



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: August 1, 2024

AGENDA TITLE

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8642 amending Section 1-2-1, “Definitions,” Title 2, “Government Organization,” Title 4, “Licenses and Permits,” Title 7, “Vehicles, Pedestrians, and Parking,” and Section 8-5-4, “Permit Application,” B.R.C. 1981, to modernize terminology to be consistent with new parking management technology; and setting forth related details.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Mark Woulf, Assistant City Manager
Cris Jones, Director, Community Vitality
Christiana McCormick, Assistant City Attorney III
Kristine Edwards, Maintenance and Operations Senior Manager, Community Vitality
Samantha Bromberg, Senior Project Manager, Community Vitality

EXECUTIVE SUMMARY

Proposed Ordinance 8642 has two primary goals: (1) modernize the Boulder Revised Code by updating outdated language concerning paid parking devices, and (2) streamline certain aspects of parking permit administration enabled by the upcoming launch of a new parking management information system (PMIS).

Proposed Ordinance 8642 therefore replaces terms such as “parking meter,” “pay station,” and “parking kiosk” with a single, more widely applicable term, “parking payment apparatus or technology.” The new term refers to all paid parking devices,

including current and future parking permit technology. Proposed Ordinance 8642 also proposes to update some of the administrative references to physical permits, when the permit year should begin for each Neighborhood Parking Program (NPP) zone, and the permit term length for commuter and contractor permits. These proposed amendments aim to enhance flexibility and streamline the administration of parking permits by allowing for digital permits, rolling expiration dates, and the purchase of monthly commuter permits.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce and order published by title only Ordinance 8642 amending Section 1-2-1, “Definitions,” Title 2, “Government Organization,” Title 4, “Licenses and Permits,” Title 7, “Vehicles, Pedestrians, and Parking,” and Section 8-5-4, “Permit Application,” B.R.C. 1981, to modernize terminology to be consistent with new parking management technology; and setting forth related details.

BACKGROUND

Boulder’s Neighborhood Permit Parking (NPP) Program was formally adopted by City Council in 1997 to improve the balance between preserving neighborhood character and providing public access to major activity centers (the University of Colorado, downtown, etc.). Today, 13 NPP zones exist. The provisions for the city’s NPP zone program are set forth in Section 2-2-15, “Neighborhood Permit Parking Zones,” B.R.C. 1981.

Community Vitality administers and enforces the permits for the NPP zones. Currently, certain details for the administration of such permits are set forth in Chapter 4-23, “Neighborhood Parking Zone Permits,” B.R.C. 1981, while other details for the administration of NPP zone permits are set forth in City Manager Rule 2-2-15.A(22). Some administrative regulations for the NPP zone parking permits have been constrained by the limitations of the city’s existing PMIS software.

Since the beginning of 2023, staff have been working to replace the existing legacy PMIS with a new, more user-friendly platform. This updated system will maintain all existing permit and citation management functionalities while introducing new features to address current and future community needs. The city envisions a transformative and fully integrated system that is customizable and adaptable to changing conditions. This new software presents multiple opportunities to enhance the customer experience and reduce

the staff time required for managing parking permits. Consequently, it allows for the modernization of outdated operational regulations that were constrained by the limitations of the old software.

Community Vitality staff also administer and enforce the on-street paid parking program in Boulder's downtown and in the University Hill and Boulder Junction districts. As a part of this program, staff have been replacing old single-head meters with solar powered, touch screen, parking pay stations and mobile pay-to-park options to create a consistent parking experience for visitors.

ANALYSIS

Adopting this ordinance will modernize the Boulder Revised Code by updating obsolete language and updating operational details for administration of NPP zone permits (such as permit expiration dates) and ensuring operational relevancy as new technologies emerge. By updating the existing applicable city manager rule in conjunction with adopting the proposed revisions to the Boulder Revised Code, staff will improve efficiency and customer service and support environmental sustainability by facilitating the transition to digital permits and reducing paper and plastic waste.

In reviewing and updating the Boulder Revised Code sections related to parking permit and citation management, staff are attempting to future-proof these sections by revising outdated language and removing redundancies.

The following is an overview of the changes set forth in Proposed Ordinance 8642 and what staff hope to achieve by making these changes.

Updates to Terminology

The great majority of changes in Proposed Ordinance 8642 ordinance reflect updates to and modernization of certain terminology related to paid parking devices. These changes are intended to account for both physical and digital permits and the removal and replacement of parking meters or other coin-operated parking management devices with newer parking payment devices or technology. In some cases, these updates allow for the removal of redundancies in certain sections. Proposed Ordinance 8642 revises the following sections of the Boulder Revised Code to update terminology and remove redundancies only:

- Section 1-2-1, "Definitions," B.R.C. 1981
- Certain sections in Title 2, "Government and Organization," B.R.C. 1981
- Certain sections in Chapter 4-18, "Street, Sidewalk, and Public Property Use Permits," B.R.C 1981
- Section 4-20-35, "Parking Meter Hood Permit Fees and Deposit," B.R.C. 1981
- Certain sections in Chapter 4-27, "News Box Leases and Regulation," B.R.C. 1981

- Certain sections in Title 7, “Vehicles, Pedestrians, and Parking,” B.R.C. 1981 (except Section 7-6-11, see below)
- Section 8-5-4, “Permit Application,” B.R.C. 1981

Permit Administration Updates

With the implementation of the new PMIS system, the city will be able to make certain administrative changes that were not previously available. Such changes will achieve the goal of streamlining parking permit issuance to enhance the customer experience. Such changes include removing references to fixed expiration dates for permit zones to move to rolling expiration dates, allowing permits to be transferred in circumstances specified by city manager rule (vehicle owner getting new license plate, using rental car temporarily, purchasing new vehicle), allowing for a change in permit duration for commuter permits, and allowing NPP zone residents to purchase guest and visitor permits even if the residents do not own a vehicle. Parallel changes to the existing related city manager rule will allow for limited renewals of residential permits without the need for a new application every year. These enhancements will improve customer service to the community and reduce staff time in the administration and enforcement of permits.

The sections of the Boulder Revised Code shown in Proposed Ordinance 8642 that reflect these permit administration updates are the following:

- Section 4-20-49, “Neighborhood Parking Permit Fee,” B.R.C. 1981
- Certain sections of Chapter 4-23, “Neighborhood Parking Zone Permits,” B.R.C. 1981

In addition, the proposed updates to the related city manager rule are shown in the attached redline of City Manager Rule 2-2-15.A(22).

One final administrative update is being proposed to Section 7-6-11, “Right Angle Parking Permit,” B.R.C. 1981. The minor change proposed in this section is to clarify that this type of permit is available only if it is provided for by city manager rule. At this time, this permit is not available because no city manager rule sets forth the details for this permit’s administration and no city department issues or administers this type of permit.

NEXT STEPS

Community Vitality staff are currently supporting the Parking Code Update work being led by Planning & Development Services with additional support from Transportation and Mobility. This project will entail potential changes to the Residential Access Management Program (RAMP), including the NPP program, and more information will be provided for the upcoming August 8th Study Session.

Staff are preparing for a 2nd reading on proposed Ordinance 8642. The proposed City Manager Rule will be submitted for public comment should Council adopt Proposed

Ordinance 8642. Full implementation of the new PMIS software including potential modifications to operational policies as outlined by this memorandum is planned for November 2024.

ATTACHMENTS

A – Proposed Ordinance 8642

B – Proposed City Manager Rule (Redline Version)

ORDINANCE 8642

AN ORDINANCE AMENDING SECTION 1-2-1, "DEFINITIONS," TITLE 2, "GOVERNMENT ORGANIZATION," TITLE 4, "LICENSES AND PERMITS," TITLE 7, "VEHICLES, PEDESTRIANS, AND PARKING," AND SECTION 8-5-4, "PERMIT APPLICATION," B.R.C. 1981, TO MODERNIZE TERMINOLOGY TO BE CONSISTENT WITH NEW PARKING MANAGEMENT TECHNOLOGY; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 1-2-1, "Definitions," B.R.C. 1981, is amended to read as follows:

1-2-1. Definitions.

