

(Material to be added is underlined; material to be deleted is [bracketed].)

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 457

An ordinance amending M.C.C. 7.10.010 et seq. relating to the parking and stopping of motor vehicles; allowing other police agencies to order the removal of motor vehicles found in violation of this chapter and declaring an emergency.

7.10.010 Definitions. As used in this chapter, unless the context requires otherwise:

(A) "Bus loading zones" means the space adjacent to the curb reserved for the exclusive use of motor busses in the loading and unloading of passengers and merchandise and designated by official signs or markings.

(B) "Construction zone" means the space adjacent to the curb and in immediate proximity to the premises where construction, alterations, remodeling, repairing or similar work is in progress and designated by official signs or markings.

(C) (1) "Crosswalk" means, except as provided in paragraph (2) of this subsection, that portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street or highway measured from the curbs, or, in the absence of curbs, from the edges of the traveled roadway to the property lines, or the prolongation of the lateral lines of a sidewalk, to the sidewalk on the opposite side of the street, if the prolongation would meet that sidewalk; or

(2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface of the roadway, conforming in design to standards prescribed by the Oregon State Highway Commission. Whenever marked crosswalks have been indicated, those crosswalks and no other shall be considered lawful across the roadway at that intersection.

(D) "Curb" means any raised margin along lines established by ordinance as curb lines, defining the space in the street devoted to vehicular traffic.

(E) "Emergency zone" means places designated with official signs, barricades or other markings by the Director of Environmental Services [Public Works] or Sheriff [Director of Public

Safety] where during emergencies or because of contingent emergencies no parking shall be allowed.

(F) "Entrance zone" means the space adjacent to the curb in front of the entrance to any public building, school building, theatre, church or firehouse and designated by official signs or markings.

(G) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of two or more streets or highways which join one another at an angle, whether or not one street or highway crosses the other.

(H) "Loading zone-truck" means the space adjacent to the curb reserved for the exclusive use of trucks actually engaged in the loading or unloading of passengers, goods, wares, merchandise or materials and designated by official signs or markings.

(I) "Park," "parking" or "parked" means the stopping or standing of any vehicle upon any street or highway, whether that vehicle is occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or freight, or in obedience of traffic regulations or traffic signs or signals.

(J) "Parking area" means parking areas owned by or under the control of Multnomah County, including the parking area at the Multnomah County Exposition Center and any other location within Multnomah County owned, held under a lease or by other interest less than fee, or otherwise under the control of Multnomah County.

(K) "Person" means every natural person, firm, copartnership, association or corporation.

(L) "Roadway" means that portion or a publicly owned street or highway improved, designed or ordinarily used for vehicular travel.

(M) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(N) "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school but does not include vehicles commonly known

and used as private passenger vehicles and not operated for compensation except in the transportation of children to or from school.

(O) "School zone" means the space adjacent to or in the proximity of a school building or grounds or a school crossing and designated by official signs or markings.

(P) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property line intended for the use of pedestrians.

(Q) "Sled" means every vehicle moving over the streets, except such vehicles as move exclusively on revolving wheels in contact with the surface of the road.

(R) "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part of it is open to the use of the public for purposes of vehicular traffic.

(S) "Taxicab" means every motor vehicle, except an ambulance, equipped with a taximeter which is used as a basis for determining rates for the transportation of passengers.

(T) "Taxicab zone" means the space adjacent to the curb reserved for the exclusive use of taxicabs and designated by official signs or markings.

(U) "Tow away zone" means the space adjacent to the curb on any street or avenue, or portion thereof, on which stopping or parking has been prohibited for specific hours of the day, or otherwise, and which is designated as a tow away zone by official signs or markings.

(V) "Trailer" means every vehicle without motor power, designed for carrying or accommodating persons or property and drawn by a motor vehicle.

(W) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon any public street or highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

7.10.025 Compliance with M.C.C. 7.10.050 and 7.10.075 required. It shall be unlawful for the driver of a vehicle to stop, stand or park that vehicle contrary to the parking regulations under M.C.C. 7.10.050 and 7.10.075, whether attended or

unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal.

