

August 21, 2006
William L. Cardello, as President

ORDINANCE

BE IT
ORDAINED:

BY THE CITY COUNCIL OF THE CITY OF EVERETT, as follows:

That Chapter 18, Section 18-148 through Section 18-160 of the Revised Ordinances of the City of Everett is hereby amended by deleting in its entirety and inserting new, as follows:

Revision of Section 18-148 through Section 18-160 Resident Parking Sticker Program

Section 18-148 Designation of Residential Parking Sticker Area

- (a) The Traffic, Safety and Parking Commission shall designate areas as residential parking sticker areas in which only vehicles displaying a valid residential parking sticker or visitor permit may be parked.
- (b) Definition of Residential Parking Sticker Area: Residential Parking Sticker Area shall mean any area designated by the Traffic Safety and Parking Commission for residential parking. Areas may be designated for residential parking in any area regardless of zoning. The Resident Parking Sticker program will be in effect in designated business areas from 1:00 AM to 6:00 AM and designated residential areas from 12:00 AM to 6:00 AM, Monday through Friday. Sunday and Holidays are excluded.

Section 18-149 Citywide Resident Sticker Regulations:

The Parking Clerk shall oversee the resident sticker program. The program requires that residents, who own a vehicle, and individuals moving into the City of Everett with a vehicle, register their vehicle in the City or have their registration changed to read that the vehicle is principally garaged in Everett.

(a) Resident Parking Stickers shall be valid for one year. The location for the distribution of the Resident Sticker shall be the Office of the Everett Parking Clerk; the specific date(s) for the annual distribution will be announced in the local newspapers and Everett Cable 16 to alert Everett residents. No more than one residential parking sticker shall be issued per motor vehicle.

(b) A vehicle on which is displayed a valid residential parking sticker in the designated location on the vehicle shall be permitted to stand, park or stop on all City streets and City owned parking lots, including the parking lots at the former Hale, Lewis and Horace Mann Schools' located on Glendale Street, Floyd Street, Derne Street and the Everett City Hall Parking Lot respectively. The provisions of this ordinance establishing a residential parking sticker area shall not relieve any person from the duty to observe other and more restrictive provisions of other ordinances prohibiting or limiting the stopping, standing or parking of vehicles at specific times.

(c) There shall be no fee for Resident Parking Stickers issued during the 30-day distribution period. The fee for a resident sticker issued after the initial distribution period shall be \$10.00. A new resident moving into Everett must obtain a residential parking sticker. In addition, any Everett resident having been issued a new registration or purchasing a new vehicle with the same registration must obtain a new resident parking sticker. The method of payment shall be cash or money order. No checks will be accepted.

(d) A residential parking sticker shall not guarantee or reserve a parking space.

(e) The following vehicles are not eligible under this ordinance:

1. Vehicles with six wheels or more as described in Section 18-139(d) of these Ordinances.
2. Any bus that exceeds 25 feet in length.
3. Vehicles exceeding twenty-two feet in length.
4. Taxicab and vehicles bearing livery plates.
5. Vehicles not displaying a resident parking sticker that are being repaired or awaiting owner pick-up during the designated residential sticker hours.
6. Any trailer not attached to a vehicle with a resident parking sticker.

Section 18-150 Applying for a Resident Sticker

(a) Each applicant shall submit proof of residency and current motor vehicle registration issued by the Commonwealth of Massachusetts Registry of Motor Vehicles affirming that the City of Everett is the applicants' residence or that the vehicle is principally garaged in the City of Everett. Any two of the following documents will be accepted as proof of residency;

- (1) A valid drivers license with correct address;
- (2) A valid motor vehicle registration with correct address;
- (3) A real estate tax statement, municipal water bill or utility bill; with the applicant's name.

(4) Such other proof acceptable to the Office of the Parking Clerk.

(b) The Parking Clerk shall insure that all residents have paid their excise tax and parking tickets.

(c) Once proof of residency and payment of excise tax and parking tickets is assured by the Parking Clerk, the Resident Parking Sticker shall be issued.

(d) The resident sticker shall be affixed to the windshield in front of the rearview mirror in a manner as not to interfere with the vision of the operator.

(e) A replacement residential parking sticker will not be issued without the return of the original sticker and/or fragments of the original sticker. The fee for a replacement sticker is \$10.00. The method of payment shall be cash or money order. No checks will be accepted.