- (a) The definitions in this chapter apply throughout this code unless a term is defined differently in a specific title, chapter or section.
- (b) The following words used in this code and other ordinances of the city have the following meanings unless the context clearly indicates otherwise:

Abandoned motor vehicle means any motor vehicle that is left in one location on public property or on private property without the consent of the owner thereof for twenty-four hours or more than the time limited by any signs, ~~meters, pay stations~~ parking payment apparatus or technology, or pavement markings that apply to that location, or for a continuous period of more than seventy-two hours at any otherwise unregulated location.

...

~~*Pay station*~~ *Parking payment apparatus or technology* has the meaning given in Section 7-1-1, "Definitions," B.R.C. 1981. References to *parking meter, pay station, or parking kiosk*, if any, shall mean parking payment apparatus or technology.

...

Time means, whenever certain hours are named in this code or on any traffic control sign or parking ~~meter~~ payment apparatus or technology, Mountain Standard Time or mountain

daylight time, depending on the date, as prescribed by state law. Mountain Standard Time is Coordinated Universal Time minus seven hours. Mountain daylight time is Coordinated Universal Time minus six hours.

...

Section 2. Section 2-2-11, "Traffic Engineering," B.R.C. 1981, is amended to read as

follows:

2-2-11. Traffic Engineering.

...

- (f) The city manager is authorized to produce or acquire and sell to the public handicapped parking permits which will serve in lieu of ~~depositing money or tokens in parking meters, or purchasing time in a parking space in a pay station regulated by a parking payment apparatus or technology,~~ on city streets and city parking lots by vehicles eligible to park in spaces designated for parking by the handicapped. If the Central Area General Improvement District or the University Hill General Improvement District determines to extend use of these permits to ~~meters or pay stations~~ any parking payment apparatus or technology on lots owned or leased by the district, or to attended parking on such lots, the general manager of the district shall enter into a written agreement with the city manager specifying how to divide the permit revenues equitably between the general fund and the district in proportion to the division which would occur were no permits sold. If the manager determines to institute such a program, the manager shall, by regulation, specify the form of the permit, the method of its use and display, the method of application and purchase, the cost of the permit and any restrictions on its use.

- (g) Parking exemptions.
 - (1) The city manager is authorized to specify the circumstances under which authorized emergency vehicles of the city police and city fire departments, of the Boulder County Sheriff's Department, the University of Colorado Police Department and the Colorado State Patrol may park in ~~metered~~ parking spaces ~~or spaces~~ regulated by pay stations parking payment apparatus or technology on city streets, alleys or parking lots for investigative and administrative purposes not rising to the level of an emergency governed by the parking exemption of Section 7-2-12, "Exemptions for Authorized Emergency Vehicles," B.R.C. 1981, without paying the fees specified and in excess of the time limit. With respect to city vehicles covered by this policy, the manager shall estimate the annual parking revenue loss occasioned thereby, and cause such an amount to be transferred from the amount appropriated for each such department into the paid parking meter revenue account.

- (2) The city manager is authorized to issue ~~meter~~ parking permits to public utility companies for display on marked service vehicles of such utility companies in lieu of ~~depositing money in meters or pay stations~~ paying the rates for parking regulated by a parking payment apparatus or technology on city streets, alleys or parking lots in return for prepayment of the paid parking ~~meter~~ revenue loss occasioned thereby, as estimated by the manager. Such permits may only be displayed or, for digital permits, valid and in effect when the service vehicle is parked in a ~~metered space or~~ space regulated by a ~~pay station~~ parking payment apparatus or technology in response to a bona fide utility service necessity.

Section 3. The following sections in Chapter 2-3, "Boards and Commissions," B.R.C.

1981, are amended to read as follows:

2-3-5. Downtown Management Commission.

...

(d) The functions of the commission are to:

- (1) Exercise, subject to call up by the city council acting as the Board of Directors of the Central Area General Improvement District as provided in Subsection (e) of this section, and subject to the limitations of Subsection (f) of this section, the following powers of said Board of Directors in furthering the purposes specified in Ordinance No. 3644 (1970), as amended, to provide parking and related improvements for CAGID:

...

- (C) Determination, imposition, redetermination and revision of a schedule of user charges for the use of the parking facilities provided or furnished by CAGID, as well as the determination of reasonable penalties, interest, collection costs and other charges for delinquencies in payment of such charges, following the procedures of Subsections 8-4-15(c), (e) and (f), B.R.C. 1981, in so doing, but nothing in this section shall authorize the commission to set the times or rates for on-street ~~metered~~ paid parking, or the fines or penalties for parking infractions specified in Chapter 7-6, "Parking Infractions," B.R.C. 1981;

...

2-3-20. University Hill Commercial Area Management Commission.

...

(d) The functions of the Commission are to:

- (1) City council acting as the Board of Directors of the UHGID in furthering the purposes specified in Section 8-4-11, "Powers of the District," B.R.C. 1981, Ordinance Numbers 3638, 4299 and 4958, as amended, to provide parking and related improvements for UHGID as follows:

...

- (C) Determination, imposition, re-determination and revision of a schedule of user charges for the use of the parking facilities provided or furnished by UHGID, as well as the determination of reasonable penalties, interest, collection costs and other charges for delinquencies in payment of such charges, following the procedures of Subsections 8-4-15(c), (e) and (f), B.R.C. 1981, in so doing, but nothing in this section shall authorize the Commission to set the times or rates for on-street ~~metered~~ paid parking, or the fines or penalties for parking infractions specified in Chapter 7-6, "Parking Infractions," B.R.C. 1981;

...

2-3-21. Boulder Junction TDM Commission.

...

- (e) The functions of the commission are to make decisions or provide recommendations of said board of directors in furthering the purposes of the District, as specified herein and in the petition to provide alternative modes of transportation related services and improvements for the District, including, without limitation, the following:

- (1) Exercise, subject to call up by the city council acting as the board of directors of the District, the following functions:

...

- (B) To determine, impose, re-determine and revise a schedule of user charges for the use of the services and improvements provided or furnished by the District, as well as the determination of reasonable penalties, interest, collection costs and other charges for delinquencies in payment of such charges, following the procedures of Subsections 8-4-15(c), (e) and (f), B.R.C. 1981. Nothing in this section shall authorize the commission to set the times or rates for on-street ~~metered~~ paid parking, or the fines or penalties for parking infractions specified in Chapter 7-6, "Parking Infractions," B.R.C. 1981;

...

2-3-22. Boulder Junction Parking Commission.

...

(e) The functions of the commission are to make decisions or provide recommendations to the board of directors in furthering the purposes of the District as specified herein and in the petition to provide alternative modes of transportation and parking related services and improvements for the District, including, without limitation, the following:

(1) Exercise, subject to call up by the city council acting as the board of directors of the District, the following functions:

...

(B) To determine, impose, re-determine and revise a schedule of user charges for the use of the services and improvements provided or furnished by the District, as well as the determination of reasonable penalties, interest, collection costs and other charges for delinquencies in payment of such charges, following the procedures of Subsections 8-4-15(c), (e) and (f), B.R.C. 1981. Nothing in this section shall authorize the commission to set the times or rates for on-street ~~metered~~ paid parking, or the fines or penalties for parking infractions specified in Chapter 7-6, "Parking Infractions," B.R.C. 1981;

...

Section 4. The following sections of Chapter 4-18, "Street, Sidewalk and Public Property Use Permits," B.R.C. 1981, are amended to read as follows:

4-18-2. Public Property Use Permits.

...

(c) Before issuing a permit under this section the city manager shall:

...

(3) Consult with the Downtown and University Hill management division and parking services to determine the appropriateness of sales activities within commercial districts based on the impact to the economic viability of existing businesses, the public's use and enjoyment of sidewalks and other public areas for patio and cafe seating, amenities, including and not limited to benches, trees, trash receptacles, any parking kiosks payment apparatus or technology, bicycle parking, events and the mobility of pedestrians; and

...

