

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING
AMENDING AND REENACTING ARTICLE 363 OF THE TRAFFIC
CODE OF THE CITY OF WHEELING ENTITLED PARKING METERS
**TO PROVIDE FOR METER REMOVAL IN DESIGNATED AREAS
AND CREATION OF REGULATED PARKING SPACES IN LIEU
THEREOF**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHEELING:

Section 1. The Council of the City of Wheeling does hereby amend and readopt Article 363, of the City of Wheeling Traffic Code, entitled Parking Meters **to provide for meter removal in designated areas and creation of regulated parking spaces in lieu thereof** to be amended as follows:

ARTICLE 363

Parking Meters/ Parking Spaces

- 363.01 Effect on other traffic regulations.
- 363.02 Establishment of meter / **parking spaces** zones.
- 363.03 Loading zones, bus stops in meter zones.
- 363.04 Designation of parking time and fee.
- 363.05 Purchase and installation.
- 363.06 Regulation and control.
- 363.07 Collection of coins.
- 363.08 Receipts.
- 363.09 Overtime parking.
- 363.10 Parking while meter/ **or reader at parking space** indicates time expired.
- 363.11 Use of slugs in meters / **parking spaces**.
- 363.12 Injuring or tampering with meters.
- 363.13 Duties of enforcement personnel in case of overtime or improper parking.
- 363.14 Improper parking adjacent to parking meters / **parking spaces**

- 363.15 Improper parking at parking meters / parking spaces established for handicapped; penalty.
- 363.16 Parking meter/ parking space rental.
- 363.99 Penalty.

CROSS REFERENCES

Parking at hooded meters - see TRAF. 361.03(a)(20)

363.01 EFFECT ON OTHER TRAFFIC REGULATIONS.

Nothing in this article shall alter or affect any existing ordinance, rule or regulation, or any ordinance, rule or regulation hereafter adopted relating to traffic or parking on any street, alley, lane or highway within the City, other than those included within the parking meter / and or parking spaces zones established pursuant to this article.

(1961 Code Sec. 343.01)

363.02 ESTABLISHMENT OF METER/ AND OR PARKING SPACE ZONES.

The City Manager or his designee, shall select and designate the streets, or parts of streets, within and upon which parking meter / and or parking space zones are to be established, and, by proper regulation, shall establish such zones.

(1961 Code Sec. 343.02)

363.03 LOADING ZONES, BUS STOPS IN METER / AND OR PARKING SPACE ZONES.

The City Manager, or his designee, is authorized to create and set apart within the parking meter / and or parking space zones and any other parking zones restrictions upon parking and spacing for parking utilized within such loading zones, bus stops and other places in which no parking shall be permitted and the time and manner in which such shall be restricted.

(Ord. 15499. Passed 12-15-20.)

363.04 DESIGNATION OF PARKING TIME AND FEE.

The Traffic Commission and or the City Manager or his designee shall prescribe and designate, by proper regulation, the time or period during which vehicles may legally be parked in the parking meter / and or parking space zones, and the fees to be charged for that privilege. The purpose of creating non-metered parking spaces in the downtown area of the City of Wheeling being Main, Market and Water Streets from the Cross streets of 10th thru 16th street is to provide

for free limited parking in such spaces for the initial time allotted at such space being: 15 minutes, 30 minutes, 60 minutes, 120 minutes. Vehicles parked in such spaces in excess of such time(s) shall be fined and ticketed/ The purpose of the amendments to this section is to create turnover in such parking spaces for promotion of commerce. Should the City Manager, or his designee, remove meters in other geographic locations of the City in the future this same principle and purpose shall apply.

(1961 Code Sec. 343.04)

363.05 PURCHASE AND INSTALLATION.

The City Manager is authorized and directed to purchase and install parking meters or **create parking spaces** upon such streets of the City as are selected for the establishment of parking meter zones / **and or parking space** by the Traffic Commission. The Manager is further authorized and empowered to enter into a contract, after approval of the terms and conditions thereof by Council, for such purchase and maintenance of parking meters on the streets of the City.

(1961 Code Sec. 343.05)

363.06 REGULATION AND CONTROL.

After parking meters are installed **or parking spaces are created**, the control, operation and use thereof are vested in the **City Manager, or his designees** with full power and authority to regulate, control, operate and use the parking meters/ **and or parking spaces** for the purposes of this article.

(1961 Code Sec. 343.06)

363.07 COLLECTION OF COINS.

The City Manager shall designate employees of the City to make collections of all coins deposited in parking meters as fees, and such employees shall turn over all of the coins so collected to the City Treasurer.

(1961 Code Sec. 343.07)

363.08 RECEIPTS.

All moneys received by the City from the operation of parking meters / **and or parking spaces** within the City shall be deposited by the Treasurer to the credit of the General City Fund. (1961 Code Sec. 343.08)

363.09 OVERTIME PARKING.

No person shall cause, allow or permit any vehicle to be parked overtime or beyond the period of legal parking time established for any parking meter zone/ **and or parking space** by the Traffic Commission or **the Office of the City Manager or his designee**.
(1961 Code Sec. 343.09)

363.10 PARKING WHILE METER / **AND OR PARKING SPACE** INDICATES TIME EXPIRED.

(a) No person shall permit a vehicle to remain, or be placed, in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has been parked beyond the period of time prescribed for such parking space.

