



## CITY OF MOLALLA

117 N. Molalla Avenue  
PO Box 248  
Molalla, OR 97038

### Staff Report

### Agenda Category: Work Session

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**Agenda Date:** October 26, 2022

**From:** Mac Corthell, Community Development Director  
**Approved by:** Dan Huff, City Manager

**SUBJECT:** Work Session on Public Parking Lots

**FISCAL IMPACT:** Minor impacts related to decisions on Parking Permits and Parking Enforcement.

**RECOMMENDATION/RECOMMEND MOTION:** Discuss and Provide Guidance to Staff.

**BACKGROUND:** City staff presented a problem statement to the City Council at the 10/12/22 work session regarding parking in public lots. This issue was discussed briefly by the Council before the Work Session ended and the issue was tabled for a future work session.

# Work Session Overnight Parking in City Owned Parking Lots MMC 10.42

City of Molalla

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# Problem Statement:

## Overnight Parking in City Owned Parking Lots

### Lots being misused:

- Individuals – Parking in lot for extended periods while leaving vehicle, living in vehicle, and/or using vehicle as gathering place for nefarious activity.
  - *E.g: Truck that burned in Community Center lot*
- Nearby Residences – Using lots as residential parking without permits
- Nearby Businesses – Using lot as storage area for customer vehicles without permit.

### Enforceability Issues:

- MMC 10.42.010 No person shall stop, stand or park a vehicle or trailer on city parking lots **overnight**, except as permitted herein. (Ord. 2008-09)
  - *Lack of definition renders this provision unenforceable and may produce undesired outcomes (e.g. graveyard shift employee)*
- MMC 10.42.035 Vehicles or trailers parked in a city-owned lot for **72 hours or more** without a permit are subject to being towed and impounded at the owner's expense, as provided in Sections 10.41.100 and 10.41.110. (Ord. 2008-09)
  - *Extended timeframe makes evidence gathering to support this action unattainable – must prove that vehicle was parked there for 72 continuous hours.*



# PURPOSE

## What is the Purpose(s) of City Owned Parking Lots?

- *Non-Sworn Staff Parking M – F, 7am-5pm*
- *Police Vehicle Parking 24/7, 365*
- *City Building Customer Parking M – F, 8am-5pm*
- *Local Business Customer Parking (hours, days)?*
- *Local Business Vehicle Storage?*
- *Residential Parking?*
- *Other Purposes...?*



KNOW THE  
RULES

# Current Rules

- Standard: No Overnight Parking in City Lots Except by Permit.
  - Overnight undefined
  - Enforcement: Parking overnight without permit is subject to citation.
    - Overnight undefined
    - Max fine \$100 per violation
- Standard: Parking in a city-owned lot for 72-hours or more without a permit subject to tow and impound at owner's expense
  - 72-hour standard undefined and long

# Discussion

- Police Parking
  - Reserve Spaces 24/7
- City Employee Parking
  - Ex: Reserve Spaces 7am-5pm, M-F, except holidays
  - Ex: Make Permit only 5pm-7am, M-F, and all-day weekends and holidays
- 72-Hour Standard Subject to Tow
  - Ex: 24-hours without permit
  - Ex: 24 contiguous hours
- Parking Standard Subject to Citation
  - Ex: 4-hour max without permit all days
- Parking Permits
  - Ex: Short Term, 1 week or less
    - First come first served parking
    - No access to Long-Term Permit spaces
  - Ex: Long Term, more than 1 week
    - Limited by number of spaces and related to legitimate need
    - Requires annual renewal



Molalla, Oregon Municipal Code

Title 10 VEHICLES AND TRAFFIC

Division III. Parking

## **Chapter 10.42 OVERNIGHT PARKING IN CITY-OWNED PARKING LOTS**

10.42.010 Overnight parking in city parking lots prohibited without permit.

10.42.015 Exception.

10.42.020 Parking permit.

10.42.025 Fees.

10.42.030 Overnight parking permits.

10.42.035 Penalties.

10.42.040 Notification.

### **10.42.010 Overnight parking in city parking lots prohibited without permit.**

No person shall stop, stand or park a vehicle or trailer on city parking lots overnight, except as permitted herein. (Ord. 2008-09)

### **10.42.015 Exception.**

The provisions of the above section shall not apply to emergency vehicles or to vehicles for which an overnight parking permit has been issued and is in effect. City employees who are working for the city during these hours are also exempt. It is within the discretion of the City Manager to waive overnight parking permits fees for residential tenants of buildings abutting city-owned lots and other guests or visitors upon a determination that it is in the best interests of the city. (Ord. 2008-09)

### **10.42.020 Parking permit.**

Any person intending to stop, stand or park a vehicle or trailer on city-owned parking lots overnight on any day may apply to the City Recorder for a permit in accordance with administrative procedures established by the City Manager or designee. Denial by the city of a parking permit application may be appealed to the City Manager or City Council. (Ord. 2008-09)

### **10.42.025 Fees.**

Fees for overnight parking permits will be established by resolution by the City Council and maintained in the city administrative list of fees. (Ord. 2008-09)

### **10.42.030 Overnight parking permits.**

- A. An overnight parking permit will be issued once the overnight parking application has been received and the fee is paid.
- B. An overnight parking permit may be purchased on a per night, per week, per month or annual basis, as determined by the City Manager or designee.
- C. Overnight parking permits must be displayed by parked vehicles so as to be easily visible from outside the vehicle. (Ord. 2008-09)

### **10.42.035 Penalties.**

- A. Vehicles or trailers parked in a city-owned lot overnight without a permit are subject to a citation as provided in Section [10.41.120](#).
- B. Vehicles or trailers parked in a city-owned lot for 72 hours or more without a permit are subject to being towed and impounded at the owner's expense, as provided in Sections [10.41.100](#) and [10.41.110](#). (Ord. 2008-09)

### **10.42.040 Notification.**



The City Manager shall ensure that signage is posted in city-owned parking lots sufficient to inform motorists of overnight parking restrictions. (Ord. 2008-09)

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## Contact:

City Hall: 503-829-6855

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