

**Department of Public Works**  
**Division of Parking Facilities -Administrative Summary**  
**Amend C.O. 455.01, 455.05, 455.07, 455.09 & 455.10**

**DIVISION:** Parking Facilities

**ORDINANCE NO.:** 580-2023

**DESCRIPTION:** An emergency ordinance to amend 455.01, 455.05, 455.07, 455.09 & 455.10 of the Codified Ordinances of Cleveland, Ohio, 1976 to include language for the enhancement of parking meters with new technology and rates changes. Any mechanical or electronic device used, placed, installed or erected at or near the curb adjacent to the parking lane, or otherwise on property which is owned, leased or operated by the city. A parking meter includes, but is not limited to, single space meters, multi-space meters and parking mobile payment applications authorized by the City of Cleveland.

For such charges and fees as may be established by the Board of Control and approved by Council as provided in Section [133.25](#) of the Codified Ordinances.

**LEGISLATIVE PURPOSE:** Passage of this legislation is necessary to include who changes to monies, fees and rates processed at the parking meters as a result of modernizing the

#### 455.01

b. The Commissioner of Parking Facilities may install and maintain individual parking meters, adjacent to each parking space, or he or she may install and maintain automatically operated gates at the exits or entrances of off-street parking facilities and parking booths for the issuance of tickets, as are in the best interests of the City. The Commissioner of Parking Facilities also has authority to install and maintain parking meters on City Streets.

#### § 455.05 Parking Regulations

(a) Except as otherwise provided in this chapter, when any vehicle is parked in any parking space adjacent to which a parking meter zone is located, the person so parking such vehicle shall, upon entering such parking space immediately remit deposit or cause to be remitted deposited the required parking fees funds in parking meters or by way of mobile pay option. Upon remittance of such parking fees, and the placing of such parking meter or mobile pay option in operation, the parking space may be lawfully occupied by such vehicle during the period indicated on the meter or mobile pay option. immediately deposit in the parking meter such proper coin or coins of the United States or such proper parking token or tokens or shall immediately insert in such parking meter such proper parking key or parking card as is required for such parking meter and as designated by proper directions on the meter. , //When required by the directions on the meter, the person so parking the vehicle, after the deposit of the proper coin or coins, or parking token or tokens, or insertion of the proper parking key or parking card, shall also set in operation the timing mechanism on such meter in accordance with directions appearing thereon. Any vehicle which fails to remit the required parking fees and remains in an individual on-street or off-street parking space after the prescribed time for parking will be determined to be illegally parked and in violation of the provisions of this section. No vehicle shall remain parked in a parking space in excess of the posted time restriction pursuant to the provisions of this section. The fact that the vehicle is in an individual on-street or off-street parking space when the time on the parking meter or mobile payment option for the same shows no parking permitted unless a deposit of the required funds is immediately made as herein provided shall be deemed a prima-facie evidence of the unlawful parking of such vehicle by its owner, Failure, to deposit such proper coin or coins, or parking token or tokens, or failure to insert the proper parking key or parking card, and to set the timing mechanism in operation when so required, shall constitute a violation of this section. Upon the deposit of such coins, parking tokens, or upon the insertion of the proper parking key or parking card, and the setting of the timing mechanism in operation when so required, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed on the parking meter for the denomination of the coin or coins, or parking token or tokens deposited, or during the period of time which has been prescribed on the parking meter for the parking key or parking card inserted, provided that any person parking a vehicle in a parking space adjacent to which there is a parking meter which indicates that unused time has been left in the meter by the previous occupant of the parking space, shall not be required to deposit a coin or coins, or parking token or tokens so long as his or her occupancy of the parking space does not exceed the indicated unused parking time. If any vehicle remains parked in any parking space beyond the parking time limit set for such parking space, and if the parking meter indicates such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this section.

(b) Except as otherwise provided in this chapter, when any vehicle is parked in a parking space in a Municipal parking facility in which automatically operated gates have been erected at the exits or entrances of such parking facility, the person so parking such vehicle shall, upon removing such vehicle from the Municipal parking facility, upon entering such parking facility, ~~deposit~~ **remit** or cause to be ~~deposited~~ **remitted parking fees, coin, cash or credit** ~~a coin or coins of the United States or such parking token or tokens, or cause to be inserted~~ the proper parking key or parking card as is required for such automatically operated gate and as is designated by proper directions ~~on the gate or posted~~ adjacent thereto. Failure to ~~remit deposit~~ **parking fees, coins, cash, credit, or parking tokens, or to insert** the proper parking key or parking card shall constitute a violation of this section. Upon the ~~remittance deposit~~ **of parking fees, coin, cash or credit, such coin or coins, or parking token or tokens or upon the insertion** of the proper parking key or parking card in the automatically operated gate, the vehicle being removed from the parking facility shall be deemed to have been lawfully parked for that continuous period of parking time immediately preceding the removal of the vehicle from the Municipal parking facility.

(Ord. No. 1525-81. Passed 6-29-81, eff. 7-2-81)

#### **§ 455.07 Violations**

It shall be unlawful and a violation of the provisions of this chapter for any person:

(a) To cause, allow or permit any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time as may be provided in Section 455.06;

(b) To permit any vehicle to remain or be placed in any parking space adjacent to any parking meter **zone** while ~~such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space;~~

(c) To park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not be entirely within the area designated by such lines or marking;

(d) To perform any act other than the deposit of lawful coins, parking tokens, parking keys or parking cards for the purposes of securing or increasing the parking meter indication of legal parking time or for the purpose of putting into operation the automatically operated gate;

(e) To fail to comply with any other provisions of this chapter or with any rules or regulations duly adopted by the Commissioner of Traffic Engineering and Parking and the Commissioner of Parking Facilities, pursuant to the authority of Section 455.02.

(Ord. No. 1525-81. Passed 6-29-81, eff. 7-2-81)

#### **§ 455.09 Collection of Coins or Tokens**

The Commissioner of Parking Facilities shall have charge of the collection of **parking fees** ~~the coins or tokens deposited~~ **remitted** in parking meters, **mobile payment options** or in automatically operated gates on Municipal parking facilities.

(Ord. No. 1525-81. Passed 6-29-81, eff. 7-2-81)

#### **§ 455.10 Application of Funds Collected**

The **parking fees** ~~coins deposited~~ **remitted** in parking meters **or mobile pay options** or automatically operated gates and the fees and charges collected for the issuance of parking tokens, parking keys or parking cards in Municipal off-street parking facilities are required and shall be used to defray the expense of proper regulation of parking and traffic upon Municipal

off-street parking facilities in the City; to provide the cost of supervision, regulation and control of the parking of vehicles in Municipal off- street parking facilities; the payment of the interest on and the retirement at maturity of bonds issued for the purchase of land, the improvement thereof and the equipping of such premises for off-street parking operation; and to cover the cost of purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of parking meters, automatically operated gates on Municipal off- street parking facilities; all of which serve to regulate traffic and reduce the congestion caused by vehicles upon the streets of the City.

Separate accounts shall be maintained for each Municipal off-street parking facility so as to show the financial results of City ownership and operation, including all assets, liabilities, revenues and expenses, the cost of all improvements, expense of maintenance and the amount set aside for interest and debt retirement.

(Ord. No. 1525-81. Passed 6-29-81, eff. 7-2-81)