

ORDINANCE NO. 95

An Ordinance replacing in its entirety the present Parking Lot Ordinance known as Code of Ordinances, Title III – Public Safety, Chapter – Parking Lots.

Be it enacted by the Board of Supervisors of Black Hawk County, Iowa as follows:

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| 3-1-1 Purpose | 3-1-8 All Night Parking |
| 3-1-2 Definitions | 3-1-9 Parking for Certain Purposes Prohibited |
| 3-1-3 Parking Lot Usage | 3-1-10 Violation |
| 3-1-4 Restricted Parking | 3-1-11 Authority to Tow/Impound |
| 3-1-5 Stopping on Driveway | 3-1-12 Severability |
| 3-1-6 Parking Signs Required | 3-1-13 Responsibility of Owners, Drivers, and |
| 3-1-7 Prohibited Parking During Snow
Emergency | Agents |

3-1-1. PURPOSE. The purpose of this Chapter is to regulate and control parking in the Black Hawk County parking lots, including but not limited to:

- A. Courthouse Public and Employee Lots
- B. Jail Front Lot
- C. Juvenile Court Services Lot
- D. Pinecrest Public and Employee Lots
- E. Jurors’ parking spaces located in the City parking lot at 6th & Lafayette Streets in Waterloo, Iowa, to be used for jury parking only.

3-1-2. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. “County” means the County of Black Hawk.
- B. “County Parking Lots” means those areas near to or adjacent to Black Hawk County Government offices and buildings designated by the Black Hawk County Board of Supervisors as County Parking Lots. The purpose of these lots is to park and hold vehicles for individuals and businesses conducting business in Black Hawk County buildings. These areas may also be used for employee parking where permitted.
- C. “Driveway” means areas on the parking lots used for the entrance and exit of vehicles while in the parking lot.
- D. “Employee” means any full or part-time employee of the County or its affiliated Agencies, whether presently working or not.

- E. “Parking Area” means those areas designated by painted parking stripes and signage located on the various lots of the County dedicated to parking. Some of the parking area spaces are restricted parking as set out in sub-paragraph G and following of these definitions.
- F. “This Parking Lot Ordinance” means the ordinance under Title III – Public Safety, Chapter 1 – Parking Lots, of the Black Hawk County Code of Ordinances.
- G. “Parking Permit” means those current and approved permits issued by the County, authorizing parking in restricted parking areas belonging to Black Hawk County as long as a current and approved parking permit issued by Black Hawk County is properly and prominently displayed in the vehicle at a designated location per instructions.
- H. “Restricted Parking Area” means those areas designated by signs or areas painted with a yellow or orange color, or otherwise posted, that direct, control and limit parking within the painted, signed, or posted area.
- I. “Restricted Parking Area – Permit Required” means the same as “Restricted”.
- J. “Snow Emergency” means any snow emergency proclaimed by the Board of Supervisors.
- K. “Snow Emergency Parking Ban” means a parking prohibition issued by the Board of Supervisors following a declaration of a snow emergency.
- L. “Superintendent of Buildings” means that person and/or his/her designated representatives authorized and appointed by the Board of Supervisors of Black Hawk County, Iowa, to direct, control and supervise parking in the County Parking Lots. Said individuals shall have authority along with any peace officer having jurisdiction over the parking lots, to issue tickets and citations for illegal or improper parking along with removing (impounding/towing) vehicles when necessary.

3-1-3. PARKING LOT USAGE. No person shall park a vehicle in any area of the County Parking Lots, except for employees working in the County buildings or the public doing business in the County buildings unless specifically authorized by the County Board of Supervisors or the Superintendent of Buildings.

3-1-4. RESTRICTED PARKING. All areas of the County Parking Lots are restricted parking areas in that they are reserved for employees and the public doing business in the County buildings and are not to be used for general parking.

No person shall park his vehicle in a restricted parking area unless authorized to do so by the Superintendent of Buildings and/or his/her designated representative, by the Traffic Division of the Black Hawk County Sheriff’s Office, or by special resolution of the Black Hawk County Board of Supervisors or by permit in those areas where permits are required.