7.10.050 Prescribed manner of parking.

(A) In parking a vehicle on any street, it shall be placed with the right-hand side parallel to the right-hand curb line and not more than one foot from that curb line, provided, however, that on streets where only one-way traffic is permitted, a vehicle may be parked parallel with the curb line on either side of those streets unless otherwise posted by the Department of Environmental Services [Public Works] and provided, further, that the vehicle must be headed in the direction which traffic is permitted, and that it shall be parked so as not to obstruct traffic and not more than one foot from the curb.

(B) Angle parking is prohibited except where properly designated by official signs or markings, provided, however, that angle parking of motorcycles, motor scooters or other similar two or three-wheel vehicles is permitted if the vehicles do not extend more than an average car width from the curb.

(C) No person shall permit a vehicle in that person's charge to remain backed to the curb of any street except while engaged in actually loading or unloading the same, and then only when it is absolutely necessary for the purpose owing to the weight or size of the merchandise being handled and in no event shall it be permissible to allow the vehicle to remain for a period greater than 20 minutes. The motive power attached to any vehicle so backed to the curb shall be turned parallel to the curb and in the direction in which the traffic is required to be moved upon the same side of the street, except that in case of a truck and trailer combination, the truck shall be removed and parked separately. All vehicles shall be parked parallel to the curb for loading or unloading and shall be subject to all rules regarding parking within Multnomah County.

7.10.075 Bus zone parking prohibited. It is unlawful for any person to park, except for the purpose of loading or unloading passengers, in any bus, local or interurban zone on any street, road or highway within Multnomah County.

7.10.100 Emergency vehicles excepted. The provisions of this chapter relating to stopping, standing or parking shall not apply to vehicles of the fire and police, authorized emergency vehicles or other apparatus when answering calls or alarms or going to or from a fire.

7.10.125 Right of way for parking. The motorist who first begins maneuvering vehicle into a vacant parking space shall have a prior right of way to park in that space and it is unlawful for another driver to attempt to deprive the motorist of that space by blocking the motorist's access.

7.10.150 Parking prohibited without first removing key.

(A) It is unlawful for the owner, driver or person in charge of a motor vehicle, to park or permit the vehicle to be parked within the limits of Multnomah County without first stopping the motor, locking the ignition and removing the ignition key. If the vehicle is attended, the ignition key need not be removed.

(B) Whenever a police officer finds a motor vehicle parked unattended with the ignition key in the vehicle in violation of subsection (A) of this section, the police officer may, for purposes of safety, remove the key from the vehicle and deliver it to the person in charge of the nearest police station, provided, however, that due notice is given to the owner indicating the key removal and place of deposit.

7.10.175 Stopping or parking prohibited in specified places. It is unlawful for the driver of a vehicle to stop, stand or park the vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

(A) Within an intersection.

(B) Within a crosswalk.

(C) Between a safety zone and the adjacent curb or within 30 feet of points of the curb immediately opposite the ends of a safety zone, unless local or traffic authorities indicate a different length by signs or markings.

(D) Within 25 feet from the intersection of curb lines, or if none, then within 15 feet of the intersection of property lines at an intersection within a business or residence district.

(E) Within 30 feet upon the approach to any official flashing beacon, stop sign or traffic control signal located at the side of the roadway.

(F) Within 15 feet of the driveway entrance to any fire station.

(G) Within 10 feet of a fire hydrant, with the exception of taxicabs occupying properly signed taxi zones.

(H) In front of a private driveway including the radius or ramps of the driveway.

(I) On a sidewalk or parking strip.

(J) Alongside or opposite any street, road or highway excavation or obstruction when stopping, standing or parking would obstruct traffic, unless the vehicle stopped or parked is being used in connection with the maintenance or repair of public or private utility service, above, below or upon the surface of the street or highway and the location of the vehicle is necessary in connection with the maintenance or repair.

(K) On the roadway side of any vehicle stopped or parked at the edge of a street, road or highway.

(L) At any place where official signs, curb paint or markings have been installed prohibiting standing, stopping or parking, provided, however, that driver attended private passenger motor vehicles and taxicabs may stop for no longer than 30 seconds in the tow away zone for the sole purpose of loading or unloading passengers.

