

## Chapter 10.34

### PARKING METERS

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#### **10.34.010 Definitions.**

For the purpose of this chapter, the following words shall have the following meanings:

**Off-Street Parking Revolving Fund** shall mean the fund which is hereby created for the receipt of money generated from the operation of parking meters upon public parking facilities and money received from the operation of gated parking facilities as specified in Chapter 10.36. Such money shall be used for the purpose of designing, acquiring, constructing, maintaining, repairing, regulating, supervising, and policing city-owned and operated off-street parking facilities.

**Operator** shall include every person who operates a vehicle as the owner thereof, or as the agent, employee, or permittee of the owner thereof.

**Parking meter** shall mean an upright mechanical device located immediately adjacent to a parking space in the street, public way, or parking facility, with coin receptacle and so constructed as to enable the determination of the time a vehicle is parked in the parking space. (Ord. 15642 §1; July 9, 1990: P.C. §10.40.010: Ord. 14566 §1; December 15, 1986: prior Ord. 11542 §10; December 29, 1975: Ord. 5699 §901; April 12, 1954).

#### **10.34.020 Location and Placing of Meters.**

The Director of Public Works and Utilities shall, by rules and regulations, designate the streets, public ways, or parking facilities, or portions thereof, upon which parking meters shall be located and installed, and the Parking Services Division of the Urban Development Department shall be responsible for installing the parking meters in accordance therewith. (Ord. 19433 §7; August 16, 2010: prior Ord. 16951 §80; March 11, 1996: Ord. 15642 §2; July 9, 1990: P.C. §10.40.020: Ord. 11542 §11; December 29, 1975: Ord. 8282 §46; December 16, 1963: Ord. 7794 §15; July 16, 1962: Ord. 5699 §902; April 12, 1954).

#### **10.34.030 Parking Fees and Time Limits.**

For the purpose of relieving traffic congestion and making provision for convenient parking in order to facilitate the free flow of traffic, there is hereby imposed a fee, as hereinafter provided, upon each person parking a motor vehicle upon the public streets, ways, or parking

facilities, as designated by the Director of Urban Development, which, unless otherwise ordered by the Director of Urban Development and also indicated on the parking meter, after a traffic and engineering investigation, shall be imposed only between the hours of 8:00 a.m. and 6:00 p.m. with no fee imposed by parking on any Sunday, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. When any vehicle has been parked in any parking space for which a parking meter has been provided, the operator of said vehicle shall, immediately after entering the said space, pay or cause to be paid a fee of such kind and amount, and in the manner as shall be indicated on the particular parking meter provided for the parking space which the operator has entered, and shall operate the device to place it in complete operation. Such parking space may then be lawfully occupied by said vehicle during the period of parking time indicated on said parking meter at the time allowed for the particular fee paid.

If said vehicle shall remain parked in any such parking space beyond the parking time limit as indicated on such meter for the particular fee paid, the parking meter shall display a sign or signal showing that such parking is illegal, and in that event such vehicle shall be considered as parked overtime and in violation of this title. (Ord. 20417 §1; December 19, 2016: prior Ord. 20117 §1; December 8, 2014: Ord. 16951 §81; March 11, 1996: Ord. 15642 §3; July 9, 1990: P.C. §10.40.030: Ord. 11542 §12; December 26, 1975: Ord. 11460 §1; September 15, 1975: Ord. 8888 §1; December 20, 1965: Ord. 8282 §47; December 16, 1963: Ord. 5699 §903; April 12, 1954).

ANNOT.: Fees collected under this ordinance are allocated to policing which is a governmental purpose and function.  
Martin v. City of Lincoln, 155 Neb. 845, 53 N.W.2d 923 (1952).

#### **10.34.040 Responsibility of Owner.**

It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in the name of such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described. (Ord. 15642 §4; July 9, 1990: P.C. §10.40.040: Ord. 5699 §904; April 12, 1954).

