

CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2024.01.24 - 1**
 Ordinance Title: Vehicles and Traffic
 Chapter: 141
 Section: 31 Unlawful Acts; separate violations

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to revise and update provisions of Chapter 141 as recommended by City staff, the Parking Commission, and the Transportation Advisory Commission. Further information is set forth in the background of this ordinance, incorporated by reference.

2. AMENDMENT

Chapter 141 entitled “Vehicles and Traffic” is hereby amended by revising Section 141-31, “Unlawful acts; separate violations”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 141-31 Unlawful acts; separate violations.

A. The following shall be considered violations of this article:

(1) It shall be unlawful for any person to park or allow any vehicle registered in ~~his/her~~their name to be parked in a parking meter zone so that the vehicle is not entirely within the area designated or delineated by lines or markings.

(2) It shall be unlawful for any person to park or allow any vehicle registered in ~~his/her~~their name to be parked in excess of 19 feet in overall length in a multi-space parking meter zone except as provided in § **141-32**.

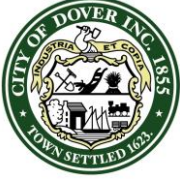
(3) Multi-space parking meters.

(a) It shall be unlawful for any person to park or allow any vehicle registered in ~~his/her~~their name to be parked or left standing in any area where parking is controlled by a multi-space parking meter:

[1] Without purchasing a timed parking session from said multi-space parking meter for such parking or standing time, which timed parking sessions shall only authorize the specific vehicle and license plate entered into the meter to use and occupy the parking.

[2] For parking areas in the City that lack any form of pay-by-plate meters or capabilities, without displaying any receipt so purchased from a multi-space parking meter in a position on the dashboard of the vehicle in order that the time printed on said receipt is clearly visible from outside the vehicle. This subsection shall not apply to metered parking garages or other metered areas when the proper space number is entered into the pay-by-space parking meter or pay-by-plate meters or capabilities.

[3] After parking or standing time which has been purchased has expired.



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[4] For parking areas that require the use of displayed receipts, displaying an altered or falsified receipt or any receipt that has not been purchased from the multi-space parking meter controlling the parking space in which the vehicle displaying the receipt is parked. Violators will be subject to Table B fines under § **141-23** as set forth in the Fine Schedule as adopted by City Council.

[5] In excess of the posted time limits.

[6] For the Dover Transportation Center Parking Lot, failing over a period of five consecutive calendar days to park in an area specifically designated by the Chief of Police for such parking.

(b) Exception. No multi-space parking meter receipt is required for a vehicle parked in a parking meter zone for less than 15 minutes; this exception does not apply to metered parking lots or a metered parking garage.

(c) Each violation of the acts described in Subsection **A(3)(a)[1]** to **[5]** shall constitute a separate violation and additional violation.

(d) Use of a pay-by-plate application to pay for parking is permitted notwithstanding the provisions of Subsection **A(3)(a)[1]** under the following conditions:

[1] The pay-by-plate application is authorized for use in the City of Dover by the Chief of Police or designee.

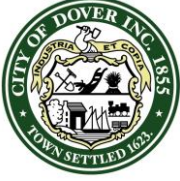
[2] The pay-by-plate application is activated for the proper zone the vehicle is parked in.

[3] The fee has been paid for the specific vehicle and license plate using or occupying the parking.

(4) It shall be unlawful for any person to park or allow any vehicle registered in his/her/their name to remain parked in a parking meter zone when time purchased on the parking meter for that vehicle and plate number has expired, except as provided in § **141-30**.

(5) It shall be unlawful for any person to park or allow any vehicle registered in his/her/their name to be parked or left standing on any public highway or part of a public highway within the City in a parking meter zone without conforming to the provisions of this article.

(6) It shall be unlawful for any person to park in a metered on-street parking space



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without purchasing a parking session for the specific vehicle and plate number occupying the parking, or with a receipt from a multi-space parking meter in a metered parking lot or a metered parking garage.

(7) The City’s print-at-home permit program provides permits specific to the single vehicle associated with each such permit. It shall be unlawful for any person to forge, falsify, or print multiple copies of print-at-home permits for use by others, or in any other way assist, facilitate, aid, or abet the use of a print-at-home permit by or for any other vehicle other than the permitted vehicle. Violators will be subject to Table B fines under § **141-23** as set forth in the Fine Schedule as adopted by City Council.

- B. Where a violation of this article is found, each additional one hour that a vehicle is so parked in violation shall constitute a separate additional violation.
- C. The previous provisions of this article shall not apply to City-owned vehicles or to persons who are disabled and have obtained permission to park from the Chief of Police.
- D. Chronic offenders. Any person with five violations of any subsection of § **141-31A(3), (4) and or (6) or § 141-37** in a calendar year for any metered ~~on-street~~ parking space shall be fined as set forth in the Fine Schedule as adopted by City Council for each subsequent offense.
- E. Displaying an altered or falsified parking permit, or parts thereof. Violations will be subject to a fine as set forth in the Fine Schedule as adopted by City Council. The violator’s permit may also be revoked and no refund will be issued.

REQUIRES PUBLIC HEARING

TO BE REFERRED TO PUBLIC HEARING ON FEBRUARY 14, 2024

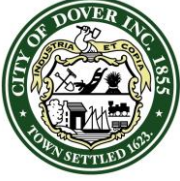
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

Approved as to Legal Form and Compliance: Joshua M. Wyatt
City Attorney

Recorded by: Jerrica Vanslyvong-Bizier
City Clerk



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DOCUMENT HISTORY:

First Reading Date: 1/24/2024	Public Hearing Date: 2/14/2024
Approved Date: 2/14/2024	Effective Date: 2/14/2024

DOCUMENT ACTIONS: Deputy Mayor Shanahan made a motion to approve, seconded by Councilor Richer. Roll Call Vote: 8-0.

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier	X	
Deputy Mayor Dennis Shanahan	X	
Councilor S. April Richer, Ward 1	X	
Councilor Robert Warach, Ward 2	X	
Councilor Anthony Retrosi, Ward 3	X	
Councilor Debra Hackett, Ward 4	X	
Councilor Fergus Cullen, Ward 6	X	
Councilor Linnea Nemeth, At Large	X	
Councilor Lindsey Williams, At Large	Absent	
Total Votes:	8	
Resolution does pass.		

ORDINANCE BACKGROUND MATERIAL:

This ordinance accomplishes changes to Dover Code Chapter 141, Section 31. The proposed changes were unanimously approved and recommended by the Parking Commission on January 16, 2024. Further information about these amendments is set forth below for reference:

141-31.A.3.a: The Parking Manager has recently discovered a significant number of vehicles being stored in the Dover Transportation Center Parking Lot. This new text in [6] expressly requires that any vehicle left in that lot for more than five calendar days must park in designated areas or else be subject to fining.

141-31.D: This amendment expands the chronic meter regulations to all metered parking areas. The reference to Dover Code 141-37 is outdated and should be removed due to the ending of the in-vehicle parking meter program.