(M) Within a 25-foot radius of the intersection of the center lines of a street, road or highway and a railway crossing.

(N) In front of the entrance or other place where mail is received of any post office or postal station, or within 10 feet of a private mail box during the hours of delivery.

(O) In any street so as to prevent the free passage of other vehicles in both directions at the same time except on one-way streets, or so as to prevent any vehicle from turning from one street into another street.

(P) In any street, road, highway, alley, lane, sidewalk or parking strip for the storage of any vehicle in lieu of a garage or off street parking area.

(Q) In any street, road or highway for the purpose of displaying the vehicle for sale or exchange.

(R) In any emergency zone.

(S) In any entrance zone except to load or unload passengers for a period of time not to exceed one minute, except in any area designated as a tow away zone during the hours when stopping or parking is prohibited.

(T) In any bus loading zone except a motor bus or taxicab actually engaged in loading or unloading passengers or merchandise for a period not exceeding two minutes. Taxicabs using any bus loading zone shall use only the entrance of the zone and shall not use the zone between the hours of 4:30 and 6 p.m.

(U) On private property without the consent of the owners of the private property.

(V) In any construction zone except by vehicles actually necessary to the construction work being carried on.

(W) On county-owned or county-operated property designated for use for motor vehicle parking by authorized county personnel only, without the consent of the county, if there is in plain view on the property a sign prohibiting public parking or restricting parking.

(X) In any street, road, highway, alley, lane or on any sidewalk, parking strip, public park property, county-owned property or county-operated property for more than 24 hours, if the vehicle is disabled or abandoned.

(Y) On either or both sides of any street adjacent to any school property if there is in plain view on that property a sign prohibiting public parking or restricting parking.

(Z) At any place in which stopping, standing or parking of vehicles would create an especially hazardous condition or cause unusual delay to traffic if there is in plain view on the property a sign prohibiting public parking or restricting parking.

(AA) In any public park property, county-owned property or county-operated property when parking would interfere with traffic or create a hazardous situation, if there is in plain view on the property a sign prohibiting public parking or restraining parking.

(BB) In any parking area for the purpose of displaying the vehicle for sale or offering any property for sale without a permit issued by the Director of the Department of Environmental Services as provided in MCC 7.10.250.

7.10.200 Parking time limit. It is unlawful for any person to park or stop any vehicle for a longer period of time than designated by official signs or other markings, placed by the Department of Public Works, except on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day. Parking time limits shall be effective only between the hours of 8 a.m. and 6 p.m. unless

designated "No Parking At Any Time" or otherwise designated by official signs or markings and the aggregate of time of all stops on the same side of the street of any vehicle within a space of 200 lineal feet measured along the curb line and within intersections shall not exceed the designated time limit during any three-hour period, where one or two-hour parking is designated, or during any two-hour period where 30-minute parking is designated.

7.10.225 Public parking, auto sales or repair business prohibitions.

(A) It is unlawful for the person in charge of a public parking business or an auto sales or repair business to permit a vehicle to be parked on a street while that vehicle is in the custody of the business for the purpose of being parked, offered for sale or repaired or for the display of advertising.

(B) If a vehicle is parked on the street while in the custody or possession of a public parking business or an auto sales or repair business for the purpose of being parked, offered for sale or repaired, it is prima facie evidence that the person in charge permitted the vehicle to be parked on the street.

(C) It is unlawful to use the public right of way for the storage of any object other than a vehicle without obtaining a permit from the Department of Environmental Services [Public Works].

(D) As used in this section:

(1) "Person in charge" means an owner, operator or employe who is physically present and actually supervising operation of the business;

(2) "Public parking business" means a business offering public off-street parking as a service; and

(3) "Auto sales or repair business" means a business offering new or used vehicles for sale or offering vehicle repair service.

