoking of cigarettes, cigars, pipes and any lighted instrument in the elevators or any enclosed portion of McEuen Parking Facility is prohibited. The city, by permit or contract, may authorize mobile food concessions to park in spaces designated by the city.

D. No person shall enter or remain within the parking facility for any purpose other than to park or retrieve a motor vehicle or to do valid and legitimate business with a City parking facility or structure tenant or official.

E. It is unlawful for any person to operate or ride on any skateboard, roller skates, rollerblades, in-line skates, coaster, sled, toy wagon, scooter or similar device on any vehicle travel ramp or within the parking facility. This prohibition shall not apply to handicapped person using wheeled equipment in order to be ambulatory.

SECTION 11. *That Municipal Code Section 4.15.100 is amended to read as follows:*

4.15.100: ADDITIONAL REGULATIONS FOR THE MEMORIAL FIELD PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the Memorial Field Parking ~~Lot~~ Facility:

- A. Vehicles longer than twenty feet (20') in total length, trailers, RVs or other oversized vehicles cannot be parked in the ~~lot~~ facility.
- B. Parking between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M. is prohibited unless the City approves longer hours for baseball or softball events.
- C. The City, by permit or contract, may authorize vehicles serving the Museum Of North Idaho, or the cultural center to park in spaces designated by the City and may exempt special events held in City Park or Memorial Field from any of the requirements of this chapter pertaining to the use of this parking ~~lot~~ facility.

SECTION 12. *That Municipal Code Section 4.15.110 is amended to read as follows:*

4.15.110: ADDITIONAL REGULATIONS FOR THE MUSEUM PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the Museum Parking ~~Lot~~ Facility:

- A. Vehicles longer than twenty feet (20') in total length, trailers, RVs or other oversized vehicles cannot be parked in the ~~lot~~ facility except that RVs may park in designated parking spaces.
- B. Parking between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M. is prohibited.
- C. The City, by permit or contract, may authorize vehicles serving the Museum Of North Idaho, or the cultural center to park in spaces designated by the City and may exempt special events held in City Park or Memorial Field from any of the requirements of this chapter pertaining to the use of this parking ~~lot~~ facility.

SECTION 13. *That Municipal Code Section 4.15.115 is amended to read as follows:*

4.15.115: ADDITIONAL REGULATIONS FOR THE LIBRARY PARKING ~~LOT~~ FACILITY:

In addition to the provisions of section 4.15.040 of this chapter, the following regulations govern the use of the Library Parking ~~Lot~~ Facility:

- A. No person shall allow his/her vehicle to be parked in the Library Parking ~~Lot~~ Facility for more than two (2) hours.

B. Vehicles longer than twenty feet (20') in total length, trailers, RVs or other oversized vehicles cannot be parked in the ~~lot~~ facility.

C. The City, by permit or contract, may authorize vehicles serving the Coeur d'Alene Public Library to exceed the restrictions set forth in this section and allow parking in spaces designated by the City.

D. The City may exempt special events held in the City from any of the requirements of this chapter pertaining to the use of this parking ~~lot~~ facility.

SECTION 14. *That Municipal Code Section 4.15.120 is amended to read as follows:*

4.15.120: ~~SOUTH 3RD STREET WATERCRAFT LAUNCHING~~ THIRD STREET BOAT RAMP REGULATIONS:

The following regulations govern the use of the ~~South 3rd Street watercraft launching~~ Third Street Boat R ~~ramp~~:

A. Vehicles, other than emergency vehicles, cannot be parked on or travel on the launch ramp except while in the process of launching or loading watercraft.

B. Vehicles, other than emergency vehicles, cannot park or travel on the launch ramp for longer than is reasonably necessary to launch or load watercraft and in no event may they remain parked for more than fifteen (15) minutes.

C. Vehicles, other than emergency vehicles, cannot park or travel on the launch ramp in a manner that blocks the ingress or egress of other vehicles launching or loading watercraft.

SECTION 15. *That Municipal Code Section 4.15.130 is amended to read as follows:*

4.15.130: ENFORCEMENT AND PENALTIES:

Any violation of this chapter related to vehicle parking is subject to the enforcement processes and penalties contained in title 10, chapter 10.27 of this code. All other violations of this chapter are an infraction punishable as provided in Municipal Code Chapter 1.28.

SECTION 16. *That Municipal Code Section 4.25.030 is amended to read as follows.*

4.25.030: BEER, WINE AND LIQUOR PROHIBITIONS ON PUBLIC PROPERTY:

A. No person shall possess any container, whether open or not, containing any beer, wine or other alcoholic beverage on any City owned, leased or maintained beach, natural area, park, parking facility, playground or play field.