#### **10.34.050 Extending Time Prohibited.**

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin of the United States for the purpose of extending the parking time beyond that fixed by the ordinances of the city for the parking of vehicles in the particular space for which a parking meter has been provided. (Ord. 15642 §5; July 9, 1990: P.C. §10.40.050: Ord. 5699 §905; April 12, 1954).

#### **10.34.060 Overtime Parking.**

It shall be unlawful for any person to permit a vehicle to remain in any parking space for which a parking meter has been provided while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space. A sign or signal from a parking meter showing that the allotted time for such parking meter has expired shall establish an overtime parking violation for any vehicle parked in the space regulated by such parking meter during the times established for parking meter operation in Section 10.34.030. (Ord. 15642 §6; July 9, 1990: P.C. §10.40.060: Ord. 5699 §906; April 12, 1954).

**10.34.070 Slugs, Tampering Prohibited.**

It shall be unlawful for any person to deposit or cause to be deposited or inserted in any parking meter any slug, device, or metallic substitute for any coin of the United States for any reason, or for any person to injure, tamper with, open, willfully break, destroy or impair the usefulness of any parking meter installed under the terms of this title. (Ord. 20117 §2; December 8, 2014: prior Ord. 15642 §7; July 9, 1990: P.C. §10.40.070: Ord. 5699 §907; April 12, 1954).

**10.34.080 Compliance With Chapter Not Grant of Superior Privilege.**

Compliance with the provisions of this chapter shall not give the person complying therewith any greater, different, or additional rights or privileges than is provided by the ordinances of the city relative to parking of vehicles. (Ord. 15642 §8; July 9, 1990: P.C. §10.40.080: Ord. 5699 §908; April 12, 1954).

**10.34.090 Disposition of Fees.**

The fees collected under this chapter shall not exceed the reasonable cost to the city of providing, maintaining, regulating, supervising, and policing the exercise of the privilege of parking. All money received from the operation of said parking meters upon streets or public ways shall be deposited with the City Treasurer, and, except to the extent that such money has been pledged to the payment or securing of parking reserve bonds directed by council, the Treasurer shall transfer such money to the General Fund. All money received from the operation of said parking meters upon public parking facilities shall be deposited with the City Treasurer and transferred to the Off-Street Parking Revolving Fund. (Ord. 15642 §9; July 9, 1990: P.C. §10.40.090: Ord. 14566 §2; December 15, 1986: prior Ord. 11542 §13; December 29, 1975: Ord. 7794 §16; July 16, 1962: Ord. 5699 §909; April 12, 1954).

**10.34.100 Collection of Parking Meter Fees.**

(a) All coins placed in each parking meter shall be collected, pursuant to written procedures approved by the Finance Director, by the Parking Services Division of the Urban Development Department, or its designee. The coin receptacle shall be securely locked into each meter at all times except during the period of time actually necessary to remove money from the receptacle or to inspect, adjust, or repair the meter, and the key shall be retained in the custody of the Parking Services Division. Collection shall be effected by dumping the contents of the coin receptacle of each parking meter, at the meter, into the locked money container of a collection device or vehicle. All coins collected from parking meters shall be delivered directly to a bank designated by the City Treasurer, immediately after the completion of the particular collection tour. The total amount so collected shall be deposited in said bank to the credit of the account of the City Treasurer of the City of Lincoln. The deposit receipt for such deposit shall be delivered by the employee or employees making the deposit to the City Treasurer within one working day of the deposit.

(b) Notwithstanding any other provision of this title to the contrary, a collection device or vehicle may be operated on the public streets or sidewalks when engaged in any activity authorized by this section. The driver or operator of such collection device or vehicle shall operate it with due regard for the safety of all persons. (Ord. 20117 §3; December 8, 2014: prior Ord. 19433 § 8; August 16, 2010: Ord. 16897 §1; November 13, 1995: Ord. 15642 §10; July 9, 1990: P.C. §10.40.100: Ord. 5699 §910, as amended by Ord. 7081; January 11, 1960).