7.10.250 Special parking permits. The Director of the Department of Environmental Services may issue or cause to be issued without charge a special parking permit and identification card in substantially the following form:

(FRONT)

Date issued _____ Expires _____ Permit No. _____

SPECIAL PARKING PERMIT AND IDENTIFICATION CARD

Permittee _____ Address _____

Type of Service Rendered _____

Signature of Permittee _____

Make of _____ Model _____ Year _____

License No. _____

This vehicle, because of the official nature of its use, is allowed to park when this card is displayed as indicated on the back, with restrictions and in the area indicated below:

Approved: _____
Director of Environmental Services

NOT GOOD IN LOADING ZONES

(Back)

This card must be fastened to the sun visor in front of a driver's seat. If vehicle is not equipped with adjustable sun visor, the card shall be displayed in the windshield in front of the driver's seat when car is parked.

This card shall not be displayed in any vehicle other than that for which it is issued, and then only when such vehicle is parked in the place or places designated on the face of the card.

This permit is revocable at any time.

All special parking permits issued by authority of this section shall expire on the last day of the calendar year in which issued. A new permit may be issued for ensuing years by the Director of the Department of Environmental Services in the same manner as in the original application.

7.10.275 Storage parking of heavy vehicles.

(A) It shall be unlawful for any person, owning or having control of any vehicle, trailer or sled, in excess of three-quarter ton capacity, or with gross vehicle weight in excess of 6,000 lbs., to park or leave it standing for storage in lieu of off-street or garage parking of that equipment, upon any street, avenue or public way in a residential area or upon either side of any street, avenue or public way in front of or adjacent to any residence, church, school, multiple dwelling, hospital or playground.

(B) This section shall not prohibit the lawful parking of the equipment under subsection (A) of this section upon any street, avenue or public way for the actual loading or unloading of goods, wares or merchandise, provided, however, that "loading" and "unloading" as used in this section shall be limited to the actual time consumed in that operation. The parking of any equipment under authority of this section shall in no event be within 25 feet of the intersection of curb lines, or if there is no curb, then within 15 feet of the intersection of property lines at any intersection.

7.10.300 Parking during emergencies in areas of evacuation prohibited. It is unlawful for any person, firm, corporation or association to park, cause to be parked, or allow to remain parked, a vehicle during any declared civil emergency in those areas of evacuation where parking has been prohibited by the Department of Public Works.

7.10.325 Impoundment of vehicles.

(A) When any motor vehicle is found standing or parked in or upon any street, road or highway or parking area of Multnomah County within the jurisdiction of this chapter in violation of, and contrary to, any of the provisions of this chapter applicable to stopping, standing or parking of vehicles, the owner or person entitled to possession of the motor vehicle may be issued a citation and the vehicle removed or caused to be removed by the Sheriff [Department of Justice Services] and held at the expense of the owner or person entitled to possession. If a vehicle is

so removed and held, the provisions relating to notice to owner, appraisal of value and owner reclaiming vehicle shall be followed in ORS 483.384 and 483.386. If the vehicle is not redeemed within 30 days, it will be disposed of as prescribed in ORS 483.388 to 483.396.

(B) The Sheriff may authorize another police agency to remove and hold motor vehicles that are found in violation of this chapter and may also define the geographical area within which the agency may order such removal. If a vehicle is so removed and held by another police agency, that agency shall provide notice to the owner of the removal in accordance with the procedures of the removing agency.

7.10.350 Signs or curb markings. The Director of Environmental Services [Public Works] is authorized to install or cause to be installed proper signs, curb markings or other designations reasonably necessary to carry out any of the provisions of this chapter.

7.10.990 Penalty. Violation of the provisions of this chapter shall be punishable by a fine of not more than \$100 or confinement in the county jail for not more than 10 days, or both.

Declaring an emergency. This Ordinance being necessary to protect the health, safety and welfare of the people of Multnomah County, an emergency is declared to exist. This Ordinance shall take effect immediately upon its adoption by the Board of County Commissioners and authentication by the County Executive.

Adopted this 14th day of February, 1985.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

(SEAL)

By Earl Blumenauer
Presiding Officer

AUTHENTICATED this 15th day of February, 1985.

Dennis Buchanan
Dennis Buchanan
County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By Noelle Mair
Noelle Mair
Assistant County Counsel