The following provisions apply to the County Parking Lots:

- A. Parking is permitted only between designated lines in designated spaces.
- B. Parking is not permitted in the County Parking Lots for longer than posted designated time limits unless otherwise authorized by authority of this Ordinance. Moving a vehicle from one spot to

another within a County parking lot will not void the time spent in the parking lots. This may result in the vehicle being ticketed as improperly parked

- C. Permanent parking permits are issued (per criteria established by the Board of Supervisors) by the Superintendent of Buildings and/or his/her designated representative.
- D. Temporary parking permits are issued (per criteria established by the Board of Supervisors) by the Superintendent of Buildings and/or his/her designated representative.
- E. The public and/or employees who are issued a temporary permit are allowed to park in a specified County lot for the date(s) on the temporary permit. Permits may be issued for the following (or other approved) reasons:
 - 1. A woman in her last trimester of pregnancy who furnished the Superintendent of Buildings with a doctor's excuse.
 - 2. Short term injury or illness requiring restricted walking, with a doctor's excuse.
 - 3. People attending training sessions or County meetings.
 - 4. Contractors or vendors working for the County.
 - 5. State auditors working for the County.
- F. Courthouse Parking Lot – 316 E. 5th Street, Waterloo, Iowa.
 - 1. Thirty (30) minute parking for the public doing business at the Courthouse. Use of this lot by persons for other than Court House business or for overtime parking is a violation of this Ordinance, except that the Superintendent of Buildings or his/her designee may extend the time limit and except that parking tickets will not be issued for parking in the Court House lot during the Board of Supervisors meetings and for up to one-half hour afterward.
 - 2. Employees with current and approved Courthouse permits, properly and prominently displayed, are allowed to park in the Courthouse lot.
 - 3. Vehicles with handicapped permits are allowed to park in any location in the Courthouse lot while doing County business.
 - 4. Note: Jurors are required to park per instructions given on jury notice.
- G. Employee Parking Lots – 315 E. 7th Street & Lafayette Street, Waterloo, IA
 - 1. Employees ONLY who have permanent or temporary permits.
 - 2. Employees must have a current and approved permit properly and prominently displayed.
 - 3. This lot is not to be used for general public parking.
- H. Jail Front Parking Lot – 225 E. 6th Street, Waterloo, IA

1. No employee shall park in this lot without express permission from the Superintendent or the Sheriff.
 2. Only public specifically doing business at the Jail or Sheriff's office shall be allowed to park in this lot.
 3. Note: No public parking is allowed in any lot at the Jail facility without the express permission of the Sheriff.
- I. Juvenile Court Services (JCS) – 818 Lafayette Street, Waterloo, IA
1. No employee shall park for any length of time without express permission from the Superintendent of Buildings or the director of Juvenile Court Services.
- J. Pinecrest Parking Lot – 1407 Independence Avenue, Waterloo, IA. The parking lot is divided into sections to help promote proper parking utilization.
1. Pinecrest Front Lot:
 - a. No County employee shall park for any length of time in this Lot except for 15 minutes to load and unload, as may be required.
 - b. The three (3) hour time limit is intended for the public doing business in the County building.
 2. Pinecrest Back Parking Lot (adjacent to the building)
 - a. The back lot is reserved for handicapped, special permit and employee parking where available and in accordance with posted signs.
 - b. Special permit is set out in the County Parking Lot Ordinance.
 - c. Special permits as issued by the Black Hawk County Building Superintendent under the provisions of the County Parking Lot Ordinance.
 3. Pinecrest Lower Lot (employee east side and contiguous back lot)

3-1-5. STOPPING ON DRIVEWAY.

- a. These lots are to be used by employees working in the County building and for the public if they so desire (particularly if there is no room in the front lot).
 - b. Employees attended meetings, whether supervisors, department heads, elected officials or others will be required to use the lower lot only.
 - c. All Pinecrest employees shall affix their employee permits to the driver's side back window of their vehicles. If displayed elsewhere, parking violations may be issued.
- K. Parking spaces located in the City parking lot at 6th & Lafayette Streets in Waterloo, Iowa.
- L. Juror's Parking Lot, 6th & Lafayette Streets, Waterloo, IA

1. Jurors are assigned spaces in the middle and back rows, designated with numbers and white lines.
2. Employees may park in the front row with white lines (12 spaces).

