



City of Tigard
City Center Development Agency Board
and Tigard City Council - Agenda

TIGARD CITY CENTER DEVELOPMENT AGENCY BOARD AND CITY COUNCIL

MEETING DATE AND TIME:

April 5, 2016 - 6:30 p.m.

MEETING LOCATION:

City of Tigard - Town Hall
13125 SW Hall Blvd., Tigard, OR 97223

PUBLIC NOTICE:

Times noted are estimated.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for City Center Development Agency Board meetings by noon on the Monday prior to the City Center Development Agency Board meeting. Please call 503-718-2419 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
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Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA



City of Tigard
City Center Development Agency Board
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TIGARD CITY CENTER DEVELOPMENT AGENCY BOARD AND CITY COUNCIL

MEETING DATE AND TIME: April 5, 2016 - 6:30 p.m.

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

1. CITY CENTER DEVELOPMENT AGENCY BOARD AND CITY COUNCIL MEETING
 - A. Call to Order- City Center Development Agency and City Council
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Call to Board and Staff for Non-Agenda Items

CCDA AGENDA ITEMS

2. APPROVE CITY CENTER DEVELOPMENT AGENCY MINUTES
3. DOWNTOWN "BUSINESS SPOTLIGHT" PRESENTATION FROM JUDY HOARFROST OWNER OF PADDLE PALACE TABLE TENNIS - **6:35 p.m. estimated time**

CITY COUNCIL AGENDA ITEMS

4. CONSIDER APPROVING REVISED CITY CENTER ADVISORY COMMISSION BYLAWS - **6:55 p.m. estimated time**
5. LEGISLATIVE PUBLIC HEARING: CONSIDER APPROVING AN ORDINANCE TO AMEND THE TIGARD MUNICIPAL CODE CHAPTER 10.28 AND 10.32 REGARDING PARKING - **7:05 p.m. estimated time**
6. NON AGENDA ITEMS
7. EXECUTIVE SESSION: The Tigard City Center Development Agency will go into Executive Session to discuss real property transaction under ORS 192.660(2)(e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. - **7:30 p.m. estimated time**
8. ADJOURNMENT - **7:45 p.m. estimated time**

AIS-2659

2.

CCDA Agenda

Meeting Date: 04/05/2016

Length (in minutes): 0 Minutes

Agenda Title: APPROVE CITY CENTER DEVELOPMENT AGENCY MINUTES

Submitted By: Norma Alley, Central Services

Item Type: Motion Requested

Meeting Type: City Center Development Agency

Public Hearing: No

Publication Date:

Information

ISSUE

N/A

STAFF RECOMMENDATION / ACTION REQUEST

Approve City Center Development Agency Minutes for:

- October 6, 2015
- December 1, 2015
- March 1, 2016

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

October 6, 2015 CCDA Minutes

December 1, 2015 CCDA Minutes

March 1, 2016 CCDA Minutes Draft



City of Tigard
City Center Development Agency
Meeting Minutes
October 6, 2015

6:30 p.m.

1. CITY CENTER DEVELOPMENT AGENCY BOARD

- A. Chair Cook called the meeting to order at 6:35 p.m.
- B. Deputy City Recorder Alley called the roll:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson		✓
Director Snider	✓	
Director Woodard	✓	

C. Call to CCDA and Staff for Non Agenda Items – None.

2. APPROVE CITY CENTER DEVELOPMENT AGENCY MINUTES

Director Woodard motioned to approve the September 1, 2015 CCDA Minutes. Director Snider seconded the motion. Motion passed by unanimous vote of the board.

<u>Name</u>	<u>Yes</u>	<u>Absent</u>
Chair Cook	✓	
Chair Goodhouse	✓	
Chair Henderson		✓
Chair President Snider	✓	
Chair Woodard	✓	

3. JOINT MEETING WITH THE CITY CENTER ADVISORY COMMISSION

Redevelopment Project Manager Farrelly, City Center Advisory Commission (CCAC) Chair Arendes and CCAC Commissioner Shavey summarized the staff report. Chair Arendes stated last winter the CCAC presented the CCAC 2015 goals at a CCDA meeting and noted an updated list of goals was presented in the packet for tonight. Ms. Arendes stated it has been a pretty exciting year in downtown with a lot going on with the Ash/Burnham Redevelopment Project, installation of the Gateway Art, and the Tigard Street Trail and Saxony Property in the planning phase.

Commissioner Shavey announced there will be a strategy meeting on October 14 regarding the Tigard Heritage Trail, which will be facilitated by Urban Designer Consultant Suenn Ho.

Ms. Arendes said the Ash/Burnham property and the developer incentives are attracting development to the downtown area. There are a few infrastructure projects that have not gone in and we are trying to keep our eye on the CIP including Phase 2 of the Main Street/Green Street Plan; included are the Fanno Creek Remeander and the Tigard Trail. The third item on the goal update is taking a look at those projects in the Urban Renewal Center to see what has been done, what is coming up, and prioritize. When we looked at the current projects, we saw a lot of things happened since the Urban Renewal Plan was adopted in 2006. More than a dozen downtown merchants have utilized improvement funding. In addition to the CIP, there are a couple projects the CCAC would like to see occurring like filling in sidewalk gaps on Hall Street, bicycling facility improvements along Tigard Street and public restrooms in the downtown area. Ms. Arendes suggested possibly instituting an expedited permitting fee if the projects want to be done expeditiously. She asked for consideration of implementing and expanding the horizon to see these projects done. Finally, the CCAC is thinking of developing a communications plan to help get a consistent message out about all the good things that have happened in the downtown area. She shared that the CCAC is hosting a community conversation about tactical urbanism and invited the Council to attend.

Mr. Shavey reported staff put together a great brochure and asked council to help get the brochure out to the community. Mr. Shavey suggested sending it through a small mailing. Chair Cook said it possibly could be in the next Cityscape.

Ms. Arnedes said the board asked CCAC to look into rooftop improvements for buildings near the 99W overpass. A handout was provided by Ms. Arendes showing pictures of what the buildings currently look like from the 99W overpass. Ms. Arendes stated the CCAC did discuss some ideas and the biggest driver is going to be redevelopment as there is not much incentive for owners to make improvements or ODOT to improve the overpass. Some ideas for the incentives are a campaign or contest to make the roof look better than the neighbors.

Director Snider stated he likes everything that has been done with the glass globes, bike racks and repair stations and the monument art. The constructive criticism received from multiple folks has been a lack of a unified and cohesive theme, but is cool on their own. He said he does not suggest changing anything today, but to take it into consideration for future projects. Ms. Arendes said she too has received a couple comments similar to that. Mr. Shavey shared that he is not necessarily in favor of a specific design standard. Mr. Farrelly said the Main Street Plan was the main design and everything we have done has been complimentary of it. At one time there was a strong feeling of not having a theme and the eclectic look was what was desirable.

Director Woodard suggested asking “who are we building it for” and focus on that for future projects.

Chair Cook said the brochure is a great piece of communication, but if we want to look at expansion of the district we need to show the citizens what has happened in the last ten years. People forget that the improvements were part of the urban renewal district and this is what the creation of that district got them.

Ms. Arendes asked if the Board had items they would like the CCAC to look at for next year to let them know.

Chair Cook thanked the CCAC for their presentation

4. JOINT MEETING WITH THE TIGARD DOWNTOWN ALLIANCE BOARD OF DIRECTORS

Redevelopment Project Manager Farrelly, Tigard Downtown Alliance (TDA) Board Chair Angelo and Tigard Chamber Director Molloyhan presented the staff report accompanied by a PowerPoint presentation (PowerPoint was entered into the record). Mr. DeAngelo updated the Board on the TDA performance measures outlining the following:

- Project Budget Creation
- Annual Work Plan Submission
- Volunteer Hour Reporting & Tracking
- Connect Projects to city of Tigard Strategic Vision
- Grow Stakeholder Participation/Outreach
- Goal Setting with Municipal Partners
- Funding Matches from the city of Tigard and other Stakeholders

Mr. DeAngelo stated the cross street banner had been sited near Burnham Street with work focusing on engineering, funding and setting a timeline. The engineer told the TDA that this is not a project that needs to be over thought or over engineered as this is a glorified utility pole. We do have a MOU with the city for design standards to ensure we do not have poor installations. It is currently an unfunded project, but the TDA has \$11,000 to put toward it with estimates it will be about \$12,000 to complete. Mr. DeAngelo provided a recap of the 2015 street fair, reviewed some challenges ahead for the TDA, highlighted a few community events organized by the TDA, announced a new art piece is going to be arriving soon, shared their 2016 goals, and read a list of items that have been installed in downtown that the TDA will gift to the city.

The Board suggested organizing a fun run in downtown and a ceremony when the banner is finished to help attract people.

Chair Cook thanked the TDA for their report.

5. PRESENTATION ON THE FANNO CREEK RE-MEANDER PROJECT

Redevelopment Project Manager Farrelly and City Engineer Faya presented the staff report accompanied by a PowerPoint. In the 1970's the creek was straightened for a sewer project and now the city is looking at doing a remeander to get it close to the 1970's path. Staff is also looking at constructing a new bridge on Ash Avenue and to begin in 2017. Clean Water Services (CWS) will perform preconstruction services like surveys, geotech analysis and obtaining permits. The city's responsibility will be conducting plans, public involvement, secure additional lands, easements, and design and construction of the bridge. The estimated cost is about \$940,000 for CWS and \$1.2M for the city with funding from parks SDCs. An IGA is currently being negotiated and will come before the Council for consideration. This is going to make the park more usable and beautify parts of the trail with more native vegetation.

Chair Cook expressed his concern with committing \$800,000 or more of future SDC dollars for items that were not part of the original plan. Ms. Faya said she would talk with the staff about options regarding the additional items.

Director Woodard expressed concern for the funding coming from the parks SDCs. He asked why the creek was straightened in the first place. Ms. Faya said back in the days the sewer infrastructure was put in next to creeks because it is the low spot and needs to be in down flow. They straightened creeks because they wanted the shorter path and less erosive forces. Now we are fixing past practices with CWS picking up the costs for the remainder and the city picking up the costs for the bridges.

Community Development Director Asher said a case could be argued that CWS should take on more responsibility and the city has raised that with them and it did not appear we would get a finished project. This partnership is going to provide a better system and a better park.

Director Goodhouse asked what other projects are on the list that will not be funded. Mr. Asher said a community park in River Terrace.

Board consensus was to move forward and have continued discussion about the project.

6. UPDATE ON THE STROLLING STREET PROGRAM

Redevelopment Project Manager Mr. Farrelly summarized the staff report and showed pictures of some projects occurring downtown. Mr. Farrelly announced new applications will be solicited in the spring for projects to occur in the next fiscal year.

5. NON AGENDA ITEMS – Mr. Farrelly handed out a top quality brochure highlighting current downtown projects.

6. EXECUTIVE SESSION – None

7. ADJOURNMENT

At 8:44 p.m. Director Snider motioned to adjourn the meeting. Director Goodhouse seconded the motion and all voted in favor.

<u>Name</u>	<u>Yes</u>	<u>Absent</u>
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson		✓
Director Snider	✓	
Director Woodard	✓	

Norma I. Alley, Deputy City Recorder

Attest:

Chair, City Center Development Agency

Date: _____



City of Tigard
City Center Development Agency
Meeting Minutes
December 1, 2015

6:30 p.m.

1. CITY CENTER DEVELOPMENT AGENCY BOARD

A. Chair Cook called the meeting to order at 6:35 p.m.

B. Deputy City Recorder Alley called the roll:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson	✓	
Director Snider	✓	
Director Woodard	✓	

C. Pledge of Allegiance

D. Call to CCDA and Staff for Non Agenda Items – None announced.

2. UPDATE ON THE FUTURE OF THE SAXONY SITE

Community Development Director Asher, Redevelopment Project Manager Farrelly, Consultant Suenn Ho, and Consultant John Flynn summarized the staff report accompanied by a PowerPoint (PowerPoint was entered into the record). Mr. Flynn reported since late July 40 percent of the project has been completed. The current next phase is to begin the development program to pursue a viable buildable footprint for the public space. We have yet to embark on the entitlement/land use review phase. This is an opportunity to bring the public downtown to learn and appreciate this natural resource.

Consultant Suenn Ho reported utilizing the space as an opportunity to show case something unique for Main Street. This is an opportunity to have a unique quality for the environment seeing the creek and plaza from a bridge. Also, a plaza could draw people for public events. We suggest relocating the Fanno Creek Trail from the east side of the creek to the west side of the creek for a smoother connector. The three story building in the rendering is a way to give Main Street a presence from 99W, draw people to have events there during the day and night, and provide features that call out the creek below to create a magical place.

There was discussion about needing to obtain an easement from CWS in order to get equipment onsite to construct the building. CWS was not amenable to providing those easements, so additional discussions will need to occur with them to see what can be obtainable for the project. Mr. Asher stated the city received a more hopeful response from CWS by approaching it as a vegetated corridor demonstrating less impact and improvement to the corridor. CWS has concern with the easement on

the side of the building because this is their trunk line. The city needs to determine where staff is going to spend our time and where to ask for partnership. Theory is we are going to get further on the west side instead of the east.

Director Snider recommended the city pursue an easement as there has to be some middle ground.

Ms. Ho said Resolve has been trying to figure out what will provide the biggest investment and is looking like the city can get more with a taller building. A taller building may become more economically attractive and may not be an issue with access.

Chair Cook thanked everyone for their presentation.

3. UPDATE ON THE DOWNTOWN PARKING

Consultant Rick Williams summarized the findings as provided in the staff report and PowerPoint (PowerPoint was entered into the record). We used 85% capacity as a system of constraint, meaning that is when people find the parking space constrained. The study shows the very short peak is short lived; the peak hour is really only one hour. The 65% shown was the aggregate number of the system and was a bit deceiving to use. The color depicted slide shows the needs by area instead of aggregate. Industry says, before you do anything drastic you want that 85% to be sustained for hours. We are not at this point for the downtown. If you see a point in time over 85% then you look at it closer and ask is the constraint up to four hours. If so, then you take the next step of mitigation. Looking at the Burnham Street parking lot and surrounding parking areas, there is opportunity for potential available parking. The study shows off street parking is underutilized. 18 users of the Burnham Street parking lot are employees. You might want to look at time stays for that lot in order to get employees to look at other off street lots. Mr. Williams recommended a two hour parking limit on Burnham Street, some level of enforcement in Burnham Street parking lot (possibly a pay station), encourage shared parking arrangements in private lots, and continue to routinely monitor the parking supply. He suggested the pay parking station as enforcement is hard when parking is free. When working with shared parking arrangements it is most successful when it is done through a business to business partnership like the TDA.

Director Woodard asked for more clarification on the meaning of time stay parking. Mr. Williams answered time stay means free parking for a limited time.

Director Woodard asked for Mr. Williams' thoughts on loading zones for large trucks. Mr. Williams responded because there are so few stalls, with only 126, it is recommended to live with the current loading situation, keep an eye on that and in the future address the loading if it becomes a problem. There could be an argument that the city is not at a point to deny a customer access except maybe that one hour in the south side of downtown.

Director Woodard asked about possibly creating loading zones during certain hours only. Mr. Williams said that is a good idea and they are called combination zones with loading zones only during certain hours. Mr. Williams suggested avoiding loading zones all day every day.

Director Snider said it is striking while in the north zone there are 500 parking stalls not well utilized and more than half are in two lots almost outside the downtown; these are the Rite Aid and Value Village lots. This needs to be noted as it is deceiving showing available parking for downtown.