Section 18-150.1 Visitor Placard

(a) Only one qualified member per household, who provides proper identification, may purchase one visitor placard at the Office of the Everett Parking Clerk. The placard fee shall be as follows: \$10.00 for a seven day placard, \$15.00 for a 14-day placard, \$20.00 for a 21-day placard, and \$25.00 for a 30-day placard. The method of payment shall be cash or money order. No

checks will be accepted. Once purchased, the placard becomes the responsibility of the household. The resident should be vigilant to safeguard it from theft and loss.

(b) Visitor placards cannot be used on any vehicle owned and operated by the resident of the household or on a vehicle excluded in the ordinance as stated in section 18-149e.

(c) Placard shall be displayed hanging from the rearview mirror while the vehicle is parked, with printing facing forward.

Section 18-150.2 Special Placard

(a) Subject to the following circumstance, a special visitor placard may be purchased for a fee of \$100.00. The method of payment shall be cash or money order. No checks will be accepted.

- * A business who has employees that are required to work beyond the start time of the resident sticker program.
- * A student who rents an apartment while attending an area school.
- * A resident in accordance with the Parking Clerk's list of exceptions.

(b) Once a special placard is purchased, it is the responsibility of the person issued the placard to be vigilant to safeguard the placard from theft and loss.

(c) Placards shall be displayed hanging from the rear view mirror while the vehicle is parked.

Section 18-150.3 Placard Replacement

(a) A replacement placard shall cost \$50.00. The method of payment shall be cash or money order. No checks will be accepted.

Section 18-151 Sticker and Permit Fees

(a) The Parking Clerk, with the approval of the Everett City Council and the Mayor, shall determine the fee for a residential parking sticker, visitor placards, special placard, and the replacement of such, due to damage or loss.

Section 18-152 Penalty Provision

(a) It shall be unlawful and a violation of these regulations for any person to park, stand or stop a vehicle on any street or parking lot covered by this ordinance without a valid residential parking sticker, visitor placard or special placard. Said violation shall be punishable by a fine as prescribed in Section 18-147 of the Revised Ordinances.

(b) It shall be unlawful and a violation of these regulations for a person to falsely represent themselves as eligible for a residential parking sticker or to furnish false information to the Parking Clerk or designee. Such violation shall be punishable by a fine of \$300.00.

(c) It shall be unlawful and a violation of these regulations for a person holding a valid residential parking sticker to permit the use of such sticker on a vehicle other than that for which the sticker was issued. Such violation shall be punishable by a fine of \$300.00.

(d) It shall be unlawful and a violation of these regulations for a person to copy, produce or otherwise use a facsimile or counterfeit a residential parking sticker.

Such violation shall be punishable by a fine in accordance with Chapter 1, Section 8 of the Revised Ordinances of the City of Everett.

Section 18-153 Revocation of Stickers and Permits

(a) The Parking Clerk is authorized to revoke the residential parking sticker or visitor placard or special placard of any person found in violations of these regulations and, upon written notification thereof, the person shall surrender the sticker or placard to the Office of the Everett Parking Clerk.

(b) Residential parking stickers will automatically be revoked if the resident ceases to qualify under Section 18-150.

(c) If the parking sticker or placard is found on a vehicle other than the one so designated at the time of issuance, or the registration number on the parking sticker is different than the one on the vehicle, then the parking sticker or placard shall be automatically revoked for the remaining period of the issue year.

Section 18-154 Public Notification

Street Signs

Local Newspaper (one ad/paper)

Everett Cable Television (channel 16)

Reverse 911 calls to listed telephone numbers

Section 18-155 Severability

The provisions of this Ordinance shall be severable and if any section, part or portion hereof shall be held invalid for any reason by any court, the decision of such court shall not affect or impair any remaining section, part or portion thereof.

All ordinances or parts of ordinances in conflict with the foregoing are hereby repealed.

September 20, 2006	Enrolled as Amended in the Common Council
September 25, 2006	Enrolled as Amended in the Board of Aldermen
October 2, 2006	Ordained as Amended in the Common Council
October 10, 2006	Ordained as Amended in the Board of Aldermen
October 19, 2006	Approved:/s/Mayor John F. Hanlon

A true copy Attest:

Michael Matarazzo
City Clerk