

(e) Notwithstanding the provisions of Subsection (3)(c) of this Section, if the total number of parking permits authorized in Section 9.85.060 of this Chapter are not sold within thirty (30) days after the date when such permits are first offered for sale in a given year, the remaining permits shall to be offered for sale, on a first-come first-serve basis, to any holder of a license for a rental dwelling in the North Joaquin Permit Parking Area.

(f) Applicable fees, as set forth in the Consolidated Fee Schedule adopted by the Municipal Council, shall be paid prior to issuance of a parking permit.

(4) A parking permit shall be displayed by hanging the permit on the motor vehicle's interior rear view mirror. Such permit may be displayed only if:

(a) the vehicle has a valid license and vehicle registration, and

(b) the owner possesses proof of current vehicle insurance.

(5) A person who is issued a parking permit shall be deemed the permit holder.

(6) A parking permit shall be designed to display information necessary to allow enforcement personnel to identify the permit holder.

(7) The issuance of a parking permit does not guarantee or reserve to the permit holder a particular parking space within the North Joaquin Permit Parking Area, but only authorizes a motor vehicle to be parked on a public street in a legally available parking space.

(8) In the event a permit holder loses a permit issued under this Chapter, a duplicate may be obtained from the Parking Permit Coordinator.

(a) The cost of such permit shall be as set forth in the Consolidated Fee Schedule adopted by the Municipal Council.

(b) No duplicate permit shall be issued unless and until the applicant has furnished to the Parking Permit Coordinator an affidavit stating that the applicant has lost the original permit.

(c) No person shall apply for a duplicate permit unless the original permit has, in fact, been lost. (Enacted 2008-06)

#### **9.85.080. Fees.**

Parking permit fees shall be as shown on the Consolidated Fee Schedule adopted by the Municipal Council. (Enacted 2008-06)

#### **9.85.090. Transferability.**

The holder of a parking permit for the North Joaquin Permit Parking Area may display the permit on any motor vehicle at any time within such area. (Enacted 2008-06)

#### **9.85.100. Temporary Permits.**

During a calendar year up to eighteen (18) temporary one-day permits and one (1) 7-day permit may be issued to residents of a qualifying dwelling unit within the North Joaquin Permit Parking Area. (Enacted 2008-06, Am 2008-16)

#### **9.85.110. Expiration.**

Each parking permit issued for the North Joaquin Permit Parking Area shall expire annually after the establishment thereof. Any permit issued after the establishment date shall expire on the same day as all other permits. (Enacted 2008-06)

#### **9.85.120. Signs.**

An adequate number of signs shall be posted in the North Joaquin Permit Parking Area as determined by the Mayor pursuant to Section 9.80.090, Provo City Code. (Enacted 2008-06)

#### **9.85.130. Parking Spaces for Persons with a Disability.**

Nothing in this Chapter shall abrogate the scope of parking privileges granted to persons with a disability established by the Provo City Code or other applicable law. (Enacted 2008-06)

#### **9.85.140. Other Parking Regulations.**

The provisions of this Chapter shall not relieve any person from the duty to observe other and more restrictive provisions of the Provo City Code which prohibit or limit the stopping, standing, or parking of vehicles at specific times or places. (Enacted 2008-06)

#### **9.85.150 Effective Date**

The provisions of this Chapter 9.85 shall not be effective until September 1, 2011. (Enacted 2009-27)

### **Chapter 9.88 University Garden/North Foothills Permit Parking Area.**

- 9.88.010. Purpose.
- 9.88.020. Definitions.
- 9.88.030. Permit Parking Area Authorized - Boundaries.
- 9.88.040. On-Street Parking Restrictions.
- 9.88.050. Enforcement of Parking Restrictions.
- 9.88.060. Limit on Available Number of Permits.
- 9.88.070. Permit Eligibility - Issuance and Display.
- 9.88.080. Fees.
- 9.88.090. Transferability.
- 9.88.100. Temporary Permits.
- 9.88.110. Expiration.
- 9.88.120. Signs.
- 9.88.130. Handicapped Parking.
- 9.88.140. Other Parking Regulations.

#### **9.88.010. Purpose.**

The Provo Municipal Council finds that the geographic area described in Section 9.88.030 of this Chapter meets the criteria for designating a permit parking area as provided in Section 9.80.060 and Subsections 9.80.070(7) and 9.80.070(8), Provo City Code. (Enacted 2007-42)

#### **9.88.020. Definitions.**

Words and phrases defined in Chapter 9.80 of this Title, as amended, which are used in this Chapter shall have the meanings set forth in Chapter 9.80. (Enacted 2007-42)

#### **9.88.030. Permit Parking Area Authorized - Boundaries.**

(1) A permit parking area is hereby established within the geographic area encompassed by the following boundaries and applying to both sides of a street unless otherwise provided: Commencing at 975 East 820 North; thence east along 820 North to 1100 East; thence north along 1100 East to 950 North; thence east along 950 North to 1200 East; thence north along 1200 East to 1010 North; thence east along 1010 North to 1325 East; thence southeasterly along the rear property line of lots fronting on 1200 East to 950 North; thence east along 950 North to 1260 East; thence southeasterly along the rear property line of lots fronting on 1260 East to a point located at 860 North 1420 East; thence easterly, parallel to 820 North, to the west right-of-way line of Locust Lane; thence south to the south right-of-way line of 820 North; thence west along 820 North to 1275 East; thence south along 1275 East to 700 North; thence west along 700 North to 1200 East; thence south on 1200 East to 690 North; thence east to 1225 East; thence south along the rear property line of two lots fronting on 1200 East to 630 North; thence west to 1200 East, thence south along 1200 East to 530 North; thence west along 530 North to 1100 East; thence south along 1100 East to 475 North; thence west along 475 North to 1000 East; thence North

along 1000 East to 530 North; thence west along 530 North to the east right-of-way line of 900 East; thence north along the east right-way-line of 900 East to 700 North; thence east to 975 East; thence north 975 East to 820 North to the point of beginning.