Director Snider added he would like to address and solve the Burnham Street parking lot problem, but does not think charging will solve the problem; rather it will not get used. He suggested investing in a license plate reader when a car enters and leaves and will automatically issue citations to violators. Mr. Farrelly stated he has talked with the police department and they are looking at options as well.

Director Goodhouse asked how the parking will be impacted with the new Burnham/Ash Development. Mr. Williams answered he received initial comments from the TDA and now that staff has a good baseline another study in the evening should be conducted to supplement it.

Discussion commenced about using the Rite Aid and Value Village parking lots for employee parking and utilizing a shuttle bus to transport employees, how 9-13 employees move their cars every two hours to evade the parking limit, and the number of TriMet users parking in public spaces.

Mayor Cook thanked Mr. Farrelly and Mr. Williams for their presentation.

4. UPDATE ON THE BROWNFIELD INITIATIVE

Redevelopment Project Manager Farrelly summarized the staff report accompanied by a PowerPoint.

Chair Cook asked when the grant winners will be announced. Mr. Farrelly answered announcing the ones selected will be in May.

Chair Cook thanked Mr. Farrelly for the update.

5. CONSIDER APPROVING A RESOLUTION AUTHORIZING AN EPA BROWNFIELD CLEANUP GRANT APPLICATION

Redevelopment Project Manager Farrelly summarized the staff report asking the Board to authorize an application for an EPA grant.

Director Snider motioned to approve CCDA Resolution No. 15-10. Director Goodhouse seconded the motion. Motion passed by unanimous vote of the board.

<u>Name</u>	<u>Yes</u>	<u>No</u>
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson	✓	
Director Snider	✓	
Director Woodard	✓	

6. ANNUAL REPORT ON THE URBAN RENEWAL DISTRICT

Redevelopment Project Manager Farrelly summarized the staff report, accompanied by a PowerPoint, outlining the projects worked on in 2015 were:

- Burnham Ash Development
- Saxony Property Purchase and Redevelopment Planning

- Gateway Art
- Main Street Lofts Joint Development Study
- Strolling Street Program
- Tigard Street Trail
- Main Street Transformation

Mr. Farrelly stated the projects for 2016 are:

- Finalize Plans and Permitting on the Saxony Site
- Main Street/Fanno Creek Public Space
- Start the Main Street Lofts Joint Development Study
- High Capacity Transit Decisions: Downtown Alignment and Station Location
- Strolling Street Projects
- Burnham/Ash Development Opens Its Doors

Director Goodhouse suggested a creating a video highlighting the accomplishments. Chair Cook said this will be in the state of the city address and could possibly be clipped out for its own video. This video can also be used when we are trying to create another urban renewal district in the triangle.

Director Henderson wanted to publically thank the CCAC and TDA for all their hard work on these projects.

7. NON AGENDA ITEMS – None

8. EXECUTIVE SESSION – None

9. ADJOURNMENT

At 8:27 p.m. Director Goodhouse motioned to adjourn the meeting. Director Snider seconded the motion and all voted in favor.

<u>Name</u>	<u>Yes</u>	<u>No</u>
Chair Cook	✓	
Director Goodhouse	✓	
Director Henderson	✓	
Director Snider	✓	
Director Woodard	✓	

Norma I. Alley, Deputy City Recorder

Attest:

Chair, City Center Development Agency

Date: _____

**TIGARD CITY CENTER DEVELOPMENT AGENCY
MEETING MINUTES – DECEMBER 1, 2015**



City of Tigard
 City Center Development Agency and City
 Council Joint Meeting Minutes
 March 1, 2016



6:30 p.m.

1. CITY CENTER DEVELOPMENT AGENCY BOARD AND CITY COUNCIL MEETING

- A. Chair Cook called the meeting to order at 6:33 p.m.
- B. Deputy City Recorder Alley called the roll:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Chair Cook	✓	
Director Goodhouse		✓
Director Henderson	✓	
Director Snider	✓	
Director Woodard	✓	

- C. Pledge of Allegiance was performed.
- D. Call to CCDA and Staff for Non Agenda Items – None announced.

CITY CENTER DEVELOPMENT AGENCY AGENDA ITEMS

2. UPDATE ON THE FANNO CREEK OVERLOOK PROJECT

Redevelopment Project Manager Farrelly summarized the staff report accompanied by a PowerPoint. Mr. Farrelly reported that back in November Community Development Director Asher met with owners on Main Street property and initially owners were ameanable to an easement, but not all parties were willing to sell. The project has an estimated budget of \$737,000 not including the easement. Next steps will be working with property owner of Max’s Brew Pub to address the loss of parking, refine concept and design drawings and negotiate voluntary sale of land for the easement.

Director Henderson asked how much support the city is getting from CWS and how much impact there was going to be on the creek bank. Mr. Farrelly replied staff thinks they can work with CWS focusing on providing public space, which is different than providing a development. He addressed the impact on the creek bank by stating there would have to be mitigation elsewhere, but nothing unsurmountable. It might change some of the water flow forms, but we will be restoring some of its natural state and the channel will not be changed much. The creek can be restored to a more natural state.

Several members of the Board expressed concern with the reduction of parking in order to accommodate landscaping and trees.

3. REPORT ON HOUSING AND DEMOGRAPHICS IN THE CITY OF TIGARD AND PORTLAND REGION

Redevelopment Manager Farrelly summarized the staff report accompanied by a PowerPoint stating the downtown demographics are distinct from the rest of the city with more renters, being more diverse and a lower median household income. Commercial property values are increasing with low improvement to land value ratios. Rents are rising faster than incomes. Since 2014 rents have risen everywhere and Tigard is right on with the state average.

Mr. Farrelly provided a summary of what this means for Tigard:

- There is a demand for affordable housing in the region and in Tigard.
- Downtown is a good candidate for transit oriented development, live/work units, and new affordable housing.
- Although downtown is attractive for new housing it has more hurdles than in many other parts of the city. This is where the urban renewal can help overcome those hurdles.
- Citywide, allow more opportunities for more housing options, particularly duplexes, ADUs and cottage clusters. Our development code doesn't always encourage that kind of development so we are going to review it to see how we can encourage it.

Director Woodard asked if any of the build outs were going to be in the triangle. Mr. Farrelly answered the triangle will be more of the urban housing.

4. REPORT ON EMPLOYMENT TRENDS IN THE CITY OF TIGARD'S URBAN RENEWAL DISTRICT

Economic Development Manager Purdy summarized the staff report accompanied by a PowerPoint. He reported staff looked at Tigard's Urban Renewal District (URD) compared to Beaverton's and Sherwood's and used data from the On The Map program, which is a derivative of the US Census. 89% of the workforce in the URD supports business activities that contribute to the urban village feel. There are not large construction activities in downtown like seen in other areas. Downtown is highly concentrated compared to other areas. The downtown URD on average is 8.3 employees per acre whereas citywide it is more like 20 employees per acre. Admittedly in citywide we are counting Lincoln Center which has high density and skews the data a little. The URD is well below peak employment. The data shows a decrease in employment in downtown, which is counter to what we see citywide; the trend is rising citywide. Mr. Purdy said the peak employment is trending the wrong way for downtown.

Director Henderson asked what the city can do to encourage more employers to come to Tigard. Mr. Purdy answered first businesses need tenable space they can occupy. Second is a good mix of business, as restaurants need retail to have the urban village feel. Restaurants serve as the attractor and the retail fills in between. Businesses follow areas where there are ready consumers. Third is encouraging property owners to invest in property like subdividing or building up. Community Development Director Asher added the downtown seems to be slowly coming along. It is still a district that struggles to attract anything new or different from what is already there. Think about it as a reinvention, which does not happen very often because it is difficult to do and takes a long time. Today Tigard offers relatively inexpensive land, cheap rent, several buildings with parking lots, and a good location. It is a district that attracts people that need to drive in to do business and then drive away. This is the Tigard of 1980. The issue is that it is a suburban style district in the center of our town. If the Board wants to

reinvent or transition you have to attract a different type of business that would not want what is there today. The Board has invested a lot in the district to make it what it is today. Reinventing is a painful process. If we want something different, it is going to have to grow up and become more dense.

Director Snider said what Mr. Asher is suggesting has made him realize the work being done on the Saxony property is probably more important than originally realized before this conversation. It is important the city take the initiative on the Saxony project because if the city does not do it, a developer will not.

CITY COUNCIL AGENDA ITEMS

5. CONSENT AGENDA:

- A. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH METRO TO RECEIVE A COMMUNITY PLANNING AND DEVELOPMENT GRANT FOR THE PURPOSE OF COMPLETING THE DOWNTOWN TIGARD URBAN LOFTS DEVELOPMENT PROJECT

Councilor Woodard moved for approval of the Consent Agenda. Councilor Henderson seconded the motion and it passed unanimously.

<u>Name</u>	<u>Yes</u>	<u>Absent</u>
Mayor Cook	✓	
Councilor Goodhouse		✓
Councilor Henderson	✓	
Councilor Snider	✓	
Councilor Woodard	✓	

6. DISCUSSION ON CITY PRIORITIES

Mayor Cook said his goal for the discussion was to discuss projects that have been introduced since the adoption of council’s goals and look at all of them collectively in regards to financing. If the council does not prioritize those we have just eaten some of the available funding along the way as we get to the next items. He wanted to start a discussion on the problem, but it is not the intention to solve them.

Councilor Henderson said he views projects through a sustainability lens by getting rid of what is not done right and figure out what can be done better. If a sustainability plan was put together it could provide guidance on what is possible and what is not because we could compare projects to sustainability requirements.

Councilor Snider said the challenge in this conversation is that so much is diverse. The items listed in the staff report seem to be all over the place. Some of the items are hard to know what is needed for staff to accomplish the day to day duties. He stated he was slightly overwhelmed with the list and

wished for more input from staff with descriptions and financial need for each item; nothing too detailed.

Assistant City Manager Newton said some items on the list have come from what council has talked about, part represents the gap of revenue vs. expenditures, and part the day to day activity and funding like the strategic plan or the general maintenance of our system and facilities. The idea was not to go down the list and prioritize, but to give you the sense of the divergent impacts and projects we have.

Councilor Woodard said one that is high priority to him is trail safety and investing in solar powered lighting on the trail and the parking planning and enforcement in the URA.

Mayor Cook said he defines sustainability as taking care of what the city has and making that affordable for the long term. He said he was looking at prioritizing current infrastructure.

Councilor Woodard said sidewalk and connectivity is important and requested a more detailed discussion. Mayor Cook said that does not fit into the budget for this upcoming year, but further discussions can occur.

Council discussion commenced about core services and recreation, police services and response time, downtown development, and parking and planning in downtown.

Mayor Cook said the conversation and ideas presented tonight were a good start and requested staff bring back a paragraph description for each item for a future discussion.

7. DISCUSSION ON CITY GAS TAX

Finance and Information Services Director LaFrance reported a couple meetings ago the council talked about increasing the gas tax so a memo addressing each of the questions from council was prepared, supplied in the meeting material, and handed out.

Mr. LaFrance said the current city gas tax is at three cents. Each cent generates about \$200,000 annually. Costco recently built a gas station and ODOT has two months of data for those sales. From that data, Costco gas is estimated to generate a range of \$72-80K annually per penny. We do not know how many of those gallons would have been purchased at another city gas station, so we cannot just add Costco earnings as an additional and must account for other stations earnings to go down. We are going to have to wait and get more data to make that determination. There is a general showing that gas tax is declining or leveling off. It looks like we are continuing to level out at about \$600K annually for our current rate. The fact we charge per gallon versus a percentage of total sales does impact revenue. If we take an increase to a vote the collection would be virtually immediate. The city has several transportation needs that we could use the revenue for. Currently \$2.5M of the gas tax revenue is designated toward the Pacific Highway Intersection Improvement Project, which will take ten more years to pay off. We also have a street maintenance fee and deferred maintenance as outlined in the staff report.

Councilor Henderson said he would be comfortable with asking for five more cents to bring it up to eight cents total collection.

Councilor Woodard expressed concern with raising it too high and said he was comfortable with a small increase. Tigard has the lowest tax assessment rate on property and we are stuck with this because of past state measures. We have no other way to maintain what we have.

Councilor Snider said he preferred trying to equitably charge people that are using city infrastructure. The gas tax is a better method in achieving a similar result. The Tigard residents may only pay half of the revenue versus all of the revenue of a fee.

Mayor thanked Mr. LaFrance for his presentation and stated he looks forward to further discussion.

8. NON AGENDA ITEMS – None

9. EXECUTIVE SESSION – None

7. ADJOURNMENT

At 8:44 p.m. Director Woodard motioned to adjourn the meeting. Director Snider seconded the motion and all voted in favor.

<u>Name</u>	<u>Yes</u>	<u>Absent</u>
Chair Cook	✓	
Director Goodhouse		✓
Director Henderson	✓	
Director Snider	✓	
Director Woodard	✓	

Norma I. Alley, Deputy City Recorder

Attest:

Chair, City Center Development Agency

Date: _____

AIS-2615

3.

CCDA Agenda

Meeting Date: 04/05/2016

Length (in minutes): 20 Minutes

Agenda Title: Downtown Business Spotlight

Submitted By: Sean Farrelly, Community
Development

Item Type: Update, Discussion, Direct Staff **Meeting Type:** City Center
Development
Agency

Public Hearing: No

Publication Date:

Information

ISSUE

As part of a regular series, a downtown business owner will be invited to talk about their business. The first "business spotlight" will be on Judy Hoarfrost, owner of Paddle Palace Table Tennis.

STAFF RECOMMENDATION / ACTION REQUEST

The Board of the CCDA is requested to participate in the discussion.

KEY FACTS AND INFORMATION SUMMARY

Paddle Palace moved to 12230 SW Main Street in Downtown Tigard in the fall of 2015, after outgrowing their old location in Portland. It ships millions of products a year all over the country as the U.S. distributor for many of the world's leading table tennis brands. Table tennis is one of the most popular sports in the world. With an estimated 10 million players, it's second in participation only to soccer.

Paddle Palace co-owner Judy Hoarfrost was a member of the U.S. national team and a member of the famous "Ping Pong Diplomacy" Team that made history by being invited to play in China in 1971. She was inducted into the Oregon Sports Hall of Fame in 2006. She will talk about her business, why she moved to Downtown Tigard, and other topics.

OTHER ALTERNATIVES

No alternatives for consideration at this time.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council 2015-17 Goals and Milestones

Goal #2. Make Downtown Tigard a Place Where People Want to Be

Tigard Strategic Plan

Goal 3: Engage the community through dynamic communication

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

No file(s) attached.

AIS-2577

4.

CCDA Agenda

Meeting Date: 04/05/2016

Length (in minutes): 10 Minutes

Agenda Title: CCAC Revised By-laws

Submitted By: Sean Farrelly, Community Development

Item Type: Resolution

Meeting Type: Council Business Meeting - Main

Public Hearing: No

Publication Date:

Information

ISSUE

Council is requested to consider approval of a resolution adopting revised by-laws for the City Center Advisory Commission.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends that Council approve the resolution.

KEY FACTS AND INFORMATION SUMMARY

At their December 2015 and January 2016 meetings the City Center Advisory Commission discussed revising their by-laws. The current by-laws have been in place since 2007. At their February 2016 meeting they recommend changes to be considered by Council.