4-18-8. Parking ~~Meter~~ Payment Apparatus Hood and Sign Permits.

(a) The city manager may issue revocable permits for the use of ~~meter parking payment apparatus~~ hoods or ~~meter~~ signs to persons upon application under this section and prepayment of the fees and deposits prescribed by Section 4-20-35, "Parking ~~Meter~~ Payment Apparatus Hood Permit Fees and Deposit," B.R.C. 1981. ~~Meter Parking payment apparatus~~ hoods or ~~meter~~ sign permits may be issued for:

...

(b) A permittee may cover with a hood or attach a sign to a ~~meter parking payment apparatus~~ or technology only:

(1) Construction ~~meter parking payment apparatus~~ hoods or ~~meter~~ signs:

...

(2) Special activity ~~meter parking payment apparatus~~ hoods or ~~meter~~ signs:

...

(3) Media event ~~meter parking payment apparatus~~ hoods or ~~meter~~ signs:

...

(d) The city manager may place such additional restrictions on eligibility for ~~meter parking payment apparatus~~ hood and ~~meter~~ sign permits, and may place such additional conditions on the use of such permits, as will, in the manager's opinion, best preserve the balance between keeping ~~metered paid~~ parking on public streets available to the general public and serve the needs of persons who have no practical alternative in carrying out activities without the capacity to reserve a particular parking space or spaces, and which are reasonable and in the public interest. Such additional restrictions shall be applied evenly to all persons similarly situated.

(e) The city manager may revoke a permit issued under this section for:

(1) Abusing a ~~meter parking payment apparatus~~ hood or ~~meter~~ sign;

(2) Any use that violates any provision of this section;

(3) Authorizing or acquiescing in the use of a ~~meter parking payment apparatus~~ hood or ~~meter~~ sign by another person who is not permitted to use a parking ~~meter payment apparatus~~ hood or ~~meter~~ sign;

(4) The use of a ~~meter parking payment apparatus~~ hood or ~~meter~~ sign without payment of the required fee and deposit; or

- (5) Violation of any condition, limitation or restriction placed on the use of the ~~meter~~ parking payment apparatus hood by the city manager at the time it is issued.
- (f) Before revoking a permit under this section, the city manager shall follow the procedure prescribed by section 4-1-10, "Revocation of Licenses," B.R.C. 1981.
- (g) If the city manager revokes a permit under this section, the manager may impound the ~~meter~~ parking payment apparatus hood or ~~meter~~ sign.

Section 5. The following sections in Chapter 4-20, "Fees," B.R.C. 1981, are amended to read as follows:

4-20-35. Parking ~~Meter~~ Payment Apparatus Hood Permit Fees and Deposit.

- (a) An applicant for a parking ~~meter~~ payment apparatus hood or dash permit shall pay a fee calculated as follows for a daily, weekly, monthly, or annual permit:
 - (1) Daily: The maximum hourly ~~street meter~~ paid parking rate anywhere in the city is multiplied by the maximum number of hours any ~~street meter~~ parking payment apparatus or technology is in operation.
 - (2) Weekly: The daily rate times the maximum number of days any ~~street meter~~ parking payment apparatus or technology is in operation.
 - (3) Monthly: The weekly rate times four.
 - (4) Annual: The weekly rate times fifty-two.
- (b) An applicant for a parking ~~meter~~ payment apparatus hood permit shall pay a deposit of \$50 per hood or sign, refundable if the hood is returned in substantially the same condition of its issue within five business days after expiration of the permit.

4-20-49. Neighborhood Parking Permit Fee.

- (a) A zone resident applying for a neighborhood parking permit shall pay \$50.00 for each permit or renewal thereof, except that a resident of the Chautauqua North neighborhood zone shall instead pay \$10.00.
- (b) A resident of a neighborhood permit parking zone ~~permit holder~~ may purchase up to two annual visitor permits at \$5 for each permit ~~with the purchase of a neighborhood parking permit~~. ~~Visitor permits are valid during the resident's annual permit period.~~
- (c) A business applying for a neighborhood parking permit for employees shall pay \$75.00 for each permit or renewal thereof.

- (d) An individual who does not reside within the zone applying for a neighborhood parking permit, if permitted in the zone, shall pay \$~~15.00~~38.33 for each ~~quarterly~~ monthly commuter permit or renewal thereof.
- (e) A contractor applying for a temporary permit shall pay \$5 for each permit and such permit(s) shall be valid for one month.
- (f) A contractor applying for a mobile vendor permit shall pay \$75 for each annual permit or renewal thereof.

Section 6. The following sections of Chapter 4-23, "Neighborhood Parking Zone

Permits," B.R.C. 1981, are amended to read as follows:

...

4-23-2. Permit Issuance.

...

- (b) A vehicle displaying a valid permit or, for digital permits, with a valid permit in effect issued pursuant to this section may be parked in the zone specified in the permit without regard to the time limits prescribed for the zone.

...

- (d) Resident permits issued under this section shall be specific for a single vehicle, shall not be transferred except as provided by city manager rule or regulation, and shall be displayed thereon or, for digital permits, valid and in effect only as the manager by regulation may prescribe. The permittee shall remove the permit from the vehicle or otherwise cancel the permit if the vehicle is sold, leased or no longer in the custody of the permittee.

...

- (f) The manager shall by regulation set forth how long permits issued under this section are valid and when they must be renewed. ~~declare when the permit year shall begin for each neighborhood parking permit zone. Permits issued based on new applications submitted during the last month of a permit year shall also be valid for the succeeding permit year. Otherwise there shall be no proration of the fee.~~

...

- (h) If ~~the~~ a physical permit or the portion of the vehicle to which a resident permit has been affixed is damaged such that it must be replaced, the permittee, upon application therefor, shall be issued a replacement at a prorated cost. The manager may require display of the damaged permit before a new permit is issued.

...

4-23-3. Guest Permits.

Residents issued a permit pursuant to this chapter may obtain two two-week permits per year at no cost for use by houseguests of the permittee. The permit shall be indelibly marked in the space provided thereon with, or for digital permits shall indicate, the date of its first use. The permit shall thereafter be valid only for the succeeding thirteen consecutive days. The manager may by regulation define the circumstances under which additional guest permits may be issued in cases of reasonable need consistent with residential use of the dwelling. Provided, however, that no more than a total of six two-week guest permits per year may be issued for any dwelling unit licensed pursuant to Section 10-11-3, "Cooperative Housing Licenses," B.R.C. 1981.

...

4-23-6. Visitor Permits.

(a) ~~Upon the annual purchase of a resident permit, t~~Two annual visitor's passes may be issued to ~~the permit holder~~ a resident of a neighborhood permit parking zone to be used on a temporary and transferable basis to accommodate visitors, including without limitation health care workers, repairmen, and babysitters, who need access to the residence of the ~~permit holder~~ resident. Use of this pass is limited to those visitors whose stay will last longer than the time limit posted within the permit zone for parking by the general public but shall not exceed twenty-four consecutive hours.

...

(c) It is the responsibility of the ~~permittee~~ resident to ensure that this pass never leaves the zone, and that it is returned to the ~~permittee~~ resident at the end of each day of use. Use of this pass also falls under the same restrictions as those prescribed by Section 4-23-2, B.R.C. 1981, and in these regulations.

...

Section 7. The following sections of Chapter 4-27, "News Box Leases and Regulation,"

B.R.C. 1981, are amended to read as follows:

4-27-1. - Legislative Intent.

...

(b) The city has carefully regulated the placement and form of newspaper distribution machines on its downtown mall since its inception in 1977 by providing news box banks onto which publishers of newspapers and other periodicals may install an openable face plate and their periodicals. These serve to group the machines in a few orderly and carefully chosen locations, and this has struck an appropriate balance between the competing needs for use of mall space and has allowed mall visitors and those who would serve them with publications reasonable opportunities to receive and give information. However, the mall contains significantly more pedestrian space than do the

other streets and sidewalks in the downtown area of the city. The continued vitality of the city's downtown area has made downtown sidewalks increasingly congested, and thus, attractive locations for those who wish to disseminate information through newspaper distribution machines. The legislative record is replete with instances where unregulated placement of these machines, whether individually or in long phalanxes, have interfered with access to fire hydrants and parking ~~meters-payment apparatus or technology~~, blocked access from vehicle parking to the sidewalk, interfered with bus stops, obstructed views in the corner sight triangle, and most poignantly have added to the difficulties that persons with mobility problems face in navigating the sidewalk. Further, significant portions of the downtown are within an historic district, and the unregulated placement and appearance of proprietary newspaper distribution machines interferes with the historic appearance of the area and the purposes of the district.