B. The provisions of this section do not prohibit the City from issuing permits for the possession and consumption of beer, wine or other alcoholic beverages at the following locations:

1. Riverstone Park gazebo and amphitheater;
2. Jewett House;

3. City Park;
4. McEuen Park;
5. ~~Upon city right-of-way~~ On pedal bike(s) and/or nonmotorized recreational vehicles where passenger areas are separate from the driver areas when operated on City rights-of-way.

SECTION 17. *That Municipal Code Section 4.25.070 is amended to read as follows.*

4.25.070: FIREWORKS PROHIBITED ON PUBLIC PROPERTY:

Except when permitted as a part of a public display authorized by this chapter, it is unlawful for any person to have in his or her possession or to use fireworks of any kind on any city owned, leased or maintained beach, natural area, park, playground or play field, dock, parking ~~lot~~ facility or other property.

SECTION 18. *That Municipal Code Section 4.25.120 is amended to read as follows.*

4.25.120: BICYCLES, SKATEBOARDS, ROBOTS AND TOY VEHICLES ON PUBLIC PROPERTY:

- A. It is unlawful for any person to ride or operate a toy or wheeled vehicle except wheelchairs being used to transport physically impaired persons on the band shell in City Park.
- B. It is unlawful for any person to ride a skateboard in Veterans' Memorial Park Plaza ~~or at the Veterans' Memorial~~.
- C. It is unlawful for any person to ride or operate any toy vehicles, including remote control vehicles, at Cherry Hill Park.
- D. It is unlawful for any person to ride or operate a bicycle on any portion of Tubbs Hill owned or leased by the city of Coeur d'Alene, except city employees in the normal course of city business.
- E. Nothing in this section shall prohibit the mayor and/or city council from allowing bicycle, skateboard, or other exhibits or demonstrations by permit or other ordinance.
- F. Nothing in this section applies to robots that are operating in compliance with all posted regulations.

SECTION 19. *That Municipal Code Section 8.36.100 is amended to read as follows.*

8.36.100: LITTERING:

It is unlawful for any person to dispose of, throw away or leave any empty container or other litter on any public park, grounds, parking facility or thoroughfare within the city; provided, however, that such empty container or other litter may be deposited in receptacles provided especially for that purpose. (prior code §6-1-9)

SECTION 20. *That Municipal Code Section 8.48.030 is amended to read as follows.*

8.48.030: DEFINITIONS:

That for the purposes of this chapter, the following definitions shall be applicable:

PUBLIC PROPERTY: ~~Includes Pubic property as defined in section 4.05.030 of this code, including but not limited to,~~ Tubbs Hill, all city docks, Third Street ~~boat-launching~~ Boat Ramp, Independence Point and Parking ~~Lot Facility~~, City Beach, City Park and McEuen ~~Field Park~~ and the McEuen Parking Facility and ~~Eighth Street City Hall~~ Parking ~~Lot Facility~~. ~~as defined in section 4.05.030 of this code.~~

PUBLIC WATERS: Any river, lake, or other body of water within the corporate boundaries of the city of Coeur d'Alene, Idaho, other than those which are entirely privately owned, regardless of navigability.

RACE: Any race which is sanctioned or approved by the Unlimited Hydroplane Racing Association and any successor in interest thereto.

UNLIMITED HYDROPLANES: Boats weighing in excess of six thousand (6,000) pounds designed for competitive racing, specifically including all boats licensed or approved at the present or at any time hereafter by the Unlimited Hydroplane Racing Association and any successor in interest thereto.

SECTION 21. *That Municipal Code Section 10.04.010 is amended to read as follows.*

10.04.010: PLACEMENT AND MAINTENANCE:

The street superintendent shall cause to be placed and maintained such traffic control signs, signals and markings upon the streets, alleys, public parks, public parking ~~lots~~ facilities and other public and City owned property as the City Engineer may deem necessary to indicate and carry out the provisions of this title and the provisions of the most recent edition of the "Manual On Uniform Traffic Control Devices" as adopted pursuant to Idaho Code sections 49-201 and 209, and to regulate, warn or guide traffic. Prior to installation, the City Engineer shall provide written direction for the type and location of traffic control signage or pavement marking.

SECTION 22. *That Municipal Code Section 8.22.100 is amended to read as follows.*

10.22.100: FORT GROUND RESIDENTIAL ON STREET PARKING PERMIT AREA:

A. The boundary designated pursuant to this chapter as the Fort Ground residential on street parking permit area shall be as follows:

1. Bounded on the west by Hubbard ~~Street~~ Avenue, on the east by Park Drive and Lincoln Way, on the north by River Avenue, including North Military Drive, and to the south by Lake Coeur d'Alene.

B. Parking in the Fort Ground area during the hours of seven thirty o'clock (7:30) A.M. to five thirty o'clock (5:30) P.M., Monday through Sunday, except holidays and special events, as defined below, shall be allowed only for vehicles displaying either a resident's decal or a visitor's permit tag.