The recommended changes include:

1. Inclusion of several items from the city's standard bylaws template (which has been implemented since the original by-laws were adopted);
2. Under Section II Composition, adding a provision that a “designated representative” of a Downtown business or property-owner is eligible to be appointed as a member. This provision was included because there are some situations- such as a bank or an apartment building, where it is not practical for the owner to participate, but their local representative could.
3. Under Section II Composition, adding that up to two non-voting “ex-officio” members representing taxing jurisdictions whose boundaries overlap the City Center Urban Renewal District or non-residents who have expertise in real estate development, urban planning or design, affordable housing, or other desired background are eligible to be appointed. This representation would allow for better communication with taxing jurisdictions and additional expertise from non-residents with desired backgrounds.

4. Under Section II Composition, specifying that a member who no longer meets the eligibility requirements must resign from the CCAC.
5. Other housekeeping items.

Attached are the redlined version of the current by-laws and a clean, reformatted version.

OTHER ALTERNATIVES

Council could decide to revise or not to adopt the proposed changes.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council 2015-17 Goals and Milestones

Goal #2. Make Downtown Tigard a Place Where People Want to Be

Goal #5. Expand Opportunities to Engage People in the Community

DATES OF PREVIOUS COUNCIL CONSIDERATION

January 7, 2014: Discuss Composition of the City Center Development Agency Board and the City Center Advisory Commission.

The original CCAC by-laws were adopted in 2006.

Attachments

Resoluton- CCAC by-laws

Exhibit A: Revised by-laws

Redlined by-laws

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 16-

A RESOLUTION AMENDING THE BYLAWS OF THE CITY CENTER ADVISORY COMMISSION (CCAC)

WHEREAS, the City Center Advisory Commission is established in the Tigard Municipal Code as 2.64.070 as the advisory board to the City Center Development Agency on matters related to the City Center Urban Renewal Plan; and

WHEREAS, the City Center Advisory Commissions reviewed its by-laws and recommended changes to better perform its functions and to conform to the City of Tigard Board, Commission, and Committee model by-laws.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The by-laws governing the City Center Advisory Commission as specified in Exhibit A are hereby adopted .

SECTION : This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2016.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard



City of Tigard

City Center Advisory Commission

REVISED BYLAWS

Proposed at April 5, 2016 City Council Meeting

SECTION I. CHARGE AND DUTIES

- A. The City Center Advisory Commission (CCAC) hereafter referred to as the “Commission” shall have no powers except as conferred by this resolution, City Charter, the Tigard Municipal Code, or the Oregon Revised Statutes.
- B. It shall be the function of the Commission to act as an advisory body to the City Center Development Agency (CCDA), the Urban Renewal Agency for the City of Tigard or the City Council as appropriate.
- C. The City Center Advisory Commission is charged with advising the City Center Development Agency, the Urban Renewal Agency for the City of Tigard, on matters pertaining to Urban Renewal Plan implementation and tax increment fund allocations for the City Center Urban Renewal District. Recommendations pertaining to policy, budget, and implementation of urban renewal projects identified within the Urban Renewal Plan and / or the annually adopted Downtown Implementation Strategy and Work Program will be made to the City Center Development Agency or City Council as appropriate for consideration, deliberation and action. The Commission may also provide recommendations with regard to amendments to the City Center Urban Renewal Plan.
- D. The Commission shall perform other duties as assigned by the City Center Development Agency.
- E. The Commission may form subcommittees to investigate areas relevant to its charge or duties pursuant to this section.
- F. The Commission and its members shall conduct itself in a manner that’s in keeping with applicable federal, state, and local laws pertaining to conduct and ethics and the City of Tigard Code of Conduct. Any violation of the provisions of such laws shall be grounds for removal from office.

SECTION II. COMPOSITION

- A. The Commission shall consist of nine (9) members appointed by the City Council who are residents or are businesses or property owners (or their representatives) within the City Center Urban Renewal District with the following representation if possible:
 - 1. At least two (2) business owners or property owners or designated representatives of business or property owners whose business or property is located within the City Center Urban Renewal District;

2. Five (5) persons who are residents of Tigard and represent a cross-section of interests in the community at large;
 3. One (1) person residing within or adjacent to the boundaries of the City Center Urban Renewal District;
 4. One (1) person with expertise in real estate development, urban planning or design, or affordable housing;
 5. Two (2) alternates (non-voting) including one (1) at large resident of Tigard, and one (1) business or property owner (or a designated representative) from within the City Center Urban Renewal District.
 6. Up to two (2) non-voting ex officio members representing taxing jurisdictions whose boundaries overlap the City Center Urban Renewal District or non-residents who have expertise in real estate development, urban planning or design, affordable housing, or other desired background may be appointed.
- B. Membership may temporarily drop below required minimums due to resignations and/or difficulty in recruiting qualified applicants.
- C. A member or ex officio member who is appointed to fill a position pursuant to subsection 1, 2, 3, 5, or 6 above, and who subsequently ceases to be eligible for the position to which the member or ex officio member was appointed, shall resign from the Commission within one month of becoming ineligible.

SECTION III. APPOINTMENTS

- A. Council shall fill vacancies with individuals necessary to meet the compositional requirements of above.
- B. In addition, Council shall determine a means of staggering appointments of all current members using three (3) three-year terms, three (3) two-year terms, and three (3) one-year terms.
- C. Appointments shall be made by the City Council with recommendations from the Mayor.

SECTION IV. TERM OF OFFICE

- A. After the initial staggering of terms for current members as defined in Section III.B. above, the term of office of all future, appointed members shall be three (3) years or until their successors are qualified and appointed.
- B. All terms shall begin January 1 and end December 31.
- C. Any vacancy in the Commission shall be filled by appointment by the Council upon recommendation by the Mayor for the unexpired portion of the term. The unexpired portion of a term does not count towards the fulfillment of the three (3) year appointment.
- D. Members may be reappointed for up to two consecutive terms.

- E. Members of the Commission shall receive no compensation for their services.
- F. A member who seeks to resign from the Commission shall submit a written resignation to the staff liaison. If possible, the resignation should allow for a thirty (30) day notice so the City Council can appoint a replacement.

SECTION V. ORGANIZATION OF THE COMMISSION

- A. At its first or second meeting of the year, and thereafter annually, the Commission shall elect a Chair and Vice Chair from its members who shall hold office at the pleasure of the Commission.
- B. If the Chair or Vice Chair should resign, the Commission shall, at its next meeting, conduct an election and provide a replacement.
- C. Chair. The chair shall have general directional powers over the Commission. The chair shall preside at all meetings and, in consultation with support staff, set the agendas and notify the board of all meeting times and place. The chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the Commission unless this responsibility is delegated to the vice chair, another Commission member or support staff.
- D. Vice Chair. In the event of the absence of the chair at a meeting the vice chair shall perform the duties of the chair.
- E. Staff liaisons are the primary contacts for City of Tigard boards and the primary interface between these bodies and the City Center Development Agency, City Council, City Manager, and departments. Besides serving as a technical resource, staff liaisons are responsible for meeting logistics, member recruitment and recognition, recordkeeping, and monitoring board effectiveness.

SECTION VI. MEETINGS

- A. The Commission shall meet at least quarterly during a calendar year at a time and place that is specified at least 5 days in advance.
- B. Agendas and minutes shall be posted for public notice on the City of Tigard web page and in the lobby of City Hall or Permit Center in compliance with Oregon Public Meetings Law. All meetings shall be open to the public.
- C. The parliamentary authority for the Commission is Robert's Rules of Order Revised, except where superseded by these bylaws or local, state, or federal law.
- D. A majority of votes of Commission members present shall determine the official position of the Commission on a given issue. Alternates are not allowed to vote under any circumstances.
- E. Chair and Vice Chair shall vote on all matters before the Commission.

- F. Commission members shall not send or receive electronic communications concerning any matter pending before the Commission during a Commission meeting.
- G. Commission members shall not use electronic communication devices to review or access information regarding matters not in consideration before the Commission during a Commission meeting.

SECTION VII. COMMISSION MEMBER RESPONSIBILITIES

A. Members of the Commission shall:

1. Regularly attend CCAC meetings and contribute constructively to discussions,
2. Consider and discuss issues from a Citywide perspective, as well as that of particular stakeholders or interests,
3. Understand and be able to articulate the CCAC's charge, responsibilities and adopted, annual work program,
4. Strive to reach consensus on matters under consideration,
5. Act with respect and consideration for the viewpoint of others,
6. Review and provide comment on reports, presentations, and recommended policies or strategies related to Downtown redevelopment before the Commission, and
7. Vote on motions in front of the Commission, except where reasonable abstention is necessary.

B. Commission members may engage in general discussions regarding its charge, responsibilities or projects within the Urban Renewal Plan or Downtown Implementation Strategy, but shall not discuss specific real estate projects or proposals with potential developers or property owners without the authorization of the City Center Development Agency.

C. In addition, members shall not make representations on behalf of the City of Tigard or City Center Development Agency without authorization.

D. Members shall not make representations on behalf of the CCAC whether intentional or not, without the authorization of the Commission.

SECTION VIII. ATTENDANCE

If a member of the Commission is unable to attend a meeting, he or she is expected to notify the Chair or Vice Chair. If any member is absent from any six (6) regularly scheduled meetings within one year or three (3) consecutive meetings without reasonable cause, the issue shall be placed on the upcoming agenda, and upon majority vote of the Commission that position shall be declared vacant. The Commission shall forward its action to the Mayor and Council, who shall fill the vacant position.

SECTION IX. QUORUM

At any meeting of the Commission, a quorum shall be a majority of the current voting members of the Commission. No action shall be taken in the absence of a quorum except that the meeting may continue with discussion on agenda items. For the purposes of forming a quorum, members who have disqualified or excused themselves from participation in any matter shall be counted as present.

In the event a quorum will not be present at any meeting, the Chair or Vice Chair shall notify the Commission members in advance of that fact so that a decision may be made whether to meet and take no action on agenda items or to reschedule to a different time.

SECTION X. REMOVAL OF MEMBERS

- A. The City Council may remove members of the Commission in accordance with Section VIII Attendance.
- B. The Council may also remove members, when, in its judgment, the conduct of a member does not conform to the City of Tigard Code of Conduct for Boards, Commissions and Committees, Section VII Member Responsibilities, or other conduct unbecoming a representative of the City.
- C. The Commission may make a recommendation to Council for the removal of a member in accordance with Section VII Member Responsibilities. The Commission shall forward a recommendation for replacement to the Mayor and Council in a timely manner.

SECTION XI. ANNUAL REPORT OF THE COMMISSION

- A. Not later than December 1 of each year, the Commission shall prepare and file its Annual Report to the City Center Development Agency (CCDA).
- B. The Annual Report shall include a summary of key activities and proceedings and any specific suggestions or recommendations which the Commission believes would assist its mission or the overall goals for the Downtown.
- C. The Annual Report shall not be submitted unless approved by the Commission.

SECTION XII. AMENDMENTS

- A. These bylaws are adopted by resolution of the Tigard City Council, are binding on the Commission, and may be amended by the City Council. The Commission may propose amendments for Council consideration.

BY-LAWS OF THE CITY CENTER ADVISORY COMMISSION (CCAC)

Proposed changes to the CCAC by-laws are indicated in underline, ~~cross-out~~, or green (for an item moved to a new section).

Highlighted items are language required by the Tigard model by-laws.

SECTION 1. CHARGE AND DUTIES

- (a) The City Center Advisory Commission (CCAC) hereafter referred to as the “Commission” shall have no powers except as conferred by this resolution, City Charter, ~~or~~ the Tigard Municipal Code, **or the Oregon Revised Statutes.**
- (b) It shall be the function of the Commission to act as an advisory body to the City Center Development Agency (CCDA), the Urban Renewal Agency for the City of Tigard or the City Council as appropriate.
- (c) The City Center Advisory Commission is charged with advising the City Center Development Agency, the Urban Renewal Agency for the City of Tigard, on matters pertaining to Urban Renewal Plan implementation and tax increment fund allocations for the City Center Urban Renewal District. Recommendations pertaining to policy, budget, and implementation of urban renewal projects identified within the Urban Renewal Plan and / or the annually adopted Downtown Implementation Strategy and Work Program will be made to the City Center Development Agency or City Council as appropriate for consideration, deliberation and action. The Commission may also provide recommendations with regard to amendments to the City Center Urban Renewal Plan.
- (d) The Commission shall perform other duties as assigned by the City Center Development Agency.
- (e) The Commission may form subcommittees to investigate areas relevant to its charge or duties pursuant to this section.
- (f) The Commission and its members shall conduct itself in a manner that’s in keeping with applicable federal, state, and local laws pertaining to conduct and ethics and the City of Tigard Code of Conduct. Any violation of the provisions of such laws shall be grounds for removal from office.**

SECTION 2. COMPOSITION

(a) The Commission shall consist of nine (9) members appointed by the City Council who are residents or **are** businesses or property **owners (or their representatives)** within the City Center Urban Renewal District with the following representation if possible:

- (1) At least two (2) business owners or property owners **or designated representatives of business or property owners** whose business or property is located within the City Center Urban Renewal District;
- (2) Five (5) persons who are residents of Tigard and represent a cross-section of interests in the community at large;
- (3) One (1) person residing within or adjacent to the boundaries of the City Center Urban Renewal District;
- (4) One (1) person with expertise in real estate development, urban planning or design, or affordable housing;
- (5) Two (2) alternates (non-voting) including one (1) at large resident of Tigard, and one (1) business or property owner **(or a designated representative)** from within the City Center Urban Renewal District.
- (6) **Up to two (2) non-voting ex officio members representing taxing jurisdictions whose boundaries overlap the City Center Urban Renewal District or non-residents who have expertise in real estate development, urban planning or design, affordable housing, or other desired background may be appointed.**

(b) Membership may temporarily drop below required minimums due to resignations and/or difficulty in recruiting qualified applicants.

(c) **A member or ex officio member who is appointed to fill a position pursuant to subsection (1), (2), (3), (5), or (6) above, and who subsequently ceases to be eligible for the position to which the member or ex officio member was appointed, shall resign from the Commission within one month of becoming ineligible.**

SECTION 3. APPOINTMENTS

(a) Council shall fill vacancies with individuals necessary to meet the compositional requirements of above.

- (b) In addition, Council shall determine a means of staggering appointments of all current members using three (3) three-year terms, three (3) two-year terms, and three (3) one-year terms.
- (c) Appointments shall be made by the City Council with recommendations from the Mayor.

SECTION 4. TERM OF OFFICE

- (a) After the initial staggering of terms for current members as defined in Section (3)(b) above, the term of office of all future, appointed members shall be three (3) years or until their successors are qualified and appointed.
- (b) All terms shall begin January 1 and end December 31st.
- (c) Any vacancy in the Commission shall be filled by appointment by the Council upon recommendation by the Mayor for the unexpired portion of the term. The unexpired portion of a term does not count towards the fulfillment of the three (3) year appointment.
- (d) Members may be reappointed for up to two consecutive terms.
- (e) Members of the Commission shall receive no compensation for their services.
- (f) A member who seeks to resign from the Commission shall submit a written resignation to the staff liaison. If possible, the resignation should allow for a thirty (30) day notice so the City Council can appoint a replacement.