(b) **Nor, shall any person permit a vehicle to remain, or be place, in any parking space when such vehicle occupying such parking space has been parked beyond the period of time prescribed for such parking space.**

(1961 Code Sec. 343.10)

363.11 USE OF SLUGS IN METERS.

No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for coins of the United States.

(1961 Code Sec. 343.11)

363.12 INJURING OR TAMPERING WITH METERS.

No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.

(1961 Code Sec. 343.12)

363.13 DUTIES OF ENFORCEMENT PERSONNEL IN CASE OF OVERTIME OR IMPROPER PARKING.

Including the information provided by the use of the Automatic License Plate Recognition (ALPR) Systems, and/or

It shall be the duty of parking meter / **and or parking space** attendants, and such police officers as may be specifically assigned to enforcement of parking meter / **and or parking space** violations, to report violations of the overtime and improper parking provisions of this article. Automatic License Plate Recognition (ALPR) Systems by recording the following information:

(a) The meter number of each parking meter which indicates that a vehicle occupying the parking space adjacent to such parking meter is parked in violation of an overtime or improper parking provision of this article.

(b) The State license number of such vehicle.

(c) The time of day that such violation is reported and, if known, the length of time during which the vehicle was parked in violation of an overtime or improper parking provision of this article.

(d) Any other facts, a knowledge of which would be necessary to a thorough understanding of the circumstances attending such violation.

The parking meter / **and or parking space** attendant or police officer reporting the violation shall attach to such vehicle a notice to the owner or driver thereof that the vehicle is parked in violation of an overtime or improper parking provision of this article and instructing such owner or driver to pay the penalty indicated to the City Treasurer within seven days.

(Ord. 7926. Passed 7-5-83.)

363.14 IMPROPER PARKING ADJACENT TO PARKING METERS / **AND OR PARKING SPACE**

No person shall permit a vehicle to remain or be placed in any parking space adjacent to any parking meter/ **and or parking space** in such a manner as to prevent other persons from using the parking space adjacent to the meter, in front of, or to the rear of, the parking meter space occupied by such vehicle.

(Ord. 5509. Passed 5-21-74.)

363.15 IMPROPER PARKING AT PARKING METERS / **AND OR PARKING SPACE** ESTABLISHED FOR HANDICAPPED; PENALTY.

Please see Section 361.06, entitled "Accessible Parking" in the City of Wheeling Traffic Code/Parking Generally.

(Ord. 14937. Passed 4-18-17.)

363.16 PARKING METER/ **AND OR PARKING SPACE** RENTAL.

(a) Rental of a parking meter/ **and or parking space** by contractor for the purpose of parking any construction equipment for the duration of a construction project in the City shall be at a charge in accord with the schedule below: A parking meter / **and or parking space** shall not be rented for the purpose of parking a personal vehicle or vehicles at the construction site.

- Ten dollars (\$10) per day for days one (1) through ten (10);

- Five dollars (\$5.00) per day for days eleven (11) through twenty (20);
- Three dollars (\$3.00) per day for twenty-one (21) or more days, not to exceed fifty (50).

(1) Any meter /and or parking space rental and duration is at the sole discretion of the City Manager or his/her designee, and, as such, the City reserves the right to place, through the office of the City Manager or his/her designee, reasonable restrictions and/or conditions upon such requests and usage for Parking Meter /and or parking space Rental.

(2) The contractor shall be issued a "No Parking" hood by the Police Department for each parking meter or an indicator for such parking space rented under this section, upon receipt of the rental payment by the City Finance Office. The contractor shall return the "No Parking" hood to the Police Department at the completion of the construction project.

(3) The contractor shall not be charged for any parking meter/and or parking space that must be hooded for the purpose of traffic control measures, as determined by the City.

(4) See also the notice provisions as detailed in Article 361.03 which may or may not be applicable

(b) Rental of a parking meter /and or parking space for other purposes not related to a construction project may be at a charge of five dollars (\$5.00) per day per parking meter, at the discretion of the City Manager or his/her designee. (Ord. 15730. Passed 6-21-22.)

363.99 PENALTY.

(a) For the first recorded violation of an overtime or improper parking provision of this article at a particular meter /and or parking space in a single day, the penalty shall be ten dollars (\$10.00).

(b) For the second recorded violation of an overtime or improper parking provision of this article at the same meter/and or parking space in a single day, the penalty shall be twenty dollars (\$20.00) provided, however, that violations of the same provision of this article may not be recorded or reported more frequently than once every hour.

(c) For the third and each subsequent violation at the same meter in a single day the penalty shall be twenty dollars (\$20.00)

(d) Whoever fails to pay such penalty or penalties to the City Finance Office within thirty (30) shall be subject to the fines doubling as well as the enforcement and penalty provisions of Article 303. Other fixed fines for the violation of the traffic laws are made in accord with the provisions of Article 303 and are similarly subject to doubling of such fines.

(Ord. 14937. Passed 4-18-17.)