...

4-27-4. - Location of News Box Banks.

- (a) The city council finds that the city manager has surveyed the news box district to determine the locations of existing proprietary newspaper distribution machines, the locations which are suitable for news box banks, and the appropriate size of each bank. The manager has used, in evaluating each location, general criteria to determine the effect on pedestrian and emergency services access on, to and from streets and sidewalks and public transportation, required maintenance of public facility infrastructure, vehicular safety and the effect of the location, mass and bulk of news box banks on the streetscape aesthetics of each block face, and has specifically considered sidewalk width, parking ~~meter-payment apparatus or technology~~ access, including access by persons with disabilities, access to bicycle parking, access to fire hydrants, access to bus stops, access to benches and trash receptacles, maintenance access to street trees, planters, utility and signal poles, access generally from the street to the sidewalk and the sidewalk to the street, blocking of views at intersections, alleys and driveways, distance from intersections and driveways and alleys, distance from buildings and the visibility of public art and has determined the appropriate location for news box banks on each block face after taking into consideration the current locations and numbers of proprietary newspaper vending machines. The council has, after holding a public hearing, considered these determinations of the manager, and hereby ratifies them and adopts them as reasonable place and manner regulations of news box bank locations which reasonably reflect the carrying capacity of the news box district for news boxes within the right-of-way. These determinations are included in appendix A of this chapter.

...

Section 8. Section 7-1-1, "Definitions," B.R.C. 1981, is amended to read as follows:

7-1-1. Definitions.

- (a) The following words and phrases used in this title have the following meanings unless the context clearly indicates otherwise:

Abandoned vehicle means any vehicle other than a bicycle that is left in one location on public property or on private property without the consent of the owner thereof for twenty-four hours more than the time limited by any signs, ~~meters, pay stations, parking payment apparatus or technology,~~ or pavement markings that apply to that location, or a continuous period of more than seventy-two hours at any other unregulated location.

...

~~*Parking payment apparatus or technology* means any device or technology used to accept payment for parking, such as parking meters, pay stations, mobile devices, or other methods approved by the city manager. meter means a timing device that is used for the purpose of collecting a fee for parking in a parking space and regulating the time of parking therein, is activated by the insertion of a coin or token, and such other action as the device requires, and indicates how much purchased parking time remains.~~

...

~~*Pay station* means a device other than a parking meter that is used for the purpose of collection of a fee for parking in a parking space and regulating the time of parking therein, is activated by the insertion of a coin, currency, token, key, or payment card, depending on the type of device, and such other action as the device requires for activation. A pay station differs from a parking meter in that it governs more than two parking spaces, including spaces which are not adjacent to the station, requires the user to indicate the space for which payment is being made or to display a printed receipt from the pay station on the dash of the user's vehicle, and does not necessarily indicate to the user or the public whether or not payment is current for a particular space.~~

...

Time means, whenever certain hours are named herein or on any traffic control sign or parking ~~meter payment apparatus or technology,~~ mountain standard time or mountain daylight time, depending on the date, as prescribed by state law. Mountain standard time is coordinated universal time minus seven hours. Mountain daylight time is coordinated universal time minus six hours.

...

Section 9. The following sections in Chapter 7-2, "General Provisions," B.R.C. 1981, are amended as follows:

7-2-26. - Display of Unauthorized Sign, Signal or Marking Prohibited.

...

- (b) No person shall place or maintain upon any traffic control sign or signal or parking ~~meter~~ payment apparatus or technology any advertising.

...

7-2-29. ~~Meter~~Parking Payment Apparatus Tampering Prohibited.

- (a) No person shall:

- (1) Deposit in any parking ~~meter~~ payment apparatus or technology anything other than a ~~token~~ form of payment approved by the city manager or a lawful ~~coin~~ form of payment of the United States accepted by the parking payment apparatus or technology;
- (2) Deposit in any parking ~~meter~~ payment apparatus or technology any ~~token or coin~~ physical form of payment that is bent, torn, cut, battered or otherwise misshapen;
- (3) Tamper with or open a parking ~~meter~~ payment apparatus or technology; or
- (4) Knowingly manipulate a parking ~~meter~~ payment apparatus or technology in such a way as to cause it to fail to show the correct amount of unexpired time.

- (b) The provisions of this section do not apply to public employees on official business repairing or maintaining the ~~meters~~ parking payment apparatus or technology.

...

Section 10. The following sections in Chapter 7-6, "Parking Infractions," B.R.C. 1981,

are amended to read as follows:

...

7-6-2. Parking Penalties.

Violations of any of the provisions of this chapter are traffic infractions. Every person who is convicted of, who admits liability for, or against whom a judgment is entered for such a traffic infraction shall be fined or penalized according to the following schedule:

...

- (f) Sections 7-6-16, "Overtime Parking, ~~Meters Payment Required,~~" 7-6-17, "Time Limit, ~~Meter Parking Payment Required,~~" and 7-6-20, "Parking for More Than Seventy-Two Hours Prohibited," B.R.C. 1981: \$30 for a first violation; \$45 for a second violation within a year, based on date of violation, and \$60 for a third violation within a year, based on date of first violation.

...

7-6-11. Right Angle Parking Permit.

Notwithstanding the provisions of this chapter, vehicles may be parked at right angles to the curb for the purpose of loading or unloading merchandise if in accordance with a permit issued by the city manager. If the city manager provides for such permits by rule or regulation and upon ~~Upon~~ application therefor in such reasonable form as the manager requires, the manager shall issue such a permit if the manager finds that no reasonable alternative exists and that traffic on the street, including sidewalks, will not be unreasonably obstructed considering the frequency, duration and nature of the parking and of the traffic in the area. The manager may place such reasonable restrictions on the permit as in the manager's discretion are deemed appropriate to minimize interference with traffic.

...

7-6-13. Stopping or Parking Prohibited in Specified Places.

...

- (b) No vehicle may be parked:

...

- (8) In a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project, or a street closure, after twenty-four hours' advance notice of the parking prohibition (i) in any location where permitted parking time is limited by any signs, ~~meters, pay stations~~ parking payment apparatus or technology, or pavement markings that apply to that location, or (ii) after seventy-two hours' advance notice of the parking prohibition at any otherwise unregulated location, and the time the parking prohibition is effective has been conspicuously posted and reasonable efforts have been made to maintain notice on the site.
- (c) The provisions of this section are limited or modified by and are expressly subject to any payment apparatus or technology, parking meter, pay station ~~parking meter, pay station~~ or traffic control device regulating payment, stopping, or parking a vehicle.

7-6-14. Unauthorized Parking Prohibited.

...

- (b) For the purposes of this section, there is an implied consent to park in areas set aside for parking on any private or public property except on property used as a single-family residence, but such implied consent is deemed revoked with respect to any person who has parked a vehicle or has allowed a vehicle to remain parked in disregard of or contrary to the direction or intended function of any of the following:
 - (1) A parking attendant, ~~a card or coin-operated gate access control device or technology~~, or any other means calculated to bar or otherwise control entrance onto or use of the property by unauthorized vehicles;
 - (2) Parking ~~meters or pay stations located on payment apparatus or technology~~ limiting access to the property;

...

- (d) This section does not apply to parking on public streets or to parking regulated by Sections 7-6-13, "Stopping or Parking Prohibited in Specified Places," 7-6-15, "Overtime Parking, Signs," 7-6-16, "Overtime Parking, ~~Meters Payment Required~~," 7-6-17, "Time Limit, ~~Meter Parking Payment Required~~," 7-6-18, "Parking in Space Required," 7-6-22, "Parking in Handicapped Space Prohibited," or 7-6-25, "Parking in City Employee Lot Prohibited," B.R.C. 1981, unless located in the Chautauqua leasehold area as defined in Section 4-30-2, "Definitions," B.R.C. 1981.