SECTION 5. ORGANIZATION OF THE COMMISSION

- (a) At its first or second meeting of the year, and thereafter annually, the Commission shall elect a Chair and Vice Chair from its members who shall hold office at the pleasure of the Commission.
- (b) If the Chair or Vice Chair should resign, the Commission shall, at its next meeting, conduct an election and provide a replacement.
- ~~(c) — The Commission shall meet at least quarterly during a calendar year at a time and place that is specified at least 5 days in advance.~~
- ~~(d) — All meetings shall be conducted in conformance with Public Meeting Law.~~

- ~~(e) A record of the Commission's proceedings shall be filed with the city recorder.~~
- (c) Chair. The chair shall have general directional powers over the Commission. The chair shall preside at all meetings and, in consultation with support staff, set the agendas and notify the board of all meeting times and place. The chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the Commission unless this responsibility is delegated to the vice chair, another Commission member or support staff.
- (d) Vice Chair. In the event of the absence of the chair at a meeting the vice chair shall perform the duties of the chair.
- (e) Staff liaisons are the primary contacts for City of Tigard boards and the primary interface between these bodies and the City Center Development Agency, City Council, City Manager, and departments. Besides serving as a technical resource, staff liaisons are responsible for meeting logistics, member recruitment and recognition, recordkeeping, and monitoring board effectiveness.

SECTION 6. VOTING MEETINGS

- ~~(a) General procedures of the Commissions including voting shall follow Robert's Rules of Order.~~
- ~~(b) A majority of votes shall determine the official position of the Commission on a given issue.~~
- (a) The Commission shall meet at least quarterly during a calendar year at a time and place that is specified at least 5 days in advance.
- (b) Agendas and minutes shall be posted for public notice on the City of Tigard web page and in the lobby of City Hall or Permit Center in compliance with Oregon Public Meetings Law. All meetings shall be open to the public.
- (c) The parliamentary authority for the Commission is Robert's Rules of Order Revised, except where superseded by these bylaws or local, state, or federal law.
- (d) A majority of votes of Commission members present shall determine the official position of the Commission on a given issue. Alternates are not allowed to vote under any circumstances.

- a)
- (e) Chair and Vice Chair shall vote on all matters before the Commission.
- (f) Commission members shall not send or receive electronic communications concerning any matter pending before the Commission during a Commission meeting.
- (g) Commission members shall not use electronic communication devices to review or access information regarding matters not in consideration before the Commission during a Commission meeting

SECTION 7. COMMISSION MEMBER RESPONSIBILITIES

- (a) Members of the Commission shall:
 - (1) regularly attend CCAC meetings and contribute constructively to discussions,
 - (2) consider and discuss issues from a Citywide perspective, as well as that of particular stakeholders or interests,
 - (3) understand and be able to articulate the CCAC's charge, responsibilities and adopted, annual work program,
 - (4) strive to reach consensus on matters under consideration,
 - (5) act with respect and consideration for the viewpoint of others,
 - (6) review and provide comment on reports, presentations, and recommended policies or strategies related to Downtown redevelopment before the Commission, and
 - (7) vote on motions in front of the Commission, except where reasonable abstention is necessary.
- (b) Commission members may engage in general discussions regarding its charge, responsibilities or projects within the Urban Renewal Plan or Downtown Implementation Strategy, but shall not discuss specific real estate projects or proposals with potential developers or property owners without the authorization of the City Center Development Agency.
- (c) In addition, members shall not make representations on behalf of the City of Tigard or City Center Development Agency without authorization.

- (d) Members shall not make representations on behalf of the CCAC whether intentional or not, without the authorization of the Commission.

SECTION 8. ATTENDANCE

If a member of the Commission is unable to attend a meeting, he or she is expected to notify the Chair or Vice Chair. If any member is absent from any six (6) regularly scheduled meetings within one year or three (3) consecutive meetings without reasonable cause, the issue shall be placed on the upcoming agenda, and upon majority vote of the Commission that position shall be declared vacant. The Commission shall forward its action to the Mayor and Council, who shall fill the vacant position.

SECTION 9. QUORUM

At any meeting of the Commission, a quorum shall be a majority of the current **voting** members of the Commission. No action shall be taken in the absence of a quorum except that the meeting may continue with discussion on agenda items. For the purposes of forming a quorum, members who have disqualified or excused themselves from participation in any matter shall be counted as present.

In the event a quorum will not be present at any meeting, the Chair or Vice Chair shall notify the Commission members in advance of that fact so that a decision may be made whether to meet and take no action on agenda items or to reschedule to a different time.

SECTION 10. REMOVAL OF MEMBERS

- (a) The City Council may remove members of the Commission in accordance with Section 8 Attendance.
- (b) The Council may also remove members, when, in its judgment, the conduct of a member does not conform to **the City of Tigard Code of Conduct for Boards, Commissions and Committees**, Section 7 Member Responsibilities, or other conduct unbecoming a representative of the City.
- (c) The Commission may make a recommendation to Council for the removal of a member in accordance with Section 7 Member Responsibilities. The Commission shall forward a recommendation for replacement to the Mayor and Council in a timely manner.

SECTION 11. ANNUAL REPORT OF THE COMMISSION

- (a) Not later than December 1 of each year, the Commission shall prepare and file its Annual Report to the City Center Development Agency (CCDA).
- (b) The Annual Report shall include a summary of key activities and proceedings and any specific suggestions or recommendations which the Commission believes would assist its mission or the overall goals for the Downtown.
- (c) The Annual Report shall not be submitted unless approved by the Commission.

SECTION 12. AMENDMENTS

A. These bylaws are adopted by resolution of the Tigard City Council, are binding on the Commission, and may be amended by the City Council. The Commission may propose amendments for Council consideration.

AIS-2600

5.

CCDA Agenda

Meeting Date: 04/05/2016

Length (in minutes): 25 Minutes

Agenda Title: Legislative Public Hearing: Consider an Ordinance to Amend the Tigard Municipal Code 10.28 and 10.32 Parking

Submitted By: Sean Farrelly, Community Development

Item Type: Ordinance
Public Hearing - Legislative

Meeting Type: Council Business Meeting - Main

Public Hearing: Yes

Publication Date:

Information

ISSUE

Shall Council adopt the ordinance to update the Tigard Municipal Code Chapters 10.28 and 10.32 concerning Parking?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends approval of the proposed ordinance amending the Tigard Municipal Code.

KEY FACTS AND INFORMATION SUMMARY

On-street parking in the downtown and elsewhere in the city has become a noteworthy issue. In the downtown, staff have heard many concerns regarding violations of the posted 2-hour parking limits. Staff also regularly get parking related complaints from residential neighborhoods. Parking is a multifaceted issue. Tigard Municipal Code amendments can enable the City to be more nimble in responding to evolving parking demands even while other issues remain unresolved including the lack of adequate staffing to regularly enforce parking restrictions.

Tigard’s on-street parking and other regulations related to vehicles and traffic are found in Title 10 of the Tigard Municipal Code. Chapter 10.32 lists the powers of the City Council to establish traffic controls (subject to approval by the State Highway Commission - where required). Chapter 10.28 lists all of the time-limited parking areas of the city, specifying their exact surveyed dimensions.

Under the current TMC requirements, adding or changing a time-limited zone is cumbersome. It requires a public hearing and amendment to the Municipal Code. For example, the Burnham parking lot has been signed as “two-hour public parking”, however as

it is not specified in the Municipal Code, the Police cannot issue a ticket for violating the time limit. Similarly, parking conflicts are anticipated when the Burnham and Ash project is completed and fully leased, and staff would like to be able to adjust regulations, based on feedback from the surrounding businesses and residents and monitoring of actual parking space utilization. Staff would not be able to make adjustments in response to changing parking conditions, needs and performance, without going through the Municipal Code amendment process.

Rather than simply add these (and future) areas to the TMC, staff proposes a solution to streamline the process. Staff proposes to amend the TMC to delegate some of the authority to establish traffic controls to the City Manager. The following are the responsibilities that are currently Council responsibilities that are proposed to be delegated to the City Manager:

Parking of vehicles

- Classifying portions of streets upon which either parking or standing, or both, shall be prohibited, or prohibited during certain hours
- Establishing the time limit for legal parking in limited parking areas
- Designating the angle of parking if other than parallel to the curb
- Designating City-owned or leased property on which public parking will be permitted
- Designating the rates for paid parking (Council would retain the authority to designate the streets where parking meters would be installed)
- Establishing residential parking zones

Other Street Functions

- Traffic control signals and the time of their operation
- Bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles
- Marked pedestrian crosswalks and safety zones

See the 10.32 Matrix attachment for an outline of which responsibilities of TMC 10.32.010 are proposed to be delegated and which would be retained by Council.

New parking regulations would be enforced by installing signs, which clearly state the time limit or other restriction. When setting new or changing time restrictions, staff will communicate with and get feedback from neighboring property owners, businesses and residents. Notices would be mailed to the area prior to new regulations going into effect.

The decisions of the City Manager (or their designee) in 10.32 would be subject to appeal or review by Council. Any person affected by a decision could appeal the decision or action to the City Council. Council can also initiate a review of any decision or action related to this Chapter.

The administration of the parking related matters would be delegated by the City Manager to

an interdepartmental team made up of representatives from Community Development, Police, and Public Works. This team would also have oversight of bus stop and pedestrian crosswalk topics. The location of traffic signals would be overseen by Public Works, who will base the regulations on traffic engineering principles, recognized traffic standards, and professional judgment. This interdepartmental team will also examine other potential amendments to the Tigard Municipal Code to clarify or add other parking related provisions for future Council consideration.

OTHER ALTERNATIVES

Council could modify or deny the proposed Tigard Municipal Code Amendment.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council 2015-17 Goals and Milestones

Goal #2. Make Downtown Tigard a Place Where People Want to Be

Tigard Comprehensive Plan

Transportation

Policy: 12.2.9 The City shall require the provision of appropriate parking in balance with other transportation modes.

DATES OF PREVIOUS COUNCIL CONSIDERATION

Downtown Parking Updates:

December 1, 2015

June 2, 2015

December 2, 2014

December 3, 2013

Attachments

Ordinance- Parking 10.32

Exhibit A- Parking 10.32

10.32 Matrix

TMC 10.28

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 16-

AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO UPDATE SECTION 10.32 DELEGATING CERTAIN POWERS RELATED TO PARKING AND TRAFFIC CONTROL ON PUBLIC STREETS TO THE CITY MANAGER

WHEREAS, the Tigard City Council is the road authority for all public streets, except state highways; and

WHEREAS, the Tigard City Council may delegate certain powers to provide for a more efficient process; and

WHEREAS, the Tigard City Council wishes to delegate certain decisions related to parking and standing of vehicles and traffic control to the City Manager or their designee; and

WHEREAS, the Tigard City Council retains the power to act as the final road authority in all decisions.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Section 10.32 of the Tigard Municipal Code is hereby amended as provided in Exhibit A (additional language italicized and deleted language ~~stricken~~).

SECTION 2: If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 3: This ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By _____ vote of all council members present after being read by number and title only, this ____ day of _____, 2016.

Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this ____ day of _____, 2016.

John L. Cook, Mayor

Approved as to form:

City Attorney

Date

TIGARD MUNICIPAL CODE

Chapter 10.32 MISCELLANEOUS PROVISIONS.

Sections:

- 10.32.010 Powers Of The City Council.
- 10.32.015 Powers Delegated
- 10.32.016 Review or Appeal of Decision or Action of City Manager
- 10.32.017 Standards
- ~~10.32.020 Authority Of City Manager To Have Traffic Control Signs, Markings And Signals Installed.~~
- ~~10.32.025 Authority Of City Engineer And City Police Chief To Have "No Parking" Signs Temporarily Installed.~~
- ~~10.32.026 Authority Of The City Engineer To Designate Areas Where Parking Is Prohibited.~~
- 10.32.030 Authority Of Police And Fire Officers.
- 10.32.040 Stop When Traffic Obstructed.
- 10.32.050 Unlawful Marking.
- 10.32.060 Use Of Sidewalks.
- 10.32.070 Permits Required For Parades.
- 10.32.080 Funeral Procession.
- 10.32.090 Drivers In Procession.
- 10.32.100 Driving Through Procession.
- 10.32.110 Emerging From Vehicle.
- 10.32.120 Boarding Or Alighting From Vehicles.
- 10.32.130 Riding On Motorcycles.
- 10.32.140 Unlawful Riding.
- 10.32.150 Clinging To Vehicles.
- 10.32.160 Use Of Roller Skates Restricted.
- 10.32.170 Skis On Streets.
- 10.32.175 Operation Of Golf Carts And City Of Tigard-Owned All-Terrain Vehicles (ATVs).
- 10.32.180 Trains Not To Block Streets. (Repealed by 09-06)
- 10.32.190 Damaging Sidewalks And Curbs.
- 10.32.200 Obstructing Streets.
- 10.32.205 Physical Erosion.

- 10.32.210 Removing Glass And Debris.
- 10.32.220 Illegal Cancellation Of Traffic Citations.
- 10.32.230 Tampering With Odometers Prohibited-Penalty.
- 10.32.235 Use of Crosswalks (Jaywalking)
- 10.32.240 Existing Traffic Signs.
- 10.32.245 Crossing Private Property.
- 10.32.250 Penalties.

10.32.010 Powers Of The City Council.

The Council, as the City's elected body, is the road authority for all public streets, except state highways, as designated by state law, provided that where required by the Motor Vehicle Laws of Oregon, approval of the State Highway Commission has first been obtained; Council may, by resolution, establish traffic controls which shall become effective upon the installation of appropriate signs, signals or other markings. Such traffic controls may designate and regulate: include, but are not limited to, regulation of:

~~(+)(A)~~ The parking and standing of vehicles by designating areas within which, or streets or portions of streets along which, parking meters will be installed;

~~(A)~~ Classifying portions of streets upon which either parking or standing, or both, shall be prohibited, or prohibited during certain hours;

~~(B)~~ Establishing the time limit for legal parking in limited parking areas;

~~(C)~~ Designating the angle of parking if other than parallel to the curb;

~~(D)~~ Designating City owned or leased property on which public parking will be permitted;

~~(E) (I)~~ designating areas within which, or streets or portions of streets along which, parking meters will be installed; and the denomination of coins to be used or deposited in parking meters;

TIGARD MUNICIPAL CODE

~~(F) (2) Establishing residential parking zones;~~

~~(2) (B) Through streets and one-way streets;~~

~~(3) (C) For trucks exceeding specified weights, streets to which they shall be restricted and streets on which they are prohibited;~~

~~(4) (B) Traffic control signals and the time of their operation;~~

~~(5) (C) Bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles;~~

~~(6) (D) Loading zones;~~

~~(7) (E) Turn regulations at intersections;~~

~~(8) Marked pedestrian crosswalks and safety zones;~~

~~(9) (F) Special speed regulations in City parks;~~

~~(10) (G) Bicycle paths.-(Ord. 91-26 §2, 1991; Ord. 78-70 §2, 1978; Ord. 70-41 Ch. 8 §1, 1970).~~

10.32.015 Powers Delegated

(A) The City Manager is delegated the authority to take the following actions on a permanent or temporary basis and may further delegate the authority:

(1) Regulate the parking and standing of vehicles by:

(a) Classifying portions of streets upon which either parking or standing, or both, shall be prohibited, or prohibited during certain hours,

(b) Establishing the time limit for legal parking in limited parking areas,

(c) Designating the angle of parking if other than parallel to the curb,

(d) Designating City-owned or leased property on which public parking will be permitted,

(2) Setting the charge for City parking meters;

(3) Regulating traffic control signals and the time of their operation;

(4) Regulating bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles;

(5) Designating marked pedestrian crosswalks and safety zones; and

(6) Designating locations for traffic control devices, markings, and signs.

(B) The delegation of road authority to the City Manager does not deprive the City Council of its power to act as the City's final road authority.

(C) The Council may on its own initiative or at the request of the City Manager make an initial decision on a matter within the road authority of the City.

