

Chapter 19 – TRAFFIC AND MOTOR VEHICLES

Article II. – PARKING, STOPPING OR STANDING

Sec. 19-26. - Parking permits.

(a) *Resident and commercial parking permits.* A parking permit may be purchased for qualified vehicles of qualified owners or renters of residential or commercial property in the Town, as provided herein.

(1) *Definitions.* For purposes of this section, the following terms shall have the meaning given below.

a. A *qualified residential owner or renter* means a person who is eligible to apply for a resident parking permit because that person meets one of the following criteria:

1. A person who owns and occupies a residential property located within the Town;
2. A person who has resided, for at least a year prior to the date of applying for a resident parking permit, with the owner of a residential property located within the Town;
3. A person who rents residential property under an annual lease and resides at that property in the Town;
4. A person who rents residential property with less than an annual lease who provides documentation that he or she has resided in the Town at the same address for at least a year prior to the date of applying for a resident parking permit; or
5. A "snowbird" person who owns or rents property in the Town and occupies that property for part of the year, who provides documentation that he or she has resided in the Town for part of the year in the year prior to the date of applying for a resident parking permit.

b. A *qualified commercial owner* means a person or corporation who is eligible to apply for a commercial parking permit because that person meets the following criteria:

1. A person or corporation who owns a commercial property in a business district in the Town.

c. A *qualified vehicle* means a vehicle that is eligible for display of a resident or commercial parking permit because it meets one of the following criteria:

1. A vehicle that is owned or leased by a qualified residential owner or renter and is registered at the address used to qualify for a residential parking permit;
2. A vehicle that is owned or leased by a qualified commercial owner;
3. A company vehicle that is provided for the full-time use of the qualified residential owner or renter or a qualified commercial owner; or
4. A "snowbird" vehicle that is not registered at the address but is owned by a qualified owner or renter of residential property who occupies his or her residence for part of the year.

(2) *Number available; user.*

a. *Residential.* A qualified residential owner or renter may purchase and use a resident parking permit for each of his or her qualified vehicles.

b. *Commercial.* A qualified commercial owner may purchase a commercial parking permit for each of his or her qualified vehicles, up to a maximum of two permits. A commercial parking permit may only be used by an individual who is a qualified commercial owner, or by an officer of the corporation, if the corporation is a qualified commercial owner.

- (3) *Display.* A parking permit shall be affixed to and displayed at the bottom left of the front window (driver's side) of the qualified vehicle.
- (4) *Use and meter payment.*
 - a. *Paid metered parking.* If the driver of a vehicle displaying a parking permit pays the regular meter charge for a metered parking space, such parking shall not be restricted in any way by the parking permit program.
 - b. *Unpaid metered parking.* A resident or commercial parking permit may be used to park for free at any available Town meter according to the rules and procedures of that parking area, if all of the applicable following requirements are met:
 1. *Three-hour limit.* Parking with a resident or commercial parking permit shall not exceed three hours per day, and
 2. *Location with resident parking permit.* Parking using a resident parking permit is not allowed within 600 feet of a person's residence, or within 600 feet of a resident parking permit holder's:
 - i. Place of employment during the permit holder's working hours; or
 - ii. Commercial property or place of business during the hours that the business is operating; and
 3. *Location with commercial parking permit.* A qualified commercial owner with a commercial parking permit may park within 600 feet of a commercial property they own.
- (b) *Employee parking permit.* There may be available to bona fide employees of businesses holding a business tax receipt an employee parking permit. An employee parking permit shall not specifically reserve any parking space, but shall allow unlimited parking in employee parking posted areas and may only be used by the employee to whom the permit is issued and only during the employee's working hours.
 - (1) Application for an employee parking permit shall be on forms prescribed by the Town Clerk that shall include proof of employment.
 - (2) Use of an employee parking permit by any person other than the employee to whom the permit is issued or by the employee during non-working hours is prohibited and will result in the termination of that employee permit.
- (c) *Hardship parking permit.* The Town Commission shall consider all applications for non-exclusive hardship permits for the use by the customers of the hotel, motel, apartment hotel, apartments and other businesses and may approve or deny applications for hardship permits for meters within specific geographic locations.
- (d) *Hardship visitor parking permit.* A property with a hardship permit, other than a hotel or motel, may apply to purchase up to 15 24-hour visitor parking permits, per hardship permit, during a fiscal year.
- (e) The Town Commission may, by resolution, establish additional parking permit programs as necessary to address the parking needs of the Town.
- (f) The Town Commission shall, by resolution, establish rates for all permits authorized by this section and may set the maximum number of each type of permit available.
- (g) The Town Manager shall designate which Town parking spaces may be used for employee or hardship permits.
- (h) Violation of this section is punishable by suspension or revocation of the parking permit. The Town Manager is authorized to revoke or suspend employee parking permits for up to one year following a hearing if it is determined that the parking permit was used in violation of this subsection. Any revocation or suspension may be appealed to the Town Commission.

(Ord. No. 314, § 4, 5-9-89; Ord. No. 330, § 1, 9-11-91; Ord. No. 352, § 1, 9-14-94; Ord. No. 362, § 2, 3-14-95; Ord. No. 03-509, § 2, 3-11-03; Ord. No. 2007-06, § 2, 4-10-07; Ord. No. 2009-18, § 1, 4-28-09; Ord. No. 2009-24, § 1, 6-9-09; Ord. No. 2011-09, § 2, 5-24-2011; Ord. No. 2012-02, § 2, 2-28-2012, eff. 3-14-2012; Ord. No. 2015-05, § 2, 6-9-2015)

Editor's note— Ord. No. 2009-18, § 1, adopted April 28, 2009, changed the title of § 19-26 from "Permits in posted areas" to read as herein set out.