7-6-15. Overtime Parking, Signs.

- (a) When a traffic control sign is in place giving notice thereof, or a parking attendant, ~~a card or coin-operated gate access control device or technology~~, or any other means calculated to bar or otherwise control entrance onto or use of the property by unauthorized vehicles is in place with a sign giving notice thereof, no vehicle shall remain parked for longer than the time designated thereon on any day except Sundays and holidays unless Sunday and holiday restrictions are required by regulation promulgated by the city manager pursuant to Chapter 1-4, "Rulemaking," B.R.C. 1981.
- (b) When a traffic control sign is in place giving notice thereof, or a parking attendant, ~~a card or coin-operated gate access control device or technology~~, or any other means calculated to bar or otherwise control entrance onto or use of the property by unauthorized vehicles is in place with a sign giving notice thereof, within a neighborhood permit parking zone established pursuant to Sections 2-2-15, "Neighborhood Permit Parking Zones," or 2-2-21 "Chautauqua Parking Management Plan," B.R.C. 1981, no vehicle shall remain parked for longer than the time specified unless a valid permit for that zone, has been issued pursuant to Chapter 4-23, "Neighborhood Parking Zone Permits," or 4-30, "Chautauqua Parking Zone Permits" B.R.C. 1981, and such permit is either displayed continuously and properly on the vehicle or, for digital permits, is otherwise valid and in effect., ~~is continuously displayed in the proper position on such vehicle. In addition:~~

- (1) ~~If the notice limits parking within the zone to no more than a specified length of time within the zone during any specified period of time, then no vehicle shall be parked anywhere within the zone in violation of that restriction without a proper permit properly displayed.~~
- (2) ~~If the notice prohibits parking within the zone, then no vehicle shall be parked within the zone without a proper permit properly displayed.~~
- (e) ~~Notwithstanding Subsection (b), the city manager may provide for the enforcement of overtime parking and permits with technology that does not require the display of a permit.~~

7-6-16. Overtime Parking, Meters Payment Required.

- (a) ~~No vehicle shall be parked in a space regulated by a parking meter when no unexpired time is displayed on the meter except during those times indicated on the meter when no time need be displayed or when the vehicle is displaying a valid handicapped parking permit in accordance with subsection 2-2-11(f), B.R.C. 1981, and regulations issued thereunder.~~
- (b) No vehicle shall be parked in a space regulated by a pay station parking payment apparatus or technology except during the time purchased from the pay station, except during those times indicated on the pay station when no time need be displayed when the parking payment apparatus or technology indicates no time needs to be displayed, or when the vehicle is displaying a valid handicapped parking permit in accordance with subsection 2-2-11(f), B.R.C. 1981, and regulations issued thereunder. If the pay station parking payment apparatus or technology requires that a receipt be displayed on the vehicle, no vehicle shall be parked in a space regulated by a pay station parking payment apparatus or technology without displaying a receipt showing unexpired time on the dashboard of the vehicle, face up, in a position where it may readily be read from outside the vehicle.

7-6-17. Time Limit, Meter Parking Payment Required.

- (a) No vehicle shall remain parked in a space regulated by a parking meter parking payment apparatus or technology for longer than the maximum time that can be purchased ~~on the meter~~ at one time, except during those times indicated on the meter parking payment apparatus or technology when no time need be displayed or when payment is not required.
- (b) ~~No vehicle shall remain parked in a space regulated by a pay station for longer than the maximum time that can be purchased from the station at one time, except during those times indicated on the station for which payment is not required.~~

7-6-18. Parking in Space Required.

Every vehicle parked in a ~~metered-paid~~ parking zone, a parking space governed by a ~~pay station parking payment apparatus or technology~~, or in a parking lot of a public authority shall be parked entirely within one individual parking space as indicated by traffic control markings.

7-6-19. Applicability of Certain Parking Limits.

The provisions of Sections 7-6-15, "Overtime Parking, Signs," 7-6-16, "Overtime Parking, ~~Meters Payment Required~~," 7-6-17, "Time Limit, ~~Meter Parking Payment Required~~," and 7-6-18, "Parking in Space Required," B.R.C. 1981, apply to parking in lots owned or operated by the City, including those of any general improvement district established pursuant to Chapter 8-4, "General Improvement Districts," B.R.C. 1981, and to ~~metered parking, pay station regulated~~ parking regulated by payment apparatus or technology and free but time-limited parking on streets.

...

7-6-25. Parking in City Employee Lot Prohibited.

- (a) No vehicle shall be parked in a city employee parking lot except one ~~bearing a valid parking sticker or parking tag displaying a valid permit or, for digital permits, with a valid permit in effect that has been~~ issued by the city manager and in accordance with the manager's administrative instructions or one owned by the city.
- (b) *City employee parking lot* means any lot designated by sign as city employee parking.

7-6-26. Hooded Parking ~~Meter~~ Apparatus.

- (a) No person shall place any hood, sack, or covering or any sign restricting use of any parking ~~meter head-payment apparatus or technology~~ over, upon, or around any parking ~~meter head-payment apparatus or technology~~, remove any parking ~~meter-payment apparatus~~ hood or sign or otherwise indicate or show that the parking regulations of the city are suspended, without first obtaining a permit therefor from the city manager under Section 4-18-8, "Parking ~~Meter Payment Apparatus~~ Hood and Sign Permits," B.R.C. 1981. The penalty for violation of any provision of this subsection is a fine of not less than \$10 nor more than \$100.
- (b) No vehicle shall be parked ~~at~~ in a space regulated by a hooded or signed parking ~~meter payment apparatus or technology~~ except one authorized under a permit issued under Section 4-18-8, "Parking ~~Meter Payment Apparatus~~ Hood and Sign Permits," B.R.C. 1981.

...

7-6-28. Bicycle Parking.

(a) No person shall park a bicycle or electric assisted bicycle in such a way as to:

...

(3) Lock the bicycle to a tree, parking ~~meter post~~ payment apparatus or technology, ~~or pay station serving a space designated for handicapped parking~~, or fire hydrant;

...

Section 11. The following sections in Chapter 7-7, "Towing and Impoundment," B.R.C.

1981, are amended to read as follows:

...

7-7-2. Authority of City to Impound Vehicle.

(a) A peace officer is authorized to remove or cause to be removed a vehicle from any public or private property when:

...

(3) A vehicle is found unattended and situated in a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project, or street closure and:

(A) In any location where permitted parking time is limited by any signs, ~~meters, pay stations~~ parking payment apparatus or technology, or pavement markings that apply to that location, twenty-four hours' advance notice of the parking prohibition, the time the parking prohibition is effective has been conspicuously posted and reasonable efforts have been made to maintain notice on the site; or

(B) In any otherwise unregulated location, seventy-two hours' advance notice of the parking prohibition, the time it is effective, and that the vehicle will be towed away at the owner's expense has been conspicuously posted and reasonable efforts have been made to maintain notice on the site;

...

(9) Parking on public property.

...

- (B) A vehicle has been found parked at a ~~metered~~ parking space for which payment is required on a street or a ~~metered~~ parking space for which payment is required in a public parking lot for twenty-four hours or more than the time limited by any signs, ~~meters, pay stations~~ parking payment apparatus or technology, or pavement markings that apply to that location, or for seventy-two or more hours at any otherwise unregulated location without being moved, there is a warning on the parking ~~meter~~ payment apparatus or technology or a sign which indicates that such a vehicle may be towed, and the person in possession of the vehicle is not present or is unwilling or unable to provide for its immediate removal;

...

7-7-3. Abandoned and Inoperable Vehicle.