10.32.016 Review or Appeal of Decision or Action of City Manager

(A) Any decision or action of the City Manager or designee in this chapter is subject to appeal to or review by the City Council.

(B) Any person affected by a decision or action of the City Manager or designee under this chapter may appeal the decision or action to the City Council by filing a written appeal with the City Recorder within 10 calendar days of the decision or action or 10 calendar days of the date the person knew or should have known of the decision or action.

(C) The City Manager or any Council member may initiate a review of any decision or action by the City Manager by filing a written request with the

TIGARD MUNICIPAL CODE

City Recorder within 10 calendar days of the decision or action.

10.32.017 Standards

City traffic regulations shall be based on:

(A) Traffic engineering principles and traffic investigations;

(B) Standards, limitations, and rules promulgated by the Oregon Transportation Commission;

(C) Other recognized traffic control standards, including the Manual of Uniform Traffic Control Devices; and

(D) The professional judgment and discretion of the City Manager or designee, including prioritization of city resources.

10.32.020 Authority Of City Manager To Have Traffic Control Signs, Markings And Signals Installed.

Subject to authority vested in the State Highway Commission and subject to the provisions of the laws of the State of Oregon, the City Manager shall cause to have erected, installed and maintained appropriate signs, markings and traffic control signals as may be deemed necessary to direct and regulate traffic and carry out the provisions of Chapters 10.16 through 10.32, including such signs as may be appropriate to give notice of local parking and other special regulations.

The erection and maintenance of such signs, markings and signals within the City by direction of the City Manager shall be deemed an administrative act to be performed under the authority granted by state law and the provisions of Chapters 10.16 through 10.32. (Ord. 03-08, Ord. 78-3 §7(a), 1978; Ord. 70-41 Ch. 8 §2, 1970).

10.32.025 Authority Of City Engineer And

City Police Chief To Have "No Parking" Signs Temporarily Installed.

(a) Subject to authority vested in the State Highway Commission and subject to the provisions of the laws of the state of Oregon, the City Engineer and/or City Police Chief may cause to have erected, installed or maintained appropriate "no parking" signs as may be deemed necessary to direct and regulate traffic for a period not to exceed six months, and subject to the limitations set forth in this section.

(b) The City Engineer and/or Police Chief may erect or cause to have erected "no parking" signs where they have made a finding that a temporary obstruction or event would cause traffic and parking circulation to be impeded absent the placement of the temporary "no parking" signs.

(c) The erection and maintenance of such signs within the City by direction of the City Engineer and/or Police Chief shall be deemed an administrative act to be performed under the authority granted by state law and provisions of Chapters 10.16 through 10.32. (Ord. 86-61 §1(Exhibit A), 1986).

10.32.026 Authority Of The City Engineer To Designate Areas Where Parking Is Prohibited.

(a) Subject to authority vested in the Oregon Transportation Commission and subject to the provisions of the laws of the state of Oregon, the City Engineer may designate areas, not to exceed 100 feet in length, where parking is prohibited, if the City Engineer determines the parking restrictions to be necessary for traffic safety or for the orderly movement of traffic.

(a) The City Engineer may install or cause to have installed signing and markings as necessary to give notice of the areas where parking is prohibited and the times when parking is prohibited. The installation and maintenance of such signs within the

TIGARD MUNICIPAL CODE

~~City by direction of the City Engineer shall be deemed an administrative act to be performed under the authority granted by state law and provisions of Chapters 10.16 through 10.32. (Ord. 94-08).~~

10.32.30.1 Authority Of Police And Fire Officers.

~~(a)~~ (A) It shall be the duty of the police department through its officers to enforce the provisions of Chapters 10.16 through 10.32.

~~(b)~~ (B) In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of Chapters 10.16 through 10.32.

~~(c)~~ (C) Members of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

~~(d)~~ (D) Officers of the police department may issue citations for violations of Chapters 10.16 through 10.32 and Chapter 7.60. For the purposes of this section, "officers" includes Police Officers, Reserve Officers, Non-sworn Officers and Community Service Officers. (Ord. 05-08, Ord. 78-3 §7(b)(part), 1978; Ord. 70-41 Ch. 8 §3, 1970).

10.32.040 Stop When Traffic Obstructed.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the opposite side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 70-41 Ch. 8 §4, 1970).

10.32.050 Unlawful Marking.

Except as provided by Chapters 10.16 through 10.32, it is unlawful for any person to letter, mark, or paint in any manner any letters, marks, or signs on

any sidewalk, curb or other portion of any street, or to post anything designed or intended to prohibit or restrict parking on any street. (Ord. 78-3 §7(b), 1978; Ord. 70-41 Ch. 8 §5, 1970).

10.32.060 Use Of Sidewalks.

Pedestrians shall not use any roadway for travel when abutting sidewalks are available. (Ord. 70-41 Ch. 8 §6, 1970).

10.32.070 Permits Required For Parades.

No procession or parade, except a funeral procession, the forces of the United States armed forces and the military forces of this state, shall occupy, march or proceed along any street except in accordance with a permit issued by the Chief of Police. Such permit may be granted where it is found that such parade is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, cause damage or unreasonably interfere with the public use of the streets or the peace and quiet of the inhabitants of this city. (Ord. 70-41 Ch. 8 §7, 1970).

10.32.080 Funeral Procession.

Vehicles in a funeral procession shall be escorted by at least one person authorized by the Chief of Police to direct traffic for such purposes and shall follow routes established by the Chief of Police. (Ord. 70-41 Ch. 8 §8, 1970).

10.32.090 Drivers In Procession.

Except when approaching a left turn, each driver in a funeral or other procession shall drive along the right-hand traffic lane and shall follow the vehicle ahead as closely as is practical and safe. (Ord. 70-41 Ch. 8 §9, 1970).

10.32.100 Driving Through Procession.

No driver of a vehicle shall cross through a procession except where traffic is controlled by traffic-control signals or when so directed by a Police

TIGARD MUNICIPAL CODE

Officer. This provision shall not apply to authorized emergency vehicles. (Ord. 70-41 Ch. 8 §10, 1970).

10.32.110 Emerging From Vehicle.

No person shall open the door of, or enter or emerge from any vehicle into the path of any approaching vehicle. (Ord. 70-41 Ch. 8 §11, 1970).

10.32.120 Boarding Or Alighting From Vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. 70-41 Ch. 8 §12, 1970).

10.32.130 Riding On Motorcycles.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is equipped to carry more than one person. (Ord. 70-41 Ch. 8 §13, 1970).

10.32.140 Unlawful Riding.

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to a person or persons riding within truck bodies in space intended for merchandise. (Ord. 70-41 Ch. 8 §14, 1970).

10.32.150 Clinging To Vehicles.

~~(a)~~ (A) No person riding upon any bicycle, motorcycle, coaster, roller skates, sled or any toy vehicle shall attach the same or himself to any moving vehicle upon the streets.

~~(b)~~ (B) No person driving any vehicle shall permit any of the articles listed in subsection (a) to be attached to the vehicle for the purpose of pulling along the streets. (Ord. 70-41 Ch. 8 §15, 1970).

10.32.160 Use Of Roller Skates Restricted.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any street except to cross at a crosswalk. (Ord. 70-41 Ch. 8 §16, 1970).

10.32.170 Skis On Streets.

No person on skis, toboggans, sleds or similar devices shall travel on any street. (Ord. 70-41 Ch. 8 §17, 1970).

10.32.175 Operation Of Golf Carts And City Of Tigard-Owned All-Terrain Vehicles (ATVs).

~~(a)~~ (A) The Tigard City Council acknowledges that the use of golf carts on certain streets within Summerfield would be beneficial to the residents of Summerfield and would create no significant hazard to either the users of the golf carts or other traffic on the streets within Summerfield.

~~(b)~~ (B) Chapter 271, Section 4, of Oregon Laws 1975 authorizes the City Council of the City of Tigard to permit the operation of golf carts on public streets within the City of Tigard and to prescribe such rules and regulations for the operation of golf carts as may be necessary. Chapter 271, Oregon Laws of 1975, further defines golf carts, exempts them from registration and license as a motor vehicle, and sets forth certain limitations regarding the areas in which they can be used.

~~(c)~~ (C) Summerfield is a planned residential area qualifying as a real estate development under the terms of Chapter 271, Oregon Laws of 1975.

~~(d)~~ (D) Golf carts may be driven upon the streets in Summerfield during daylight hours for the purpose of moving the carts between the residences of their owners and operators and the recreational areas within Summerfield. Golf carts shall at all times be operated in a prudent manner, and shall be

TIGARD MUNICIPAL CODE

subject to the statutory laws of the State of Oregon and the ordinances of the City of Tigard with regard to the operation of vehicles, except such statutes and ordinances as cannot be complied with on account of differences in equipment required on golf carts as compared with ordinary passenger vehicles and trucks.

~~(e)~~ (E) Operation of golf carts shall be undertaken at the risk and responsibility of the owners and operators, and the City of Tigard by this section assumes no responsibility for the operation of the vehicles, and shall be held harmless in any action arising from the operation of golf carts on or off of any public way in Summerfield.

~~(f)~~ (F) Operation of City of Tigard-owned Class I all-terrain vehicles (ATVs) shall be allowed upon public roadways, streets, highways, parks, park trails and pathways and other related areas within the City of Tigard by the police and public works departments of the City. The operation of a Class I ATV is only permitted for on-duty City of Tigard personnel in the performance of their assigned duties.

~~(g)~~ (G) A City of Tigard-owned all-terrain vehicle (ATV) shall be defined as any Class I all-terrain vehicle as defined by ORS 801.190, and which is operated by on-duty Police or Public Works Personnel in the performance of their assigned duties.

~~(h)~~ (H) The City of Tigard shall post appropriate signage on City streets, highways, roadways or other points within the City limits, as now constituted or hereafter changed, to give notice to all persons that the operation of Class I ATVs is permitted within the City for on-duty Police and Public Works personnel in the performance of their assigned duties. (Ord. 09-06 §1; Ord. 76-42 §§1--5, 1976).

10.32.180 Trains Not To Block Streets.

Repealed by 09-06.

10.32.190 Damaging Sidewalks And Curbs.

~~(a)~~ (A) The driver of a vehicle shall not drive upon or within any sidewalk or parkway area except to cross at a permanent or temporary driveway.

~~(b)~~ (B) A temporary driveway may be used only after first obtaining a written permit therefor from the City, who may impose such requirements as are necessary to protect the public improvements within the street at the temporary driveway.

~~(c)~~ (C) Any person who damages or causes to be damaged any public improvement within the street by driving a vehicle upon or within any sidewalk or parkway area shall be liable for such damage regardless of whether or not the damage resulted from the authorized use of a temporary driveway. (Ord. 70-41 Ch. 8 §19, 1970).

10.32.200 Obstructing Streets.

Except as provided by Chapters 10.16 through 10.32, or any other City ordinance, no person shall place, park, deposit or leave upon any street or other public way, sidewalk or curb, any article or thing or material which in any way prevents, interrupts, or obstructs the free passage of pedestrian or vehicular traffic, or obstructs a driver's view of traffic-control signs and signals. (Ord. 78-3 §7(b), 1978; Ord. 70-41 Ch. 8 §20, 1970).

10.32.205 Physical Erosion.

No person shall drag, drop, track or otherwise place or deposit, or permit to be deposited, mud, dirt, rock or other such debris upon a public street or into any part of the public storm and surface water system. Any such deposit of material shall be immediately removed using hand labor or mechanical means. No material shall be washed or flushed into any part of the storm and surface water system and any such action shall be an additional violation. (Ord. 91-34 Exh. A(part), 1991)

10.32.210 Removing Glass And Debris.

Any party to a collision or other vehicular

TIGARD MUNICIPAL CODE

accident, or any other person causing glass or other material or substance likely to injure any person, animal or vehicle to be upon any street in this city, shall as soon as possible remove or cause to be removed from such street all such glass or other material or substance. (Ord. 70-41 Ch. 8 §21, 1970).

10.32.220 Illegal Cancellation Of Traffic Citations.

It is unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner except where approved by the Municipal Judge. (Ord. 70-41 Ch. 8 §22, 1970).

10.32.230 Tampering With Odometers Prohibited-Penalty.

Any person found guilty of violation of the provisions of ORS Section 646.860 shall be subject to the penalties prescribed by ORS Section 646.990, and said sections are by reference herein made a part hereof. (Ord. 72-22 §2, 1972; Ord. 70-41 Ch. 8 §24, 1970).

10.32.235 Use of Crosswalks (Jaywalking).

~~(a)~~ (A) No pedestrian may cross the street or roadway other than within a crosswalk if they are within 100 feet of a crosswalk.

~~(b)~~ (B) A pedestrian shall cross a street or a roadway at a right angle unless crossing within a crosswalk.

~~(c)~~ (C) For purposes of this section, “crosswalk” has the same meaning as found in Oregon Revised Statutes.

~~(d)~~ (D) A violation of any provision of this section is a Class D violation notwithstanding any other provision in this chapter. (Ord. 07-02)

10.32.240 Existing Traffic Signs.

Except as the Council may by resolution or ordinance change the traffic control regulations in

accordance with the provisions of the ordinance codified in Chapters 10.16 through 10.32, all official traffic signs, signals and markers existing October 12, 1970, shall be considered official under the provisions of Chapters 10.16 through 10.32. (Ord. 78-3 §7(b), 1978; Ord. 70-41 Ch. 8 §47, 1970).

10.32.245 Crossing Private Property.

No operator of a vehicle shall proceed from one street to another street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on the property for the purpose of procuring or providing goods or services. (Ord. 84-07 §1, 1984; Ord. 83-49 §2, 1983).

10.32.250 Penalties.

Violations of any provision of this chapter are a class B traffic infraction. (Ord. 78-3 §7(c), 1978; Ord. 70-41 Ch. 8 §49, 1970).

10.32 MATRIX

From Tigard Municipal Code 10.32.010

Current Council responsibility to establish traffic controls	Proposed responsibility to establish traffic controls
1(A) Classifying portions of streets upon which either parking or standing, or both, shall be prohibited, or prohibited during certain hours	City Manager
(B) Establishing the time limit for legal parking in limited parking areas	City Manager
(C) Designating the angle of parking if other than parallel to the curb	City Manager
(D) Designating City-owned or leased property on which public parking will be permitted	City Manager
(E) Designating areas within which, or streets or portions of streets along which, parking meters will be installed, and the denomination of coins to be used or deposited in parking meters	Council designates areas of paid parking. City Manager sets rates.
(F) Establishing residential parking zones	City Manager
(2) Through streets and one-way streets	Council
(3) For trucks exceeding specified weights, streets to which they shall be restricted and streets on which they are prohibited	Council
(4) Traffic control signals and the time of their operation	City Manager
(5) Bus stops, bus stands, taxicab stands and stands for other passenger common carrier vehicles	City Manager
(6) Loading zones	Council
(7) Turn regulations at intersections	Council
(8) Marked pedestrian crosswalks and safety zones	City Manager
(9) Special speed regulations in City parks	Council
(10) Bicycle paths	Council

No Changes to Parking Related Responsibilities in TMC 10.28 and 10.32

	Current responsibility
Establishing 15 minute parking zones on Main Street	City Engineer
Install Temporary (6 months) No Parking signs	City Engineer and Police Chief
Designate areas where parking is prohibited	City Engineer

TIGARD MUNICIPAL CODE

Chapter 10.28 PARKING.

