

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 10.12 “PARKING” OF THE CODE OF ORDINANCES CONCERNING THE ENFORCEMENT OF TIME LIMITATIONS ON ON-STREET PARKING IN THE DOWNTOWN AREA WITHIN THE CITY OF MANITOU SPRINGS.**

**WHEREAS** the Parking Authority Board and City Parking Enforcement personnel have recommended clarification of the current regulations providing for a time limit for on-street parking in the downtown area; and

**WHEREAS** the City has implemented a system that provides for warnings issued to first time violators of the time limited parking in order to help insure that parkers in the downtown are aware of the regulations and how they are enforced; and

**WHEREAS** current enforcement technology is such that determining whether or not a vehicle has left and returned to a specific parking space in a specific block, or to another space within that same block, thus parking for less than 3 hours, is not feasible. Parking Enforcement manages this by allowing a vehicle to park one time daily up to three hours in a block, so that shorter term parkers who leave a space and return later in the day must park in a different block in order to avoid appearing to have been parked longer than the time limited parking allows; and

**WHEREAS** City Council hereby finds and concludes that the proposed amendment below will provide greater clarity regarding the management of on-street time limited parking in order to assure its effectiveness in providing visitors access to parking in the downtown area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:**

**Section 1:** Section 10.12.010(D) of the Manitou Springs Municipal Code is hereby amended to read as follows:

D. Moving vehicle after initial parking time limit expires or reparking within same block.

(1) No person shall park or direct another person to park a vehicle in an on-street parking space for a period in excess of the time limitation in the area established in Section 10.12.010(A).

(2) Upon expiration of the initial parking period, and unless permission from authorized City personnel has been granted, a vehicle shall be moved from the on-street parking space within any block.

(3) No person shall, after having vacated a time-restricted parking space, return and park or direct another person to return and park the same vehicle in the same space or within the same block on either side of the street within the daily parking enforcement period as identified in 10.12.010.A, regardless of whether or not the maximum time restriction has elapsed.

(4) For purposes of this Subsection (D), a “block” is defined as that section of a street or road with adjacent address numbers within the same 00 designation. By way of example, the portions of Manitou Avenue adjacent to addresses in the 600s, 700s, 800s, 900s, and 1000s, shall constitute separate blocks.

**Section 2:** If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 3:** The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

**Section 4:** This ordinance shall take effect five (5) days after final approval and adoption on second reading.

Passed on First Reading and Ordered Published this 21st day of August, 2012.

/s/ Donna Kast  
City Clerk

A Public Hearing on this ordinance will be held at the September 4, 2012 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: August 23, 2012 (in full)  
*City's Official Website and at City Hall*

Passed on Second Reading and Ordered Published this 4th day of September 2012.

Approved: /s/ Marc A. Snyder  
Mayor and City Council

Attest: /s/ Donna Kast  
City Clerk

Approved for Council Action: /s/ Jack Benson  
City Administrator

Approved as to form: /s/ Jeff Parker  
City Attorney

Published: September 6, 2012 (in full)  
*City's Official Website and at City Hall*