C. Holidays shall be the following nationally recognized days: Veterans Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Day, Martin Luther King Jr./Idaho Human Rights Day, Presidents' Day, Memorial Day, Independence Day, ~~and~~ Labor Day and Columbus Day.

D. Special events shall include Art On The Green, North Idaho College commencement day, or other special events as permitted by the City.

E. Fees for parking permits shall be designated by resolution.

F. The homeowners' association shall notify the City Clerk, annually, of the name of an association member who shall be in charge of the distribution of temporary permits for special events. The association representative shall be responsible for distributing the temporary passes for individual homeowner's special events on an as needed basis. The City Clerk may annually issue the association representative twenty (20) temporary hangtags, free of charge. These passes shall be distributed to individual homeowners for residential events in which they are expecting several visitors. The association representative shall monitor the number of permits distributed to any one street, to ensure that there are an adequate number of spaces remaining on the block for the homeowners not included in the special event.

SECTION 23. *That Municipal Code Section 10.24.020 is amended to read as follows.*

10.24.020: LIMITED TIME PARKING SPACES AND ZONES:

A. No owner or operator of any vehicle shall on any day, except Sundays and holidays, between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M., allow or cause said vehicle to be continuously parked longer than fifteen (15) minutes in any parking space posted for fifteen (15) minute parking.

B. No owner or operator of any vehicle shall allow or cause such vehicle to be continuously parked for a period of more than two (2) hours on any day between the hours of nine o'clock (9:00) A.M. and six o'clock (6:00) P.M., except Sundays and holidays, along the following described portions of streets and avenues within the city:

Sherman Avenue from Second Street to Seventh Street;

The east side of First Street from Sherman Avenue to Indiana Avenue;

The west side of First Street from Sherman Avenue to the south side of the intersection of First ~~Avenue~~ Street and Coeur d'Alene Avenue;

Second Street from Sherman Avenue to Wallace Avenue;

Third Street from Front Avenue to Indiana Avenue;

Fourth Street from Front Avenue to Indiana Avenue;

Fifth Street from Front Avenue to Coeur d'Alene Avenue;

Sixth Street from Front Avenue to Lakeside Avenue;

The north side of Indiana Avenue between Third Street and Fourth Street;

Lakeside Avenue from First Street to Seventh Street;

The south side of Front Avenue from Fifth Street to Sixth Street;

The north side of Front Avenue from Third Street to Seventh Street;

Coeur d'Alene Avenue from First Street to Fifth Street.

Such other spaces and/or zones and for such amount of time as may hereafter be established by duly passed resolution of the city council.

~~Within the meaning of this section, the term "holiday" includes the following days only: January 1, the last Monday in May, July 4, the first Monday in September, December 25, and the day designated and set aside as Thanksgiving Day.~~

Holidays shall be the following nationally recognized days: Veterans Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr./Idaho Human Rights Day, Presidents' Day, Memorial Day, Independence Day, Labor Day and Columbus Day.

SECTION 24. That Municipal Code Section 10.27.010 is amended to read as follows.

10.27.010 VIOLATION OF TRAFFIC OR PARKING PROVISIONS OF ~~TITLE~~ CITY CODE;
PENALTY

A violation of any of the traffic provisions set out in this title shall be an infraction unless another penalty is provided by state law, and, upon being found to have violated a traffic provision of this title, shall be penalized as allowed by state law.

A violation of any of the parking provisions set out in ~~this title~~ the City Code shall be punishable by a civil penalty in an amount established by resolution of the City Council as set forth in and enforced pursuant to section 10.27.020 of this chapter.

Nothing in this section shall limit the ability of the City to impound vehicles as set forth in section 10.28.010 of this title.

SECTION 25. That Municipal Code Section 10.27.020 is amended to read as follows.

10.27.020 CHARGES FOR VIOLATION

A. Any person violating any of the parking provisions set forth in ~~this title~~ City Code shall be assessed a civil penalty for each violation. The civil penalties for each violation shall be established by resolution of the City Council.

B. Any police officer, or other person(s) designated by the City or Chief of Police, observing any parking violation shall issue a ticket describing such violation and the charge assessed for the violation to the person committing the violation. The ticket shall be payable to the City Cashier within ten (10) days of the violation. Failure to pay the civil assessment set forth on the parking ticket shall result in further action being taken by the city as set forth in section 10.27.040 of this chapter.

SECTION 26. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 27. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 28. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 29. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on

APPROVED, ADOPTED and SIGNED this ____ day of ____, 2015.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____

Insert brief description

Insert Title ; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Insert Brief Description, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this ____ day of _____, 2015.

Warren J. Wilson, Chief Deputy City Attorney