- 10.28.010 Definitions.
- 10.28.020 Repealed By Ord. 93-21.
- 10.28.022 Purposes For Which Parking Is Prohibited.
- 10.28.025 Vehicle Sales On Private Property.
- 10.28.030 Truck, Trailer, Bus, Camper, Motor Home, Recreational Vehicle, And Boat Restrictions.
- 10.28.040 Removal Of Parked Vehicle From Fire Area.
- 10.28.050 Required Precautions.
- 10.28.060 Parallel Parking Requirements.
- 10.28.070 Space Markings.
- 10.28.080 S.W. Main Street Between S.W. Burnham Street And Oregon Electric Railroad Right-Of-Way.
- 10.28.090 Two-Hour Time Limit.
- 10.28.095 Twelve Hour Limit. (Repealed by Ord. 02-14).
- 10.28.110 Fifteen-Minute Time Limit.
- 10.28.120 Sunday Restrictions.
- 10.28.125 Specified Period Restrictions.
- 10.28.130 Prohibited At Any Time.
- 10.28.135 Parking Prohibited Eight A.M. To Six P.M.
- 10.28.136 Loading Zones--Authority To Establish.
- 10.28.137 Loading Zones--Designated.
- 10.28.138 Construction Zones And Temporary Loading Zones.
- 10.28.140 Violation--Mode Of Charging Defendant.
- 10.28.150 Violation--Penalty.
- 10.28.160 Authority To Impound Improperly Parked Vehicles.
- 10.28.170 Parking Prohibited In Specified Places.
- 10.28.175 Residential Parking Zones.
- 10.28.180 Definitions For Sections 10.28.190 Through 10.28.210.

10.28.190 Application Of Parking Regulations To Disabled Persons.

10.28.200 Parking In Space Reserved For Disabled Persons Prohibited-- Exceptions.

10.28.210 Removal And Impoundment Of Vehicle Unlawfully Parked In Space Reserved For Disabled Persons.

10.28.010 Definitions.

1. "Parking" or "parked," for purposes of the City motor vehicle code, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers, or in obedience to traffic regulations or traffic signs or signals.

2. It is unlawful for any person to park or stop any vehicle for a longer period of time than that designated by official signs, parking meters or other markings placed by or under authority of the City. "Parking time limit" includes the aggregate of time of all stopping or standing of the same vehicle on the same side of the street within a space of three hundred lineal feet measured along the curbline and between intersections; and the parking, standing or stopping of any vehicle within such expanse shall not exceed the designated time limit during any three-hour period.

3. For purposes of this chapter, the definitions of the following terms as used herein shall conform to the following ORS sections which by reference herein are made a part of this chapter:

a. "Camper" is defined as set forth in ORS Section 801.180.

TIGARD MUNICIPAL CODE

b. "Highway" or "street" is defined as set forth in ORS Section 801.305.

c. "Mobile home" is defined as set forth in ORS 801.340.

d. "Motorbus" is defined as a Commercial Bus as set forth in ORS 801.200.

e. "Motor home" is defined as set forth in ORS Section 801.350.

f. "Motor truck" is defined as set forth in ORS Section 801.355.

g. "Recreational vehicle" is defined as set forth in ORS 446.003.

h. "Trailer" is defined as set forth in ORS Section 801.560.

i. "Travel trailer" is defined as set forth in ORS Section 801.565

j. "Truck tractor" is defined as set forth in ORS Section 801.575. (Ord. 99-28, Ord. 93-21 §1, 1993; Ord. 70-41 Ch. 7, §1, 1970).

10.28.020 Repealed By Ord. 93-21.

10.28.022 Purposes For Which Parking Is Prohibited.

No person shall park a vehicle on the right-of-way of any highway, or upon any public street or public way within the city limits for any of the following purposes:

1. Selling or offering merchandise for sale;
2. Washing, greasing or repairing such vehicle except as may be necessitated by emergency;

3. Storage, for any period of more than twenty-four hours, except that this subsection shall be subject to the limits elsewhere prescribed in the City motor vehicle code or as may be prescribed by the Oregon State Motor Vehicle Code. It shall constitute prima facie evidence of storage of a vehicle if the same is not moved for a period of twenty-four hours. The continuity of the time shall not be deemed broken by movement of the vehicle elsewhere on the block unless the movement removes the vehicle from the block where it was located before it is returned. Any vehicle mentioned in this subsection parked on the right-of-way of any highway, or upon any public street or public way within the City in violation of this subsection may be treated as an abandoned vehicle and the provisions of Chapter 7.60 shall apply. (Ord. 93-21 §3, 1993)

10.28.025 Vehicle Sales On Private Property.

1. No property owner, unless in compliance with the provisions of Chapter 5.04, Business Taxes, and in further compliance with all applicable zoning codes, shall allow more than one vehicle to be displayed for sale on his or her property.

2. Violation of this section shall be a Class 1 infraction and shall be subject to the provisions of the civil infractions ordinance, Chapter 1.16 of this code. (Ord. 87-40 §1, 1987).

10.28.030 Truck, Trailer, Bus, Camper, Motor Home, Recreational Vehicle, And Boat Restrictions.

1. No person shall at any time park or leave standing a motor bus, motor truck, truck tractor, motor home, boat, vehicle with camper, recreational vehicle, or trailer, as defined in ORS 801.560, whether attended or unattended, on any improved public highway, public street or other public way within the city limits, for a period

TIGARD MUNICIPAL CODE

greater than thirty minutes, between the hours of one minute past twelve a.m. and six a.m.

2. A recreational vehicle or motor home may be parked on a public street longer than the period allowed in Section 10.28.030.1 if:

a. It is owned by the resident or guest of the resident of the property in front of which it is parked,

b. It is parked on the public street adjacent to the lot of the resident, and

c. It is parked on the public street no longer than ten days in any calendar year.

3. Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers.

4. Tractor Trailer, Truck Trailer. No person shall at any time park a tractor trailer or truck trailer as described in Section 10.28.010.3 unattended on any improved public highway, public street or other public way within the city limits. (Ord. 01-23, Ord. 93-21 §4, 1993; Ord. 81-86 §1, 1981; Ord. 81-84 §1, 1981; Ord. 79-109 §1, 1979; Ord. 76-57 §1, 1976; Ord. 76-30 §1, 1976; Ord. 70-41 Ch. 7 §3, 1970).

10.28.040 Removal Of Parked Vehicle From Fire Area.

Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers. (Ord. 70-41 Ch. 7 §4, 1970).

10.28.050 Required Precautions.

No person having control or charge of a motor vehicle shall allow it to stand on any street unattended without first fully setting its parking brakes, stopping its motor and removing the ignition key and, when standing upon any precipitous grade, the front wheels of the vehicle shall be angled into the curb. (Ord. 70-41 Ch. 7 §5, 1970).

10.28.060 Parallel Parking Requirements.

No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within eighteen inches of the edge of the curb, except where the street is marked or signed for angle parking. (Ord. 70-41 Ch. 7 §6, 1970).

10.28.070 Space Markings.

Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space. (Ord. 70-41 Ch. 7 §7, 1970).

10.28.080 S.W. Main Street Between S.W. Burnham Street And Oregon Electric Railroad Right-Of-Way.

All parking of motor vehicles on that portion of S.W. Main Street between the intersection thereof with S.W. Burnham Street and the Oregon Electric Railroad right-of-way shall be parallel with the centerline of S.W. Main Street, and all diagonal or head-in parking is prohibited. (Ord. 70-41 Ch. 7 §8, 1970).

10.28.090 Two-Hour Time Limit.

No person shall park or leave standing a vehicle of any kind or character, whether

TIGARD MUNICIPAL CODE

motorized or not, continuously in excess of two hours, except on Sundays and holidays, on the following public streets and highways, or portions thereof, during the hours herein specifically designated:

1. BETWEEN EIGHT A.M. AND FIVE P.M.:

a. In that portion of the southwest half of the right-of-way of S.W. Tigard Street extending from the southeast right-of-way line of S.W. Pacific Highway (99W Overpass) to the northwest right-of-way line of S.W. Main Street;

b. In that portion of the southwest half of S.W. Commercial Street extending from a point which lies forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point one hundred thirty-nine feet southeasterly therefrom; and

c. In that portion of the southwest half of S.W. Commercial Street extending from a point which lies five hundred thirty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifteen feet southeasterly therefrom;

d. In that portion of the northeast half of S.W. Commercial Street extending from a point which lies ninety-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-three feet southeasterly therefrom;

e. In that portion of the northeast half of S.W. Commercial Street extending from a point which lies four hundred forty-eight feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-seven feet southeasterly therefrom;

f. In that portion of S.W. Walnut Place extending from a point which lies one

hundred sixty-five feet southeasterly of the southeast right-of-way line of S.W. Pacific Highway to a point one hundred twenty feet southeasterly therefrom.

2. BETWEEN NINE A.M. AND SIX P.M.:

a. S.W. Main Street;

b. Repealed by Ord. 02-14.

c. The northerly half of S.W. Center Street extending northeasterly from the intersection thereof with Greenburg Road to the intersection of S.W. 87th Avenue;

d. The east side of S.W. 87th Avenue between Pacific Highway and Center Street, except any area designated as a loading zone.

e. Along the northeast side of SW Burnham Street between Main Street and a point 100 feet from the southeast curb line of Main Street.

3. ANYTIME:

Within the southwest half of S.W. Walnut Place beginning at a point which lies one hundred seventy-five feet along the curblineline from S.W. Pacific Highway, thence extending southeasterly ninety feet therefrom. (Ord. 02-14, Ord. 99-13; Ord. 95-31; Ord. 92-27 §2, 1992; Ord. 87-05 §1, 1987; Ord. 86-45 §1, 1986; Ord. 84-03 §1, 1984; Ord. 82-75 §1, 1982; Ord. 81-87 §1, 1981; Ord. 80-65 §3(part), 1980; Ord. 79-108 §1, 1979; Ord. 79-10 §1, 1979; Ord. 77-36 §1, 1977; Ord. 77-5 §1, 1977; Ord. 76-53 §1, 1976; Ord. 70-41 Ch. 7 §9, 1970).

10.28.095 Twelve Hour Limit

Repealed by Ord. 02-14. (Ord. 94-15).

TIGARD MUNICIPAL CODE

10.28.110 Fifteen-Minute Time Limit.

1. No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, for a period of longer than fifteen minutes between the hours of nine a.m. and six p.m., except Sundays and holidays, in any area designated as a fifteen-minute parking zone.

2. The City Engineer shall establish fifteen-minute parking zones to include no more than twenty parking spaces on SW Main Street. In selecting the locations for the fifteen-minute parking zones, the City Engineer shall consult with the owners of businesses along Main Street. The fifteen-minute time limit shall become effective upon installation of appropriate signing designating the parking spaces where the time limit applies. (Ord. 95-30; Ord. 86-59 §1, 1986; Ord. 71-33 §1 1971; Ord. 70-41 Ch. 7 §§10 12, 12A, 1970).

10.28.120 Sunday Restrictions.

No person shall park a motor vehicle of any kind or character between the hours of six a.m. and twelve noon, on Sundays, according to Pacific Standard Time or Pacific Daylight Time as may be then in effect, on the following defined portions of public streets in the City:

1. The westerly side of S.W. Grant Street extending from the intersection thereof with S.W. Johnson Street to the intersection thereof with S.W. Walnut Avenue;

2. The southerly side of S.W. McKenzie Street extending from the intersection thereof with S.W. Grant Street to the intersection thereof with S.W. Pacific Highway (99-W). (Ord. 70-41 Ch. 7 §13, 1970).

10.28.125 Specified Period Restrictions.

No person shall park a motor vehicle of any kind or character between the hours specified on the following defined portions of public streets in the City:

1. Repealed by Ord. 02-14.

2. Between the hours of eight a.m. and five p.m. within the northwesterly half of the right-of-way of S.W. Grant Avenue from the intersection thereof with S.W. Walnut Street, southwesterly, to the end of the roadway at Charles F. Tigard School grounds;

3. Between the hours of seven a.m. and six p.m. within the right-of-way of S.W. Garrett Street from the intersection thereof with S.W. Pacific Highway southeasterly four hundred feet, excepting therefrom the southwesterly two hundred fifty feet;

4. Between the hours of seven a.m. and six p.m., except Saturday and Sunday, within the right-of-way of S.W. Garrett Street between Cresmer Drive and a point four hundred feet southeasterly from Pacific Highway, except along the southwest side of Garrett Street within two hundred forty feet of Cresmer Drive.

5. Between the hours of eight p.m. and six a.m., no person shall at any time park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within any portion of the right-of-way of SW Milton Court beginning at the north right-of-way line of Bonita Road and extending northerly the full length of the street up to and including the cul-de-sac at the end of the street. (Ord. 02-14, Ord. 98-23; 90-12 §1, 1990; Ord. 84-68 §1, 1984; Ord. 83-18 §1, 1983; Ord. 74-44 §2, 1974).

10.28.130 Prohibited At Any Time.

No person shall at any time park or leave

TIGARD MUNICIPAL CODE

standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within the following defined portions of public streets and highways within the City:

1. Within the improved portion of the right-of-way as bounded by the curb lines, on each side of S.W. Pacific Highway (99-W), extending from the intersection of the centerline of S.W. Bull Mountain Road and the same extended to the southeasterly right-of-way line of S.W. Pacific Highway, northeasterly to the northeasterly city limits, being an extension of the easterly line of that tract of land deeded to Max R. Reed and recorded in Book 611, page 286, Deed Records, Washington County, Oregon; except that there is authorized and designated as a limited parking area, two parking spaces along the northwesterly curb parallel to the southwesterly lanes of travel, for vehicular parking purposes limited to any continuous period of not to exceed fifteen minutes, extending from a point southwest along the curblines twenty feet from a point opposite the most easterly corner of the Charles F. Tigard Schoolhouse site, southwesterly forty feet, the boundaries of said spaces being delineated by painted markings;

2. Within the following described portions of the right-of-way of S.W. Hall Boulevard:

a. Repealed by Ord. 80-65.

b. Within that portion of the right-of-way of S.W. Hall Boulevard, extending from the intersection thereof with the Oregon Electric Railroad tracks (Southern Pacific) southeasterly to the intersection thereof with the center of Fanno Creek;

3. Within the east half of the right-of-way of S.W. Hall Boulevard, within four hundred thirty-five feet northerly of the intersection of the east right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific

Highway (99-W);

4. Repealed by Ord. 80-65.

5. Within the west half of the right-of-way of S.W. Hall Boulevard, within seven hundred twenty-four feet northerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific Highway (99-W);

6. Repealed by Ord. 02-14;

7. Repealed by Ord. 02-14;

8. Within the right-of-way of S.W. Commercial Street extending from the westerly right-of-way of S.W. Hall Boulevard on the north side northwesterly one hundred feet, and on the south side northwesterly one hundred seventy feet;

9. Within the easterly half of the right-of-way of S.W. Electric Street, within one hundred feet northerly of the intersection of the easterly right-of-way line of S.W. Electric Street with the northerly right-of-way line of S.W. Main Street;

10. Within the north half of the right-of-way of S.W. Pinebrook Street, within one hundred eleven feet westerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pinebrook Street;

11. Within the southeasterly half of S.W. Main Street from the intersection thereof with the northeasterly line of S.W. Scoffins Street, northeasterly to the intersection thereof with S.W. Pacific Highway right-of-way;

12. Within the northwesterly half of that portion of S.W. Main Street from its intersection on the west and thereof with S.W. Pacific Highway, northeasterly two hundred thirty feet;