- (a) Any vehicle left in one location upon any public property or on any private property, without the consent of the property owner, for twenty-four hours or more than the time limited by any signs, ~~meters, pay stations~~ payment apparatus or technology, or pavement markings that apply to that location, or for a continuous period of more than seventy-two hours at any otherwise unregulated location, constitutes an abandoned vehicle, which is a public nuisance. Proof that the vehicle's odometer shows movement of no more than two-tenths of a mile during a period of at least twenty-four hours after the time limited by any signs, ~~meters, pay stations~~ parking payment apparatus or technology, or pavement markings that apply to that location, or at least seventy-two hours at any otherwise unregulated location, shall constitute prima facie evidence that the vehicle was left in one location.

...

Section 12. Section 8-5-4, "Permit Application," B.R.C. 1981, is amended to read as

follows:

8-5-4. Permit Application.

An applicant for a permit to work in the public right-of-way or public easement under this section shall file a written application on a form provided by the city manager that includes the following:

- (a) The date of application; the name and address of the applicant; the name and address of the developer, contractor, or subcontractor licensed to perform work in the public right-of-way; the exact location of the proposed work; the type of existing public infrastructure, including, without limitation, street pavement, curb and gutter, sidewalks, bicycle facilities, transit facilities, parking ~~meters or kiosks~~ payment apparatus or technology, traffic signs, or pavement markings or utilities impacted by the work; the purpose of the proposed work; the dates for beginning and ending the proposed work; the measurements, quantities, itemization and total cost, including labor and materials, of the

construction improvements and excavations for improvements that are to be owned and operated by the City of Boulder; and type of work proposed.

...

Section 13. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 14. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 1st day of August 2024.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

READ ON SECOND READING, PASSED AND ADOPTED this 15th day of August
2024.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

STANDARD (NON-EMERGENCY) REGULATION/RULE

RULE ESTABLISHING NEIGHBORHOOD PERMIT PARKING ZONE REGULATIONS

BRC Sections that are the subject of this Rule: 2-2-15, “Neighborhood Permit Parking Zones,” 2-2-21, “Chautauqua Parking Management Plan,” and Chapter 4-23, “Neighborhood Parking Zone Permits” B.R.C. 1981

1. This Rule is effective on November 1, 2024.
2. This Rule incorporates the guidance, requirements, rules and regulations shown in **Attachment A**.
3. These regulations implement the Neighborhood Permit Parking Zones provisions of Sections 2-2-21 and 2-2-15 and Chapter 4-23, B.R.C. 1981.
4. To the extent only of any conflict, this Rule repeals any conflicting Rules or parts of Rules, including, without limitation, Rule 2-2-15.A.(22).

*** NOTICE TO THE PUBLIC ***

Rule _____

As adopting authority, on _____ the Boulder City Manager, filed with the city clerk a Rule proposing to amend the Neighborhood Permit Parking Zone Regulations to update certain administrative references to physical permits, when the permit year should begin for each Neighborhood Parking Program (NPP) zone, and the permit term length for commuter and contractor permits. These proposed amendments aim to enhance flexibility and streamline the administration of parking permits by allowing for digital permits, rolling expiration dates, and the purchase of monthly commuter permits.

Copies of the Rule are available for public review in Central Records at the Penfield Tate II Municipal Building, 1777 Broadway, 2nd floor. You must contact Central Records at CentralRecords@BoulderColorado.gov, or 303-441-3043, to make an appointment to review this Rule or to have a copy sent to you.

The public has a right to submit written comments on the proposed rule for 15 days from the date of this publication (_____). Please direct written comments to:

Samantha Bromberg
Community Vitality Department
1500 Pearl Street, Suite 302
Boulder, CO 80302
brombergs@bouldercolorado.gov

For more information, visit <https://www.access4boulder.com/learn-more>.

If no written comments are received, the Rule will become final when the time for comments has passed.

STANDARD (NON-EMERGENCY) RULE SIGNATURE PAGE

RULE ESTABLISHING NEIGHBORHOOD PERMIT PARKING ZONE REGULATIONS

Originating Department – B.R.C. Section Granting Rulemaking Authority:

Sections 2-2-15(e), 4-1-12, 4-23-2(f), and 4-23-3, B.R.C. 1981

City Attorney’s Office – Approval as to form and legality:

The proposed Rule was approved as to form and legality for adoption on _____
(date).

Signature: _____

City Manager / Adopting Authority – Approval as to substance

The proposed Rule was approved as to substance prior to publication and three copies were filed with the
City Clerk on _____ (date).

Adopting Authority Signature: _____

City Clerk Publication:

The public notice will be published in the Daily Camera on _____ (date), starting a 15-
day written comment period ending on _____.

___No comments were received. The proposed Rule is in effect as of November 1, 2024.

City Clerk Signature: _____

City Manager / Adopting Authority - Comment Review/Effective Date:

___ Written comments were received for this Rule, and no change has been made. The Rule is in effect as
of _____.

___ Written comments were received for this Rule. The Rule was amended and returned to the City
Attorney’s Office for review on _____. The Rule is effective on _____
following approval of the City Attorney.

City Attorney approval Date: _____

Signature: _____

___ Written comments were received for this Rule. The Rule has been amended and will be republished.

Adopting Authority Signature: _____

ATTACHMENT A

NEIGHBORHOOD PERMIT PARKING ZONES REGULATIONS

These regulations implement the Neighborhood Permit Parking Zones provisions of Section 2-2-15, Section 2-2-21, and Chapter 4-23, B.R.C. 1981.

I. General Guidelines

- (a) The Neighborhood Permit Parking (NPP) Program restrictions are primarily intended to address issues of resident access and use of street parking in residential areas. Parking restrictions are not considered an effective or primary means of addressing other types of neighborhood issues.
- (b) Permit parking restrictions should not be applied if cheaper, simpler solutions are found.
- (c) Permit parking restrictions will only be implemented if the residents affected support the proposed zone.
- (d) The baseline restrictions on parking without a permit in an NPP zone will be no more than two hours without moving the vehicle from 9:00 a.m. to 5:00 p.m., Monday through Friday, holidays excepted. Departures from this baseline may include:
 - (1) Nighttime restrictions which limit all parking to permit holders only during evening hours.
 - (2) Saturday restrictions which extend the basic parking restrictions for the zone to Saturdays.
 - (3) Sunday restrictions which extend the basic parking restrictions for the zone to Sundays.
 - (4) Extending nighttime restrictions beyond 5:00 p.m.
 - (5) Holiday restrictions when indicated in the particular NPP zone.
 - (6) “Color Code” restrictions. This restriction prohibits a vehicle without a permit from being parked within such a zone at more than one place and for more than one allowed period of time. For instance, if a zone allowed two hours of parking, a vehicle which had been parked for two hours or any fraction of two hours could not be parked again anywhere within that zone during the times that restrictions are in effect on that day. This option might be used if people were using the zone for long term parking by moving the vehicle every two hours.
 - (7) The beginning and ending time for this restriction may be varied.

- (8) Paid parking may be implemented in an NPP, which would require payment for parking during the enforced hours for all except NPP permit holders of the particular NPP zone.
- (9) Paid parking may be implemented in addition to “color code” restrictions in the case of severe residential access issues. This restriction would require payment for parking up to the allowed period of time and would prohibit a vehicle without a permit from being parked within such a zone at more than one place and for more than the allowed period of time.
- (10) Seasonal restrictions when indicated in the particular NPP zone.
- (11) The length of time a vehicle without a permit may be parked within a zone may be decreased or increased from two hours.

II. Criteria for Assessing Proposed Zone

- (a) Priority Based Neighborhood Access Management Strategy, also known as Residential Access Management Program (RAMP): The city manager, through the Director of Community Vitality and the Director of Transportation & Mobility will conduct an annual study of the entire city by zone or neighborhood based on Key Metrics such as parking occupancy, trip generation, and access to other modes of transportation to determine if a neighborhood permit parking zone should be established, altered, or deleted in a neighborhood and what it’s boundaries should be. Key Metrics will be evaluated, to assess the need for a zone, the type of restrictions that should be applied, the number of commuter permits to be sold, if any, the zone boundaries, and other details of zone design including, but not limited, to altering or deleting a zone, and a customized management approach will be implemented based on the individual characteristics of the neighborhood and spillover generator.