3-1-5. STOPPING ON DRIVEWAY. No person shall stop or park a vehicle upon the County Parking Lots driveways except when necessary to avoid conflict with another vehicle, or in compliance with the directions of a peace officer or traffic control device.

3-1-6. PARKING SIGNS REQUIRED. Whenever by this or any other Ordinance of the County, any parking time limit is imposed, or parking is prohibited in a designated area, it shall be the duty of the County to erect appropriate signs giving notice thereof and, no such regulations shall be effective unless signs are erected and in place at the time of an alleged offense. Where signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

3-1-7. PROHIBITED PARKING DURING SNOW EMERGENCY. No person shall park, abandon, or leave unattended, any vehicle in County Parking Lots during any snow emergency proclaimed by the Board of Supervisors, unless the snow has been removed or plowed from said area, and the snow has ceased to fall. A snow emergency parking ban shall continue from its proclamation through the duration of the snow or ice storm, and up to the 48-hour period after cessation of such storm, until fully opened (to allow for snow removal) .

Such a ban shall be of uniform application and the Sheriff is directed to widely publicize the requirements, using all available news media, in early November each year. When predictions or occurrences indicate the need, the Board of Supervisors shall proclaim a snow emergency and the Sheriff shall inform the news media to publicize the proclamation and the parking rules hereunder. Such an emergency may be extended or shortened when conditions warrant.

3-1-8. ALL NIGHT PARKING. No persons except for employees working in County buildings, those persons on emergency service or those who have a special contractual agreement with the County shall be allowed to park their vehicles on any Black Hawk County parking lot all night without express permission from the Superintendent of Buildings.

3-1-9. PARKING FOR CERTAIN PURPOSES PROHIBITED. No person shall park a vehicle upon the County Parking Lots for the principal purpose of:

- A. Displaying such vehicle for sale
- B. For washing, greasing, or repairing such vehicle, except for such repairs necessitated by an emergency
- C. Displaying advertising
- D. Selling merchandise from vehicles on County lots is prohibited except for specific authorization from the Board of Supervisors
- E. Storage or abandonment of a vehicle for more than 24 hours

3-1-10. VIOLATION.

- A. Only the Superintendent of Buildings, and/or his/her designated representative, has the authority to void any tickets issued.

B. Persons who contest (deny) violations:

1. Shall appear before a traffic court judge at the Black Hawk County Courthouse, within the time limit of ten (10) calendar days as set on the parking ticket as follows: "Court appearance by 8:50 AM on or before _____, 20__."
2. If person is found guilty, that person will be required to pay imposed fine and court costs as assigned by the presiding judge.
3. If person is found innocent, all fines and court costs will be voided by the traffic court judge.

C. Persons who admit violations:

1. Will be charged and given a notice of fine which is payable to the Black Hawk County Treasurer within ten (10) calendar days. No cost or other charge shall be assessed. One hundred percent (100%) of all fines collected by the County pursuant to this paragraph shall be retained by the County, and fines are as follows:
 - a. Over yellow line\$ 5.00
 - b. Overtime..... 5.00
 - c. Improper or illegal parking..... 5.00
 - d. Handicapped space..... 100.00

(The handicapped fine will be voided if proof of handicapped permit is shown to the Superintendent of Buildings or his/her designated representative within 48 hours of receipt of fine.)

2. Violations that are admitted may be paid:
 - a. To the Black Hawk County Treasurer's Office.
 - b. By putting the fine in the parking violation notice envelope and putting it in the designated red box located near the outside door of the Black Hawk County Courthouse or other County building locations.
 - c. By mailing the fine to the Courthouse in the violation notice envelope provided.
 - d. Notwithstanding any other provisions of this Ordinance, violators of the Ordinance may be prosecuted under the provisions of Sections 805.7 to 805.13, inclusive, of the most current Code of Iowa as amended, or as any other traffic violations.

Failure to pay a fine or judgment for a parking violation shall be grounds for refusing to renew motor vehicle registration.