(2) The foregoing described area shall be known as the University Garden/North Foothills Permit Parking Area and shall be shown on the Official Permit Parking Area Map. (Enacted 2007-42, Am 2008-16)

#### **9.88.040. On-Street Parking Restrictions.**

(1) Parking on a public street within the University Garden/North Foothills Permit Parking Area shall be restricted as follows:

(a) Except as otherwise set forth in Subsection (2) of this Section, between the hours of 10 p.m. and 7 a.m. only authorized motor vehicles shall be parked on a public street within the University Garden/North Foothills Permit Parking Area.

(b) A motor vehicle being used to provide repair, service, or emergency assistance within the University Garden/North Foothills Permit Parking Area shall be exempt from the provisions of Subsection (a) of this Section. Such exemption shall terminate upon completion of repair, service, or assistance provided. Nothing in this section is intended to prohibit a resident of the University Garden/North Foothills Permit Parking Area from obtaining a parking permit for such vehicles as provided in this Chapter.

(c) A public agency vehicle with an exempt ("EX") license plate shall be exempt from the provisions of Subsection (1)(a) of this Section.

(2) A parking permit may be issued for a motor vehicle used in conjunction with a building permit for authorized construction within the University Garden/North Foothills Permit Parking Area. The parking permit shall expire in six (6) months from the date of issuance. (Enacted 2007-42, Am 2008-15)

#### **9.88.050. Enforcement of Parking Restrictions.**

University Garden/North Foothills Permit Parking Area restrictions shall be regularly enforced by Police Department personnel. The on-street parking restrictions set forth in this Chapter shall apply every day except the following: no enforcement shall occur on Easter, Memorial Day weekend, Independence Day, Pioneer Day, Labor Day weekend, Thanksgiving Day and three (3) days following, and Christmas Eve through New Year's Day. (Enacted 2007-42, Am 2008-16)

#### **9.88.060. Limit on Available Number of Permits.**

There shall be no limit on the number of parking permits issued within the University Garden/North Foothills Permit Parking Area except as set forth in Subsection 9.88.070(3)(c) of this Chapter. (Enacted 2007-42)

#### **9.88.070. Permit Eligibility - Issuance and Display.**

(1) The Parking Permit Coordinator shall issue parking permits which comply with the requirements set forth in this section.

(2) (a) Annual application for one (1) or more parking permits authorized under this Chapter shall be made on a form provided by the Parking Permit Coordinator which includes at least the following information:

- (i) applicant's name and address, and
- (ii) proof of eligibility for the permit.

(b) Additional information may be required which will aid the enforcement of the provisions of this Chapter and Chapter 9.80, Provo City Code.

(3) A parking permit shall be issued for a motor vehicle only upon compliance with each of the following requirements:

(a) The permit applicant shall be a person who resides in a dwelling located within the University Garden/North Foothills Permit Parking Area and who is:

- (i) an owner occupant, or
- (ii) an occupant of a qualifying rental dwelling unit for which a valid rental dwelling license has been issued.

(iii) No permit shall be issued to a person who resides in a rental dwelling which does not comply with the requirements of Chapter 6.26, Provo City Code, when the permit is issued.

(iv) A resident of the Arlington, Belmont, Highland Park, or King Henry apartments shall not qualify for a parking permit.

(b) Applicable fees, as set forth in the Consolidated Fee Schedule adopted by the Municipal Council, have been paid.

(c) Not more than two (2) parking permits shall be issued to all the residents of a qualifying dwelling unit.

(4) A parking permit shall be displayed by hanging the permit on the motor vehicle's interior rear view mirror. Such permit may be displayed only if:

- (a) the vehicle has a valid license and vehicle registration, and
- (b) the owner possesses proof of current vehicle insurance.

(5) A person who is issued a parking permit shall be deemed the permit holder.

(6) A parking permit shall be designed to display information necessary to allow enforcement personnel to identify the permit holder.

(7) The issuance of a parking permit does not guarantee or reserve to the permit holder a particular parking space within the University Garden/North Foothills Permit Parking Area, but only authorizes a motor vehicle to be parked on a public street in a legally available parking space.

(8) In the event a permit holder loses a permit issued under this Chapter, a duplicate may be obtained from the Parking Permit Coordinator.

(a) The cost of such permit shall be as set forth in the Consolidated Fee Schedule adopted by the Municipal Council.

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**9.88.120. Signs.**

An adequate number of signs shall be posted in the University Garden/North Foothills Permit Parking Area as determined by the Mayor pursuant to Section 9.80.090, Provo City Code. (Enacted 2007-42)

**9.88.130. Handicapped Parking.**

Nothing in this Chapter shall abrogate the scope of parking privileges granted to handicapped persons established by the Provo City Code or other applicable law. (Enacted 2007-42)

**9.88.140. Other Parking Regulations.**

The provisions of this Chapter shall not relieve any person from the duty to observe other and more restrictive provisions of the Provo City Code which prohibit or limit the stopping, standing, or parking of vehicles at specific times or places. (Enacted 2007-42)