The city manager may accept eligible applications year-round and evaluate them on an annual basis subsequent to completion of the study. Threshold eligibility for applications is determined by whether the location falls within an approved location based on the Priority Based Neighborhood Access Management analysis and signed by 25 adult residents of a neighborhood proposing a neighborhood permit parking zone. The study will be conducted annually throughout the calendar year, and petitions will be accepted during the fourth quarter of the calendar year for consideration of implementation the following year.

- (b) The following general factors may be considered by the city manager in the analysis of whether to pursue creation, alteration, and removal of a zone.
 - (1) The city manager may consider the cost and availability of alternative parking (within the immediate vicinity of the proposed zone,) and the availability, proximity, and convenience of transit service.

- (2) The city manager may consider the extent to which a zone may impact adjacent neighborhoods and areas and may recommend implementation of additional measures to mitigate these spillover parking or displaced parker impacts.
 - (3) A petition signed by no less than 25 adult residents from no less than five households has been received and the addresses of those adult residents verified. To verify the addresses of the residents, the city manager will accept a lease, a vehicle registration, or a voter registration naming the applicant as proof of residence within the zone. Subject to the city manager's discretion, other documents of equivalent reliability may be accepted to verify addresses.
- (c) In addition to the factors specified above and in subsection 2-2-15(b), B.R.C. 1981, the following are considerations to be used in determining whether to designate an area as a neighborhood permit parking zone and what its boundaries shall be, or alter an existing neighborhood permit parking zone:
- (1) At least one block face with some residential street frontage should meet these criteria:
 - (A) For the purposes of the City of Boulder Neighborhood Permit Parking program, a block-face shall be defined in one of the following three manners, governed by the location of addresses relevant to the boundaries of each parking zone:
 - (i) 100 block includes all lots on a full or partial block in which all addresses orient to the same street and share a numeric sequence.
 - (ii) corner to corner includes those lots oriented to the same street and sharing a numeric sequence when either or both of the corner lots orient to a crossing street. For example, if 15th street is an NPP block, and there is a corner lot which faces both 15th street and Baseline Road, and Baseline Road is not an NPP block, that corner property would be eligible to be part of the NPP program even if their address was listed on Baseline Road.
 - (iii) One side of a street between two adjacent perpendicular roadways, or a dead-end street or cul-de-sac broken up based on the city addressing system and numerical progression of the lots as if they were on traditional blocks.
 - (B) The number of legal on-street parking spaces occupied by parked vehicles on each block face exceeds a 85% occupancy during at least eight sampled times between 9:00 a.m. and 5:00 p.m. of a weekday selected by the traffic engineer. Departures from the baseline include:
 - (i) Weekend days when occupancy regularly exceeds 85% based on the determined data sampling schedule.

- (ii) Nighttime beyond 7:00 p.m. when occupancy regularly exceeds 85% based on the determined data sampling schedule.
 - (iii) Seasonal trends where in select seasons occupancy regularly exceeds 85% based on the determined sampling schedule.
 - (C) At least 25% of on-street parked vehicles during a period selected by the traffic engineer for study are determined to belong to registered owners who reside outside of the study area.
- (2) If determining which other block faces may be included in the zone, staff may consider if the following criteria are met:
- (A) They are directly contiguous to the area at (1) above or are indirectly contiguous through each other, and
 - (B) The number of legal on-street parking spaces occupied by parked vehicles on each block face exceeds a 60% occupancy during at least three hours between 9:00 a.m. and 5:00 p.m. on a weekday selected by the traffic engineer, and
 - (C) The requirements of (1)(C) above are met, or
 - (D) If, in the opinion of the traffic engineer, posted legal restrictions on parking, including without limitation prohibitions on parking, on any block face render these survey methods invalid as indicators of the extent of the parking problems faced by residents or businesses located on such a block face, the traffic engineer may deem such block face to have met these criteria if the block face immediately across the street meets the criteria.
- (3) The zone as a whole is:
- (A) Primarily zoned RH, RM, RL, or MU or a combination thereof, and block faces or areas to be included which are not so zoned are predominantly residential in nature.
 - (B) Not located across a geographic barrier of a type which would serve to limit pedestrian movement, including, but not limited to, four lane arterial streets, major arterial streets which server as a pedestrian barrier, major drainage ways, and major ridges.
- (d) Criteria for adding block faces to an existing zone:
- (1) Each block face should be contiguous to the existing zone directly or through other added block faces.
 - (2) Each added block face should meet the criteria of (c)(2) above.

- (3) Addition of the block face will not violate the criteria of (c)(3).
- (4) The procedure for adding block faces to an existing zone shall be the same as the procedure for creating a zone but the request need contain at a minimum 25 signatures from no less than five individual households per block face or 100% resident consent, whichever is the lesser amount. To verify the addresses of the residents, the city manager will accept a lease, a vehicle registration, or a voter registration naming the applicant as proof of residence within the zone if the document so indicates. Subject to the city manager's discretion, other documents of equivalent reliability may be accepted to verify addresses.
- (e) If it appears from public testimony at the Transportation Advisory Board meeting or council meeting where the zone is under consideration, that there is no consensus on neighborhood support for a proposed zone, the city manager may require further evaluation aimed at determining whether resident support for the proposed zone exists.
- (f) Removal of zone. The city manager shall monitor the program on a regular basis and annually provide City Council with a report on the Residential Access Management Program. If any established Neighborhood Permit Parking Zone in the program does not meet the approved Key Metrics for three consecutive years, it may be identified by staff for termination. If a block face has been removed, it may not be reintegrated in a zone for two years. The city manager is not required to remove any part of a zone if it is not in the public interest to do so. The city manager may remove any part of a zone by following the zone creation process without the requirement of a petition.

III. Criteria for Applying Parking Restrictions within Zones

- (a) NPP restrictions will be applied area by area and tailored to the particular needs and attributes of each zone.
- (b) A color-code restriction may be applied in residential areas if the city manager believes that a traditional time limit will not effectively limit long term parking in that area.
- (c) The following guidelines apply to use of nighttime, holiday, Saturday, and Sunday parking restrictions:
 - (1) The city manager may exempt certain short term or once a year civic events from nighttime/Saturday or Sunday restrictions, including but not limited to events such as the December Lights Parade, Fall Festival, and the Boulder Creek Festival.
 - (2) Weekend or seasonal restrictions may be enacted in residential areas abutting or adjacent to certain public and community uses, including but not limited to public parks, and other large site parks and Open Space lands (including trail access points) with considerations for public access accounted for in a corresponding Transportation Demand Management ("TDM") plan. These restrictions may be

seasonal in nature, based on access needs. Nighttime restrictions may be imposed in residential areas as determined based on access needs.

Pursuant to Section 2-2-21, B.R.C. 1981, a Chautauqua Parking Management Plan shall control the Chautauqua leasehold area and adjacent areas.

- (3) TDM Plan - Staff should undertake a full assessment of potential impacts on affected nonresident users, including but not limited to an assessment of the availability of alternative parking and the availability of transit and other multimodal service (proximity, hours and frequency of operation) before the decision to implement nighttime or weekend restrictions. The restrictions should be reconsidered in circumstances where such impacts cannot be remedied by any reasonable means or at a reasonable cost.
- (4) Nighttime and weekend restrictions proposed for block faces where daytime commuter permits are also available will specifically exempt commuter permits from the posted restriction.
- (5) Residential areas abutting or adjacent to public and community uses will be studied by a cross-departmental team with representatives from Transportation & Mobility, Community Vitality, and the corresponding city department (for example, Open Space & Mountain Parks department) to recommend appropriate TDM strategies in concert with any parking restrictions. Recommended strategies will be presented to the Transportation Advisory Board for feedback, along with the corresponding board or commission associated with the relevant department (for example, Open Space Board of Trustees).

