

AN ORDINANCE amending Chapter 114, Traffic, of the Code of Ordinances of the City of Joplin, Missouri, to modify the procedure dealing with the establishment, monitoring, and enforcement of metered parking in the City of Joplin, and containing an emergency clause.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Section 114-123, Issuance of citation when vehicle is illegally parked, be and the same is hereby repealed, and a new Section 114-123, Issuance of courtesy notices when vehicle is illegally parked, be enacted in lieu thereof, to read as follows:

"Sec. 114-123. Issuance of courtesy notices when vehicle is illegally parked.

(a) Whenever any vehicle is found parked or standing in violation of any of the restrictions imposed by ordinance of the City, the officer or conservator of the peace may issue a courtesy notice advising the owner of the violation, and requiring payment of costs to the City in discovering the violation, preparing and delivering the notice, and administering the courtesy notice program.

(b) Such courtesy notices shall be numbered and the officer or conservator of the peace shall be accountable therefor.

(c) The costs hereunder shall be determined and fixed by order of the City Traffic Engineer."

Section 2. That Section 114-124, Response to parking citation, be and the same is hereby repealed, and a new Section 114-124, Issuance of notice to appear when vehicle is illegally parked, be enacted in lieu thereof to read as follows:

"Section 114-124, Issuance of notice to appear when vehicle is illegally parked.

(a) Whenever any vehicle is found parked or standing in

violation of any of the restrictions imposed by ordinance of the City, the officer or conservator of the peace may issue a notice to appear in the Municipal Court pursuant to Supreme Court Rule 37. Notice to the owner of the vehicle shall be presumed if notice to appear is securely affixed to the vehicle's windshield, the driver's door, or the steering wheel.

(b) If any courtesy notice is not satisfied within thirty (30) days, or upon demand of the person receiving a courtesy notice, any police officer or conservator of the peace of the City may prepare and present pursuant to Supreme Court Rule 37., a notice to appear in the Municipal Court to the owner of the vehicle; or the City Attorney or Assistant City Attorney may prepare and file an appropriate information with the Municipal Court."

Section 3. That Section 114-133, Disposition of fines and forfeitures., be and the same is hereby amended by the enactment of a new sub-paragraph (c) therein, to read as follows:

"Sec. 114-133. Disposition of fines and forfeitures.

...

(c) The funds collected in response to a courtesy notice shall be distributed as directed by the city council."

Section 4. That Section 114-431, Designation of parking meter zones., be and the same is hereby repealed, and a new Section 114-431, Designation of parking meter zones., be enacted in lieu thereof, to read as follows:

"Sec. 114-431. Designation of parking meter zones.

The Traffic Engineer shall designate parking meter zones and order the erection and maintenance of meters as the Traffic Engineer deems necessary for the regulation of traffic and parking and the relief of traffic and parking congestion. The Traffic Engineer shall also set the time periods and fees for each meter considering the demand and necessity for regulation of parking and also considering the costs of maintaining the spaces, the meters, and enforcement thereof."

Section 5. That Section 114-440, Disposition of revenue., be and the same is hereby amended as follows:

"Sec. 114-440. Disposition of revenue.

...

(b) The coins deposited in parking meters shall be collected by the duly authorized agents of the city and shall be deposited by them as directed by the Council."

Section 6. That Section 114-455, Fees., be and the same is hereby repealed, and a new Section 114-455, Fees and placement of meters., be enacted in lieu thereof, to read as follows:

"Sec. 114-455. Fees and placement of meters.

The City Traffic Engineer shall determine where parking meters would be beneficial to the use or maintenance of the Municipal Parking Lots. The Traffic Engineer shall also set the time periods and fees for each meter subject to the consent of the Council, considering the demand and necessity for regulation of parking and also considering the costs of maintaining the spaces, the meters, and enforcement thereof. The City Traffic Engineer shall cause notice of the hours of enforcement, maximum parking period and rate for parking upon each meter or upon conspicuous signs within the Lot."

Section 7. That Section 114-827, Parking meter zones., be and the same is hereby repealed.

Section 8. That this Ordinance dealing with the immediate preservation of public peace, property, and safety, in that it deals with the regulation of traffic and parking congestion within the City of Joplin, is an emergency within the meaning of Section 2.12(1) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, shall be in full force and effect immediately from and after its adoption and approval.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, THIS 17<sup>th</sup> day of July, 2000, by a 8-1-0 vote.

Darieux K. Adams  
Mayor

ATTEST: Barbara Hogelin, City Clerk

APPROVED AS TO FORM: Chuck Brown, City Attorney