TIGARD MUNICIPAL CODE

13. Within the right-of-way of S.W. Walnut Street, extending from the intersection thereof with S.W. Pacific Highway (99-W) northwesterly to Tiedeman Avenue;

14. Within the curblines on each side of S.W. Sandberg Street, including the cul-de-sac;

15. Repealed by Ord. 02-14;

16. On the southwesterly one-half of S.W. Frewing beginning at a point five hundred feet southeasterly of Pacific Highway and extending thence southeasterly a distance of two hundred feet;

17. On the southeasterly one-half of Grant Street beginning at the right-of-way line of Walnut Street and extending thence southwesterly to the end of the street at the Charles F. Tigard elementary school grounds;

18. On the south one-half of Scott Court beginning at the right-of-way line of S.W. 98th Avenue and extending thence westerly two hundred eighty-three feet;

19. On the northeast one-half of S.W. Commercial Street beginning at the southeast right-of-way line of S.W. Main Street and extending thence southeast ninety-five feet;

20. On S.W. Hunziker Street extending from the intersection thereof with S.W. Hall Boulevard southeasterly approximately two thousand eight hundred fifty-three feet;

21. Within the right-of-way of S.W. 69th Avenue, extending from the intersection thereof with the south right-of-way of S.W. Pacific Highway to the intersection thereof with the north right-of-way line of S.W. Dartmouth Street;

22. On the northerly one-half of S.W. Walnut Street beginning at the westerly edge of

the driveway entrance to Fowler Junior High School and extending westerly to a point four hundred and ninety feet from said driveway;

23. Within the southwest half of the right-of-way of S.W. Commercial Street, within forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street;

24. Within the curblines on each side of S.W. Lomita Street, beginning at a point in the centerline thereof, which point lies two hundred feet east of the east right-of-way line of S.W. 90th Avenue, and running thence easterly and northerly a distance of one hundred sixty feet therealong;

25. Within the southeasterly half of S.W. Grant Avenue, beginning at the northeast right-of-way line of S.W. Walnut Street and extending northeasterly to the southwest right-of-way line of S.W. Tigard Street;

26. Repealed by Ord. 02-14;

27. Within the right-of-way of S.W. 68th Parkway, extending from the intersection thereof with the south right-of-way line of S.W. Irving Street to the intersection thereof with the west right-of-way line of S.W. 66th Avenue;

28. Within the northwesterly half of the right-of-way of S.W. Main Street, within four hundred ninety-seven feet southwest of the southeast right-of-way line of S.W. Pacific Highway;

29. Within the southeasterly half of the right-of-way of S.W. Boones Ferry Road, beginning at the intersection of the west right-of-way line of Interstate No. 5 with the southeast right-of-way line of S.W. Boones Ferry Road and extending southwesterly a distance of two hundred seventy feet therefrom;

30. Within the right-of-way of S.W.

TIGARD MUNICIPAL CODE

Scoffins Street, extending from the intersection thereof with S.W. Main Street, southeasterly to S.W. Hall Boulevard;

31. Repealed by Ord. 02-14;

32. Along both sides of S.W. 121st Avenue between Scholls Ferry Road and Burlheights Drive;

33. Within the right-of-way of S.W. Summerfield Drive, extending from the intersection thereof with the north right-of-way line of S.W. Durham Road to the intersection thereof with the west right-of-way line of S.W. 98th Avenue; except that there is authorized and designated an unrestricted (time) vehicular parking area commencing at the west right-of-way line of S.W. Century Oak Drive running westerly a distance of three hundred feet along the south curb of S.W. Summerfield Drive;

34. In the southeasterly one-half of S.W. Main Street, extending southwestwardly one hundred fifteen feet from the intersection of the southwest right-of-way line of S.W. Scoffins Street with the southeast right-of-way line of S.W. Main Street;

35. Along both sides of SW 72nd Avenue between the Beaverton-Tigard Highway (State Highway 217) and the south city limits;

36. Repealed by Ord 02-14;

37. Within the right-of-way of S.W. 112th Avenue, extending southerly from S.W. Gaarde Street to the frontage road along S.W. Pacific Highway;

38. Repealed by Ord. 02-14;

39. Upon or within any delineated bicycle and/or pedestrian path(s) or lanes;

40. Within the paved portions of SW 72nd

Avenue between Pacific Highway and the Beaverton-Tigard Highway (State Highway 217);

41. Along both sides of S.W. Greenburg Road between Pacific Highway and Shady Lane;

42. Within the right-of-way of S.W. 110th Avenue, beginning at a point one hundred six feet northerly of the north right-of-way line of S.W. Gaarde Street and extending thence two hundred seventy feet northerly;

43. On southwest Gaarde Street from Pacific Highway to 112th Avenue, except for that portion of the north half of Gaarde Street beginning at a point eighty feet east of the east curblines of 110th Avenue and extending to a point one hundred ninety feet east of the east curblines of 110th Avenue, measured along the north curblines of Gaarde Street;

44. Within the northeasterly half of the right-of-way of S.W. Canterbury Lane, extending from the intersection thereof with S.W. Pacific Highway, southeasterly a distance of seventy-five feet therefrom;

45. Within the right-of-way of S.W. Fir Street, extending from the intersection thereof with S.W. 72nd Avenue, easterly to S.W. Fir Loop;

46. Within the right-of-way of S.W. Fir Loop, being all that portion thereof lying easterly of S.W. Fir Street;

47. Within the right-of-way of S.W. Hall Boulevard extending from the intersection thereof with S.W. Pacific Highway (99-W) southerly to a point which lies two hundred feet south of the centerline of S.W. Scoffins Street;

48. Within the right-of-way of S.W. 70th Avenue, extending from the intersection thereof with S.W. Hampton Street, southerly to the

TIGARD MUNICIPAL CODE

terminus thereof;

49. Within the northerly half of S.W. Walnut Place; also, within the southwest half of S.W. Walnut Place beginning at S.W. Pacific and, thence, extending a distance of one hundred seventy-five feet southeasterly along the curblines;

50. Within a portion of the right-of-way of S.W. Hampton Street being all that portion thereof lying between S.W. 72nd Avenue and S.W. 66th Avenue;

51. Repealed by Ord. 98-09;

52. Repealed by Ord. 98-09;

53. Within the southeast half of the most southerly end of S.W. Main Street, beginning at the intersection of the southeast curblines of S.W. Pacific Highway and S.W. Main Street and extending seventy-five feet along the Main Street curblines to a point; also, therein, beginning at a point on the Main Street curblines which lies two hundred five feet from said intersecting curblines and extending thirty feet therealong to a point;

54. Within the westerly half of the right-of-way of 115th Avenue extending from the intersection with S.W. Gaarde Street northerly to the intersection of S.W. Fonner Street;

55. Within the northwesterly right-of-way of S.W. McKenzie Street from a point twenty feet southeasterly from the intersection of the centerlines at S.W. McKenzie St., and S.W. Grant St., to a point ninety feet southeasterly of the centerline intersection;

56. On the northwesterly half of S.W. Ash Avenue beginning at the northeast right-of-way line of S.W. Commercial Street and extending thence northeasterly one hundred thirty-eight feet.

57. Within the curblines on each side of

S.W. Genesis Loop, extending from the most southerly intersection thereof with S.W. 115th Avenue easterly a distance of one hundred sixty-five feet;

58. Along both sides of S.W. Durham Road between Hall Boulevard and Pacific Highway;

59. Repealed by Ord. 95-32;

60. Within the west half of the right-of-way of S.W. 92nd Avenue, beginning at the intersection thereof with the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand four hundred fifty feet;

61. Within the right-of-way of S.W. 92nd Avenue, beginning at a point which lies one thousand four hundred fifty feet southerly of the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand one hundred ninety feet; excepting therefrom the south six hundred eighty feet of the west half thereof;

62. Along the east side of S.W. 85th Avenue from Durham Road to a point four hundred fifty feet south of the south curblines of Durham Road;

63. On S.W. Varns Street from S.W. 72nd Avenue to a point one hundred twenty-five feet west of the west curblines of 72nd Avenue;

64. On S.W. Watkins Avenue from S.W. Pacific Highway to a point seventy-five feet west of the west curblines of Pacific Highway;

65. Repealed by Ord. 09-09;

66. On S.W. 69th Avenue from Pacific Highway to a point one hundred fifty feet north of the north curblines of Pacific Highway, measured along the east curblines of 69th Avenue;

67. Along the south side of S.W. Locust Street between Greenburg Road and 93rd Avenue;

TIGARD MUNICIPAL CODE

68. Along the south side of Spruce Street between a point one hundred feet east of the extended centerline of S.W. 72nd Avenue and a point 100 feet west of the extended centerline of S.W. 72nd Avenue;

69. Along both sides of S.W. 135th Avenue between Scholls Ferry Road and Morning Hill Drive;

70. Along both sides of S.W. Nimbus Avenue between Scholls Ferry Road and a point two hundred forty feet south of the south curblineline of Scholls Ferry Road;

71. Along both sides of S.W. Bonita Road between Hall Boulevard and S.W. 83rd Court;

72. Along both sides of S.W. Bonita Road between 83rd Court and Fanno Creek;

73. Repealed by Ord. 02-14;

74. Along the north side of Canterbury Lane between Pacific Highway and S.W. 106th Avenue;

75. Along the north side of Benchview Terrace between S.W. 132nd Avenue and the west boundary of Benchview Estates subdivision as recorded in Book 66, page 38, of the plat records of Washington County;

76. Along both sides of S.W. McDonald Street between Hall Boulevard and 93rd Avenue;

77. Repealed by Ord. 95-17.

78. Along the west side of S.W. 108th Avenue from Chateau Lane to a point two hundred thirty-three feet south of the centerline of Chateau Lane until such time as 108th Avenue is improved in this location to full minor collector standards. At the time that the street is improved, the effect of the ordinance codified in this

subsection (78) shall cease;

79. Along portions of S.W. Fir Street between S.W. 72nd Avenue and the street terminus west of 74th Avenue, as follows: along the entire south side of the street; along the north side of the street within sixty feet of the west curblineline of S.W. 72nd Avenue; and along the north side of the street west of a point which is sixty feet west of the centerline of S.W. 74th Avenue;

80. Along both sides of S.W. North Dakota Street between S.W. Tiedeman Avenue and S.W. 115th Avenue.

81. Along both sides of SW Dartmouth Street between SW 68th Parkway and SW Pacific Highway.

82. Along the west side of SW 108th Avenue between Durham Road and a point 145 feet north of the centerline of Chateau Lane.

83. Along the west side of SW 109th Avenue beginning at the start of a curve approximately two hundred sixty feet south of the south curb line of Canterbury Lane and continuing south a distance of two hundred eighty-five feet measured along the west curb of SW 109th Avenue.

84. Along the east side of SW 109th Avenue beginning at the start of a curve approximately 260 feet south of the south curb line of Canterbury Lane and continuing south a distance of one hundred twenty-five feet measured along the east curb of SW 109th Avenue.

85. Along the south side of Canterbury Lane from Pacific Highway to a point two hundred feet east of the east curb line of Pacific Highway;

86. On both sides of SW Durham Road between SW 72nd Avenue and Upper Boones

TIGARD MUNICIPAL CODE

Ferry Road;

87. On both sides of SW North Dakota Street between Scholls Ferry Road and Springwood Drive;

88. On SW 70th Avenue between Beveland Street and Franklin Street;

89. Along the southwest side of SW Commercial Street beginning at a point two hundred fifty feet southeast of the southeast curb of Main Street and continuing to a point five hundred ten feet southeast of the southeast curb of Main Street;

90. On both sides of SW Walnut Street between the south leg of 135th Avenue and SW Scholls Ferry Road;

91. On both sides of SW Royalty Parkway between Pacific Highway and Naeve Street.

92. Any portion of the right-of-way of SW 76th Avenue beginning at the south right-of-way line of Bonita Road and extending southerly four hundred eighty-two feet.

93. Within the northeast half of SW Commercial Street beginning at a point three hundred forty-eight feet southeast of the southeast right-of-way line of SW Main Street and continuing to a point four hundred forty-eight feet southeast of Main Street. (Ord. 09-09 § 3; Ord. 02-14, Ord. 99-12; Ord. 99-11; Ord. 98-23; Ord. 98-09; Ord. 96-01; Ord. 95-32; Ord. 95-25; Ord. 95-23; Ord. 95-17; Ord. 95-07; Ord. 95-06; Ord. 94-22; Ord. 93-27 §§1, 2, 1993; Ord. 93-26 §1, 1993; Ord. 92-28 §1, 1992; Ord. 92-17 §1, 1992; Ord. 92-11 §1, 1992; Ord. 91-29 §1, 1991; Ord. 91-25 §1, 1991; Ord. 91-24 §1, 1991; Ord. 91-23 §1, 1991; Ord. 91-09 §1, 1991; Ord. 90-42 §1, 1990; Ord. 90-36 §1, 1990; Ord. 90-35 §1, 1990; Ord. 90-34 §1, 1990; Ord. 90-33 §1, 1990; Ord. 90-32 §1, 1990; Ord. 90-31 §1, 1990; Ord. 89-12

§1, 1989; Ord. 88-30 §1, 1988; Ord. 88-05 §1, 1988; Ord. 88-04 §1, 1988; Ord. 87-53 §1, 1987; Ord. 87-46 §1, 1987; Ord. 86-67 §1, 1987; Ord. 87-06 §1, 1987; Ord. 86-55 §1, 1986; Ord. 86-54 §1, 1986; Ord. 86-45A §1, 1986; Ord. 86-13 §1, 1986; Ord. 86-04 §1, 1986; Ord. 84-53 §1, 1984; Ord. 83-50 §1, 1983; Ord. 83-46 §1, 1983; Ord. 83-29 §1, 1983; Ord. 83-28 §1, 1983; Ord. 82-82 §1, 1982; Ord. 82-76 §1, 1982; Ord. 81-80 §1, 1981; Ord. 81-57 §1, 1981; Ord. 81-46 §1, 1981; Ord. 80-65 §§1, 3(part), 1980; Ord. 79-60 §1, 1979; Ord. 79-107 §1, 1979; Ord. 79-113 §1, 1979; Ord. 79-114 §1, 1979; Ord. 79-39 §1, 1979; Ord. 79-9 §1, 1979; Ord. 78-45 §1, 1978; Ord. 78-68 §1, 1979; Ord. 78-39 §1, 1979; Ord. 78-38 §1, 1977; Ord. 77-93 §1, 1977; Ord. 77-92 §1, 1977; Ord. 77-78 §1, 1977; Ord. 77-77 §1, 1977; Ord. 77-73 §1, 1977; Ord. 77-61 §1, 1977; Ord. 77-40 §1, 1977; Ord. 77-39 §1, 1977; Ord. 77-36 §2, 1977; Ord. 77-6 §1, 1977; Ord. 76-56 §1, 1976; Ord. 76-38 §1, 1976; Ord. 76-33 §1, 1976; Ord. 76-31 §1, 1976; Ord. 76-20 §1, 1976; Ord. 76-8 §1, 1976; Ord. 76-7 §1, 1976; Ord. 76-6 §1, 1976; Ord. 75-47 §1, 1975; Ord. 75-38 §1, 1975; Ord. 75-34 §1, 1975; Ord. 75-51 §1, 1975; Ord. 74-44 §1, 1974; Ord. 71-32 §1, 1971; Ord. 70-41 Ch. 7 §14, 1970).