IV. Permits

- (a) Applications for neighborhood parking permits shall be made through the City of Boulder parking services website.
- (b) Residential Permit.
 - (1) Unless there is evidence to the contrary, the city manager will accept a lease, a vehicle registration, or a voter registration naming the applicant as proof of residence within the zone if the document so indicates. Subject to the city manager's discretion, other documents of equivalent reliability may be accepted. If the vehicle registration is not under the applicant's name, a notarized statement from the registered owner of the vehicle stating that the applicant is using the vehicle with the permission of the registered owner, together with a copy of proof of ownership in the person claiming to be the registered owner, as proof that the vehicle is lawfully in the custody and control of the applicant. The city manager may accept other documents of equivalent reliability. If voter registration is provided, then the vehicle registration address must match the address from the voter registration.
 - (2) Permits are valid for one calendar year from the purchase date. Residential permits may be renewed once without providing the required documentation for a new permit so long as payment has been received, the applicant has not moved, and the

vehicle continues to be registered in good standing with the Colorado Department of Motor Vehicles.

- (3) A residential permit can be transferred only in the case of a new vehicle purchase, temporary use of a rental car, or when the same vehicle has a new license plate. These transfers must be updated by the permittee and approved by the City.
 - (4) The permittee shall relinquish the permit by providing written notification to the city manager, or returning the physical permit if applicable, if the vehicle is sold, leased or no longer in the custody of the permittee.
 - (5) Qualified low-income residents can apply for a discounted rate of 50% off the residential parking permit cost. Unless there is evidence to the contrary, the city manager will accept as proof of low-income eligibility, a County of Boulder explanation of benefits letter detailing enrollment within the most recent calendar year in one the following income- based programs: the Child Care Assistance Program (CCAP), Health First Colorado, and the Supplemental Nutrition Assistance Program (SNAP); or proof of enrollment within the most recent calendar year in a City of Boulder income-based program such as the Child Care Subsidy (CCS) program, Family Resource Schools (FRS), or the Food Tax Rebate program.
- (c) Nonresidential Permits.
- (1) Commuter Permits. Commuter permits, if available within an NPP zone, are issued on a first come first served basis. Renewals of commuter permits occur monthly. If a permit is not renewed one week after its expiration, it will be released for purchase by another applicant. This process will be followed unless some other fair and equitable method of allocation is specified for a specific zone as part of the zone creation process. No individual shall have more than one commuter permit anywhere in the city at any one time. No one who resides within a zone may receive a commuter permit within that zone.
 - (2) Business Employee Neighborhood Parking Permit. Unless there is evidence to the contrary, the city manager will accept a current lease or Boulder County Ownership tax report as proof of address within the zone. Additionally, the city manager requires a current City of Boulder Sales Tax License, the most recent Colorado Unemployment Report, and the vehicle registration of those vehicles to be included on the business permit. Permits are valid for one calendar year from the purchase date.
 - (3) Mobile Vendor Permit. Unless there is evidence to the contrary, the city manager will accept a current lease or Boulder County Ownership Tax report. The city manager requires the City of Boulder Sales Tax license, the most recent Colorado Unemployment Report, and the vehicle registration. Permits are valid for one calendar year from the purchase date.
 - (4) Contractor Permits. Upon the purchase of a temporary permit by a contractor, such permit(s) shall be valid for one month. Unless there is evidence to the contrary, the manager will accept a copy of the Building Permit, Right of Way Permit (ROW), or Contract on business letterhead signed by all parties if there is no requirement for a Building or ROW Permit. In determining whether to issue additional contractor permits the city manager shall consider the purposes of the permit system

in determining whether or not granting the permit will be detrimental to the goals of the permit system.

- (d) Applicants with vehicles that have parking ticket(s) older than 14 days from the violation date set forth on the ticket must pay the violation fees prior to being issued any parking permit.

V. Display of Permit

- (a) Any permit issued by the city manager must be displayed or, for digital permits, valid and in effect per guidelines addressed in the permit application.
- (b) Enforcement staff may utilize License Plate Recognition technology to verify vehicles permitted or payment status.

VI. Additional Guest Permits

- (a) Upon special application the city manager may issue two two-week guest permits to residents of a zone. The applicant shall affirm that the house guest is temporarily residing in the applicant's home as a guest and is not paying rent.
- (b) Additional guest permits, beyond the two included permits, may be purchased for use by guests at social gatherings at the applicant's home. Such gatherings must be entirely unrelated to a home occupation and must be of the sort normally associated with residential use. Permits will not be issued for more than 12 such gatherings in any permit year. Additional guest permits will have an associated cost and be subject to additional restrictions. In determining whether to issue an additional house guest permit the city manager shall consider the purposes of the permit system in determining whether or not granting the permit will be detrimental to the goals of the permit system.
- (c) Two annual visitor's permits can be purchased by a resident of a zone to be used on a temporary and transferable basis to accommodate visitors, including without limit, health care workers, repair persons, and babysitters, who need access to the residence of the resident. Use of this pass is limited to those visitors whose stay will last longer than the time limit posted within the permit zone for parking by the general public but shall not exceed 24 consecutive hours. Use of the pass is valid only while the visitor is on the residential premises. No more than two such permits will be issued per residence per year. It is the responsibility of the resident to ensure that this pass never leaves the zone, and that it is returned to the resident or otherwise relinquished at the end of each day of use. Use of the pass also falls under the same restrictions as those prescribed by Section 4-23-2, B.R.C. 1981, and in these regulations.

VII. Basis for Allocating Commuter Permits

Commuter permits, if available within an NPP zone, are issued on a first come first served basis. Renewals of commuter permits occur on a quarterly basis. If a permit is not renewed one week after the expiration it will be released for purchase. This process will be followed unless some other fair and equitable method of allocation is specified for a specific zone as part of the zone

at any one time. No one who resides within a zone may receive a commuter permit within that zone.

VIII. Program Monitoring

Pursuant to the provisions of Subsection 2-2-15(f), B.R.C., 1981, the city manager will annually provide City Council with information in the following areas:

- (a) The status of the Residential Access Management Program in general, including:
 - (1) A report or online dashboard which indicates the status of the current Neighborhood Permit Parking Zones and whether they meet key performance indicators.
 - (2) A report on newly identified areas of study and whether any neighborhoods met the key performance indicators for implementation of an NPP or inclusion in a TDM study, and if any community requests were received.
 - (3) A report on program revenue and expenditures, including how many and where commuter permits have been sold in each zone.
 - (4) An examination of the relationship between the NPP program and parking supply and demand in adjacent areas of the city, including the cost and availability of adjacent alternative parking.
 - (5) The status of other replacement strategies (parking and alternative modes), including:
 - (A) Estimated increases in alternative modes use.
 - (B) The advent (provision) of any new transit service (public or private) or alt modes facilities.
 - (C) Use of remote lot parking.
 - (D) The status of new parking structures.
 - (6) A report on the enforcement of NPP zones.
- (b) The status of specific NPP zones, including:
 - (1) A report on any significant spill-over parking into peripheral or other areas.
 - (2) A report on zone restrictions and how well they work to address the identified parking concerns, including any recommended adjustments.
 - (3) A report on how many, if any, zone block faces experience parking occupancy patterns that trigger the requirement to lower the number of commuter permits sold on that block face as specified in subsection 4-23-2(j), B.R.C., 1981.
- (c) The city manager may utilize License Plate Recognition technology to collect data used to monitor the program. If the city manager hires a consultant, a data retention agreement will be required. Data will be analyzed and returned to the city in aggregated report form,

and no identifying information (the license plates) will be maintained by the consultant. Once the city receives the report and provides final approval, the consultant will be required to purge the raw reads.

- (d) Data retention – The city manager shall not release or permit the inspection or copying of images that are evidence required to prove a violation taken by license plate recognition technology, camera radar or red-light camera for other than law enforcement purposes, unless directed to do so by subpoena from a court of competent jurisdiction, or as part of litigation or threatened litigation involving the city. But such images shall be available to the owner of any vehicle and to the driver of any vehicle depicted in any such image. Images taken by license plate recognition technology that are determined to not be evidence required to prove a parking violation shall not be released or be permitted to be inspected or copied and shall be purged on a regular schedule adopted by the city manager.

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