- e. Persons who have been charged with a violation of this Ordinance and who wish to plead guilty may do so by paying the fine within ten (10) calendar days from the time of violation. Persons who do not wish to plead guilty or who do not pay the fine within that period of time shall appear before the Traffic Court in the Black Hawk County Court House at a time and date to be set out on the parking violation notice envelope. If ticket is mailed, date of postmark shall be accepted as date ticket is paid. If date of postmark is after due date, the remaining unpaid balance will be assessed as an unpaid fine.
3. Parking violations and unpaid fines may result in the following:
- a. Failure to pay a \$5.00 fine within ten (10) calendar days will increase the fine to \$15.00. The \$100 handicapped fine will not increase but the same rules apply for vehicle registration renewal in that vehicles registered in Black Hawk County sill not be renewed until all outstanding unpaid fines are paid.
 - b. Warning notices and/or multiple violations, whether paid or not, may result in said vehicle being towed from a County parking lot at owner's expense. (See 3-1-11 Authority to Tow/Impound.)

3-1-11.AUTHORITY TO TOW/IMPOUND. The Superintendent of Buildings, his/her designated representative, and/or Sheriff's Department is authorized to issue parking tickets (fines) and authorized to tow any vehicle parked in the County parking lots in violation of this Ordinance under the circumstances herein:

- A. When a vehicle is upon the parking lot and is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are, for some reason, incapacitated or unable to provide for its custody or removal.
- B. When a vehicle is left unattended upon the parking lot and is so illegally parked as to constitute a definite hazard or obstruction to normal movement of traffic.
- C. When a vehicle is left parked upon the County lot for a continuous 24-hour period. A diligent effort shall first be made to locate the owner. If the owner is found, he/she shall be given the opportunity to remove the vehicle.
- D. When a vehicle is left parked in violation of a ban on parking during a snow emergency, as proclaimed by the Board of Supervisors.
- E. Impounding/Towing may result:
 - 1. At Courthouse, Pinecrest back and east side and contiguous lots, and designated spaces in the Jurors' parking lot—When a vehicle has received two parking citations for violation of this Ordinance within a seven (7) day period, or when a vehicle has received three parking citations in a thirty (30) day period, or when a vehicle has received five citations for violation of this Ordinance in a one-hundred eighty (180) day period.

2. At Juvenile Court Services, Pinecrest Front Lot, Jail – When a vehicle has received one citation for violation of this Ordinance and a verbal or written warning.

In addition to the penalties hereafter provided, the owner or driver of any vehicle impounded for violation of any of the provisions of this Ordinance shall be required to pay the costs of towing charges and storage.

3-1-12.SEVERABILITY. If some part of this Ordinance is found to be inconsistent or in conflict with the State of Iowa or federal legal principles, those parts shall not invalidate the remainder of this Ordinance.

3-1-13.RESPONSIBILITY OF OWNERS, DRIVERS, AND AGENTS. The owner of a vehicle is responsible for said vehicle when it is parked in any of the Black Hawk County parking lots. The owner shall be responsible for compliance with this Ordinance, whether the owner, a designated driver, or an agent is actually using the vehicle.

Black Hawk County assumes no liability for any person or vehicle using any of the County parking lots.

SUMMARY

This Ordinance completely replaces the present Parking Lot Ordinance for Black Hawk County. It clarifies discrepancies existing in the old Ordinance, provides penalties for violation of the Ordinance, and indicates the parking lots of the County that are covered by the Ordinance.

A copy of the proposed ordinance may be reviewed at the Black Hawk County Auditor's Office or at the Office of the Black Hawk County Board of Supervisors.

PASSED AND ADOPTED by the Black Hawk County Board of Supervisors this 9th day of May, 2006, and this 30th day of May, 2006.

CERTIFICATION

The Black Hawk County Auditor shall certify to the adoption of this Ordinance and cause it to be published.

PASSED AND ADOPTED by the Black Hawk County Board of Supervisors on May 9, 2006 and May 30, 2006

VOTING FOR PASSAGE

Scott Jordan, Chair

John Miller

Leon V. Mosley

Robert L. Smith, Jr.

Tom Little

Attest: Grant Veeder, County Auditor

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