



AGENDA

MOLALLA CITY COUNCIL WORK SESSION

October 26, 2022

6:00 PM

Molalla Civic Center

315 Kennel Ave, Molalla, OR 97038

Mayor Scott Keyser

Council President Jody Newland

Councilor Elizabeth Klein

Councilor Terry Shankle

Councilor Leota Childress

Councilor Crystal Robles

Councilor Eric Vermillion

*In accordance with House Bill 2560, the City of Molalla adheres to the following practices:
Live-streaming of the Molalla City Council Meetings are available on Facebook at "Molalla City Council Meetings – LIVE" and "Molalla City Council Meetings" on YouTube.*

Citizens can submit Public Comment in the following ways: attend the meeting, email the City Recorder @ recorder@cityofmolalla.com by 4:00pm on the day of the meeting, or drop it off at City Hall, 117 N. Molalla Avenue.

1. CALL TO ORDER AND ROLL CALL

2. DISCUSSION ITEMS

- A. Overnight Parking Permits – MMC Chapter 10.42, Section 10.42.030

3. ADJOURN

Agenda posted at City Hall, Library, and the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855.

Problem Statement:

Overnight Parking in City Owned Parking Lots

Lots being misused:

- Individuals – Parking in lot for extended periods while leaving vehicle, living in vehicle, and/or using vehicle as gathering place for nefarious activity.
 - *E.g: Truck that burned in Community Center lot*
- Nearby Residences – Using lots as residential parking without permits
- Nearby Businesses – Using lot as storage area for customer vehicles without permit.

Enforceability Issues:

- MMC 10.42.010 No person shall stop, stand or park a vehicle or trailer on city parking lots **overnight**, except as permitted herein. (Ord. 2008-09)
 - *Lack of definition renders this provision unenforceable and may produce undesired outcomes (e.g. graveyard shift employee)*
- MMC 10.42.035 Vehicles or trailers parked in a city-owned lot for **72 hours or more** without a permit are subject to being towed and impounded at the owner's expense, as provided in Sections 10.41.100 and 10.41.110. (Ord. 2008-09)
 - *Extended timeframe makes evidence gathering to support this action unattainable – must prove that vehicle was parked there for 72 continuous hours.*



Chapter 10.42 OVERNIGHT PARKING IN CITY-OWNED PARKING LOTS

10.42.010 Overnight parking in city parking lots prohibited without permit.

No person shall stop, stand or park a vehicle or trailer on city parking lots overnight, except as permitted herein. (Ord. 2008-09)

10.42.015 Exception.

The provisions of the above section shall not apply to emergency vehicles or to vehicles for which an overnight parking permit has been issued and is in effect. City employees who are working for the city during these hours are also exempt. It is within the discretion of the City Manager to waive overnight parking permits fees for residential tenants of buildings abutting city-owned lots and other guests or visitors upon a determination that it is in the best interests of the city. (Ord. 2008-09)

10.42.020 Parking permit.

Any person intending to stop, stand or park a vehicle or trailer on city-owned parking lots overnight on any day may apply to the City Recorder for a permit in accordance with administrative procedures established by the City Manager or designee. Denial by the city of a parking permit application may be appealed to the City Manager or City Council. (Ord. 2008-09)

10.42.025 Fees.

Fees for overnight parking permits will be established by resolution by the City Council and maintained in the city administrative list of fees. (Ord. 2008-09)

10.42.030 Overnight parking permits.

- A. An overnight parking permit will be issued once the overnight parking application has been received and the fee is paid.
- B. An overnight parking permit may be purchased on a per night, per week, per month or annual basis, as determined by the City Manager or designee.
- C. Overnight parking permits must be displayed by parked vehicles so as to be easily visible from outside the vehicle. (Ord. 2008-09)

10.42.035 Penalties.

- A. Vehicles or trailers parked in a city-owned lot overnight without a permit are subject to a citation as provided in Section [10.41.120](#).
- B. Vehicles or trailers parked in a city-owned lot for 72 hours or more without a permit are subject to being towed and impounded at the owner's expense, as provided in Sections [10.41.100](#) and [10.41.110](#). (Ord. 2008-09)

10.42.040 Notification.

The City Manager shall ensure that signage is posted in city-owned parking lots sufficient to inform motorists of overnight parking restrictions. (Ord. 2008-09)