10.28.135 Parking Prohibited Eight A.M. To Six P.M.

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, between the hours of eight a.m. and six p.m. on any day of the week, including Saturday and Sunday, on the southerly one-half of the following portion of S.W. Johnson Street, in the City of Tigard, Oregon:

That portion of the southerly one-half of S.W. Johnson Street lying westerly of and within four hundred feet of the northwesterly right-of-way line of S.W. Pacific Highway. (Ord. 75-19 §1, 1975).

TIGARD MUNICIPAL CODE

10.28.136 Loading Zones--Authority To Establish.

1. The City Council may establish loading zones along any street for the purpose of permitting the loading and unloading of merchandise and persons. The action of the City Council establishing such loading zones must be taken by ordinance. In establishing loading zones the City Council shall give consideration to the volume and nature of business within the area under consideration, the traffic demands upon the street in question, the nature of the need of the adjacent business or businesses and of the needs of other businesses within the immediate area, the width and surface of the street, and any other relevant information. In establishing loading zones, the City Council may limit the applicability of the loading zone restriction to certain hours of the day or night. The characterization of the loading zone as an area of restricted parking shall be indicated by the placement of signs which shall indicate clearly the area affected, and which shall state the hours of the day during which the "loading zone" restriction applies.

2. Loading zones shall be reserved for use by commercial vehicle in loading and unloading persons and commodities during the hours designated on all days except Sundays and holidays. No person shall stop, stand or park any vehicle other than a commercial vehicle within the designated area between such hours, except that noncommercial vehicles may use such zones while actually engaged in the loading or unloading of persons or commodities, but noncommercial vehicles shall upon demand give way to commercial vehicles whose drivers desire to use the zone for loading or unloading purposes. Commercial vehicles using loading zones shall be entitled to the use of a loading zone only during such time as may reasonably be necessary for the loading and unloading of persons and materials and for so long as such activity actually continues. Loading zones shall not be used by employees of

the business or businesses for the benefit of which they were established, for any purpose except the continuous loading or unloading of persons or materials.

3. At all times other than those times designated in the ordinance establishing a particular loading zone, such zones shall be available for general use under the parking regulations applicable to the district in which they are located.

4. The City Council shall consider creation of loading zones upon application by any resident or property owner, and if, after consideration of the factors identified in subsection 10.28.136.1 above, the City Council determines that a loading zone should be created, it shall create such loading zone by ordinance, and direct that the loading zone so established be marked by appropriate signs. The City shall procure appropriate signs and cause them to be installed. The applicant shall pay the City the cost of the necessary signs and poles and the cost of the labor necessary to install them, and installation shall not be made before such payment. (Ord. 76-10 §1, 1976).

10.28.137 Loading Zones--Designated.

The following portions of public streets within the City of Tigard are designated as loading zones for the hours indicated:

1. Repealed by Ord. 95-20;

2. Within the easterly half of S.W. 87th Avenue, beginning at a point thirty feet southerly of an easterly extension of the south boundary line of S.W. Center Street and, thence, running southerly sixty feet. The described zone is designated as a loading zone between the hours of nine a.m. to three p.m., Saturdays, Sundays and holidays excluded;

TIGARD MUNICIPAL CODE

3. Repealed by Ord. 95-20. (Ord. 95-20; Ord. 92-27 §1, 1992; Ord. 86-60 §1, 1986; Ord. 86-14 §1, 1986; Ord. 81-90 §1, 1981; Ord. 76-10 §2, 1976).

10.28.138 Construction Zones And Temporary Loading Zones.

1. Provision for Permits. Any person who finds it necessary to park a motor vehicle for actual construction or maintenance work or who finds it necessary to block off a parking space or spaces along the curb in a zone in which parking is controlled, shall be entitled to a construction zone permit. Any person who finds it necessary in connection with the conduct of a commercial enterprise or in the construction of a building, to park a motor vehicle or to block off a parking space or spaces along the curb for such work shall be entitled to a temporary loading zone permit. Application for a construction zone permit or a temporary loading zone permit shall be made in writing to the Chief of Police upon a form to be provided by him showing such information as he may request. The Chief of Police shall make such investigation as he deems necessary and, if he is satisfied that the applicant has a reasonable need for the permit, the Chief of Police shall issue a construction zone permit or a temporary loading zone permit.

2. Term of Permit. The term of a permit issued by the Chief of Police pursuant to subsection 110.28.138.1 above shall be established by the Chief of Police and entered upon the permit but in no event shall a permit be issued for a period to exceed one year.

3. Fees. The fee for a construction zone permit or a temporary loading zone permit shall be twenty-four dollars for one year or two dollars for each month or portion of a month for periods of less than one year. The fee shall be paid to the Chief of Police at the time of application. In the event the need for the permit terminates before the

end of the term allowed by the permit as issued, the applicant shall be entitled to a refund in the amount of the charge that would have been made for the unused term of the permit.

4. Display of Permit. Before any person shall use a parking space in such a way as to require the issuance of a construction zone or temporary loading zone permit he shall obtain the construction permit or temporary loading zone permit, and at all such times as the vehicle or vehicles shall be parked in the place authorized by such a permit, the permit shall be displayed in such a way as to permit one observing the vehicle from the outside to read it. If the vehicle is equipped with a sunvisor above or beside the windshield on the driver's side, the permit shall be displayed on the sunvisor, which shall be turned down so as to expose the permit toward the outside of the vehicle.

5. The purpose of this section is to permit use of the public streets for parking in circumstances in which parking would otherwise be prohibited or limited as to time pursuant to the ordinances of the City of Tigard. (Ord. 78-75 §2, 1978).

10.28.140 Violation--Mode of charging defendant.

1. In all prosecutions for violation of city motor vehicle parking laws, it shall be sufficient to charge the defendant by an unsworn written notice if the same clearly states:

- a. The date, place and nature of the charge;
- b. The time and place for defendant's appearance in Court;
- c. The name of the arresting officer;
- d. The license number of the vehicle.

TIGARD MUNICIPAL CODE

2. The notice provided for in subsection 10.28.140.1 of this section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. The notice shall serve as the complaint in the case. In all other respects the procedure now provided by law in such cases shall be followed. (Ord. 70-41 Ch. 7 §15, 1970).

10.28.150 Violation--Penalty.

Any violation of the provisions of any section of this chapter or any rule or regulation therein stated, shall, upon conviction, be punishable by a fine of not more than one hundred dollars for each violation. (Ord. 70-41 Ch. 7 §30, 1970).

10.28.160 Authority To Impound Improperly Parked Vehicles.

1. When any unattended vehicle is parked upon any street, alley or public way of the City of Tigard in such a manner that it is unlawfully parked in any prohibited or restricted area; or is unlawfully parked for a length of time prohibited by ordinance or resolution of this city; or is parked in such a position that it constitutes an obstruction to traffic or creates a danger to travel upon the street, alley or public way; or is found abandoned in any street, alley or public way; or in the event that an operator of a vehicle is arrested and placed in custody and is not in condition to drive the vehicle to a place of safety and there is no other person present who may properly act as agent for such operator to drive the vehicle to a place of safety, such vehicle is declared to be a public nuisance and subject to summary abatement, removal and impounding.

2. Both the owner and the operator of a vehicle impounded pursuant to subsection 10.28.160.1 of this section shall be legally responsible for payment of the costs of towing and storage. The towing and storage charges shall be

established in advance, pursuant to an agreement between the police department of the City of Tigard and the towing and storage firm or firms called upon to conduct such business. No charges in excess of those previously agreed upon shall be levied against the owner or operator of a vehicle towed pursuant to subsection 10.28.160.1 of this section.

3. The towing service called upon to impound a vehicle and finding the owner or driver thereof present shall release the vehicle upon the presentation of proper identification of the owner or operator, and upon the owner or operator's signing an authorized receipt in duplicate (except where exclusive orders are given by the police department that the vehicle be impounded), and a service charge not to exceed one-half of the cost for the towing of the vehicle shall be made, that charge to be paid by the owner or operator. The duplicate signed receipt shall be given to the operator or owner of the vehicle, and the original signed copy shall be recorded by the towing service in its ledger of releases. (Ord. 77-98 §1, 1977).

10.28.170 Parking Prohibited In Specified Places.

It is unlawful for the driver of a vehicle to stop 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:

1. Within an intersection;
2. On a crosswalk;
3. Within fifty feet of any uncontrolled intersection or any intersection controlled with side-mounted stop signs, side-mounted yield signs, or side-mounted signals, except:

TIGARD MUNICIPAL CODE

a. One one-way streets leaving an intersection;

b. On streets otherwise signed if:

(1) The vehicle is over six feet in height, or

(2) The vehicle is less than six feet in height but by manufacture or modification, obscures the vision of:

(a) Any official side-mounted traffic control sign or signal,

(b) Intersection traffic, or

(c) Any pedestrian in a crosswalk;

(3) Vehicles described in 10.28.170.3.b above include, but are not limited to, the following:

(a) Vehicles with darkened, shaded or curtained windows,

(b) Vehicles modified to eliminate side window(s) and/or rear windows,

(c) Vehicles with visibility through windows blocked by parcels, packages or freight,

(d) Pickup vehicles of less than six feet in height but mounted with a canopy or camper with limited visibility through it,

(e) Panel trucks (except those with windows on both sides of the rear portion of the truck, and also on the back of the truck);

(4) An uncontrolled intersection is one where there are no traffic-regulating signs or signals.

4. Any other vehicle not identified in subsection 3. above, within twenty-five feet from the intersection of curb lines, or if none, then within fifteen feet of the intersection of property lines at an intersection within a business or residence district;

5. Within fifteen feet of the driveway entrance to any fire station;

6. Within ten feet of a fire hydrant, save and except taxicabs occupying properly signed taxi zones;

7. In front of a private driveway;

8. On a sidewalk or parking strip;

9. On the roadway side of any vehicle stopped or parked at the edge of a street or highway;

10. At any place where official signs, curb paint, or markings have been installed prohibiting standing, stopping or parking; provided, however, driver-attended private passenger motor vehicles, taxicabs or other public conveyances may stop for not more than thirty seconds in such a tow-away zone for the purposes of loading and unloading passengers;

11. In front of the entrance of any post office or other place where mail is received; or within ten feet of a mailbox during the hours of eight a.m. to four-thirty p.m. in any residential area;

12. In any street, alley or lane, 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;

13. In any street, alley or lane, in lieu of offstreet parking, for a period longer than forty-

TIGARD MUNICIPAL CODE

eight hours;

14. In any emergency zone;

15. In any loading zone, except as to a commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise or materials, for a period not exceeding twenty minutes; and as taxicabs when loading or unloading passengers or merchandise, for a period of time not exceeding two minutes;

16. In a 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;

17. In any construction zone, except by such vehicles as are actually necessary to the construction work being carried on;

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

19. Within any city park or part thereof, during the time the park, or the relevant part of it, is closed to the public. (Ord. 87-70 §1, 1987; Ord. 78-76, 1978).

10.28.175 Residential Parking Zones.

1. The City Council, pursuant to TMC Section 10.32.010 may establish residential parking zones. The purpose of residential parking zones is to prohibit parking by nonresidents during specific time periods within specific geographic areas used predominantly for residential purposes. The City Council resolution which establishes the residential parking zone shall clearly define the geographic limits of the area affected by the zone and the hours during

which the parking by nonresidents will be prohibited. Residents within the parking zones may obtain a permit from the City Manager pursuant to subsection 10.28.175.2 of this section to allow for the parking of vehicles within the zone during the restricted hours.

2. The City Manager shall establish procedures and standards for the issuance of permanent and temporary permits to residents that will allow the residents and their guests to park their vehicles within residential parking zones during the restricted hours. At a minimum, the City Manager shall establish rules which establish the criteria for issuance, surrender and revocation of permits, evidence of proof of residence and vehicle ownership, terms of the permit, standards for display of the permit, and allow for the issuance of temporary permits to residents for the parking of nonresident vehicles for temporary periods upon a showing of reasonable need for such permits.

3. The City Manager shall cause to be installed and maintained, pursuant to TMC 10.32.020, official signs for residential parking zones which clearly identify the parking restrictions for nonresidents and the exception to those restrictions for permit holders within the residential parking zones.

4. It shall be unlawful for any person to:

a. Provide false information in connection with an application for a permanent or temporary permit;

b. Fail to surrender a permit, when requested to do so, when the person is no longer entitled to the permit;

c. Use a permit when the permit holder is no longer entitled to the permit;

d. Use, or allow the use of a permit in

TIGARD MUNICIPAL CODE

conjunction with a vehicle other than the vehicle for which the permit was issued;

e. Use, or allow the use of a temporary permit in a manner inconsistent with the terms and limitations of the permit.

5. The City Manager is authorized to revoke any permit when the permit holder is found to be in violation of the provisions of this section, and, upon written notification thereof, the permit holder shall surrender the permit to the City Manager. Failure to do so shall constitute a violation of this section. (Ord. 03-08, Ord. 91-26 §1, 1991).

10.28.180 Definitions For Sections 10.28.190 Through 10.28.210.

As used in Sections 10.28.190 through 10.28.210 unless the context requires otherwise:

1. "Disabled parking space" means a parking space that is on private or public property and is marked or signed to provide parking for disabled persons.

2. "Disabled person" means a person who permanently suffers from any of the following disabilities:

a. Loss or loss of function of one or both legs or significant limitation in the use of the legs;

b. Inability to be mobile without the use of a wheelchair or other assistance device;

c. Loss or loss of function of both hands;

d. Loss of vision or substantial loss of visual acuity or visual field beyond correction;

e. Respiratory disability that makes

use of walking as a means of transportation impossible or impractical; or

f. Cardiovascular disability that makes use of walking as a means of transportation impossible or impractical.

3. "Government building" and "public building" have the meanings given those terms in ORS 447.210.

4. "Marked motor vehicle" means a motor vehicle conspicuously displaying the decal, insignia or plates issued under the provisions of ORS 487.925. (Ord. 80-58 §1, 1980).

10.28.190 Application Of Parking Regulations To Disabled Persons.

A disabled person may:

1. Park a marked motor vehicle in any public parking zone restricted as to the length of time parking is permitted therein without incurring the penalties imposed for overtime parking in such zones; and

2. Park a marked motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee.

3. The provisions of subsection 1 of this section do not apply:

a. To parking in zones where stopping, parking or standing of all motor vehicles is prohibited;

b. To late evening or overnight parking where such parking is prohibited;

c. To parking in zones reserved for special types of motor vehicles or activities; or

TIGARD MUNICIPAL CODE

d. To parking in zones where parking is permitted only for thirty minutes or less.

4. A person who is not disabled as defined in Section 10.28.180, and who exercises the privileges granted a disabled person under this section, commits a parking violation as provided in Section 10.28.150. (Ord. 80-58 §2, 1980).

10.28.200 Parking In Space Reserved For Disabled Persons Prohibited-- Exceptions.

1. Except as provided in subsection 10.28.200.2 of this section, no person shall park a vehicle that is not a marked motor vehicle in a disabled parking space.

2. Subsection 10.28.200.1 of this section does not apply:

a. To a vehicle that is momentarily in a disabled parking space for purposes of allowing a disabled person to enter or leave the vehicle.

b. To any disabled parking space that is subject to different provisions or requirements under City ordinance if the different provisions or requirements are clearly posted.

3. Violation of subsection 1 of this section is a parking violation as prohibited in Section 10.28.150. (Ord. 80-58 §3, 1980).

10.28.210 Removal And Impoundment Of Vehicle Unlawfully Parked In Space Reserved For Disabled Persons.

A vehicle parked on private property in violation of Section 10.28.200 is subject to the provisions of Section 10.28.160. (Ord. 80-58 §4, 1980).■