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ADMINISTRATIVE ORDER NO. 58-92-07  
of the  
CITY MANAGER OF THE CITY OF EUGENE, OREGON

**Residential Permit Parking Zone Regulations  
Administrative Rule R-5.040**

Pursuant to the authority contained in Sections 2.019 and 5.040 of the Eugene Code, 1971, I hereby adopt the following Residential Permit Parking Zone Regulations Administrative Rule R-5.040:

**RESIDENTIAL PERMIT PARKING ZONE REGULATIONS  
ADMINISTRATIVE RULE R-5.040**

**R-5.040-A DEFINITIONS.**

In addition to applicable definitions set forth in Chapter 5 of the Eugene Code, 1971, as used herein, the following means:

**Residential area.** A contiguous or nearly contiguous area of several blocks containing public streets or parts thereof, primarily abutted by residential property or residential and non-business property, such as churches and parks.

**R-5.040-B POLICY.**

These regulations govern the establishment of or withdrawal from residential permit parking zones within the City.

**R-5.040-C INITIATION.**

1. **Application by owner/resident.** A request to establish a residential permit parking zone shall be submitted to the City on a form provided by or approved by the City. The application shall be accompanied by a fee established by the City Manager pursuant to Section 2.020 of the Eugene Code, 1971, and shall be signed by more than 50% of the owners and residents within the block or blocks for which designation is sought, who are eligible under these regulations to vote. The application must be for an area of at least one contiguous block. Any person signing an application hereunder shall provide proof of ownership and/or proof of residency.

2. **Order of traffic engineer.** The Traffic Engineer may establish a residential permit parking zone in an area for which no application has been received providing:

(a) Establishment of the zone is necessary in order to meet the objectives of the policies set forth herein;

(b) The proposal would meet the criteria for approval set forth in R-5.040-F had an application been submitted;

(c) Failure to establish the zone would create a hardship for residents in the area or contribute to traffic congestion in the area.

**R-5.040-D ALLOCATION OF VOTES.**

Two votes shall be allocated to each parcel of property with an address for the street within a block. If the parcel is renter-occupied, one vote shall be allocated to the tenant, and one vote to the owner. If the parcel has frontage on the block but does not have an address that contains the street name for that block, one vote shall be allocated to the parcel, one-half to the owner, and one-half to the tenant. If a single parcel contains multiple tenants, the tenant vote shall be determined on the basis of a majority vote of all current tenants of the parcel (i.e., 20 tenants, 11 must vote for or against the proposal).

**R-5.040-E NOTICE OF APPLICATION.**

Upon receipt of an application for designation of a residential permit parking zone and payment of required fees, the Traffic Engineer or designee shall cause notices describing the area for which designation is sought to be provided to the affected owners, tenants, and neighborhood organization.

**R-5.040-F CRITERIA FOR APPROVAL.**

Approval of an application for establishment of a residential permit parking zone shall be based on consideration of the following criteria:

(a) Whether there is consistently a significant amount of long-term spill-over parking from nearby high employment sites or traffic generators;

(b) Whether residents frequently find it difficult to park on-street within

close proximity to their residences;

- (c) The proximity of public transportation to the area;
- (d) The desire and/or need of residents of the area for establishment of permit parking zones;
- (e) The local and area-wide needs with respect to clean air, and the requirements of federal and state laws and regulations;
- (f) Whether the designation may result in a reduction in total vehicle miles driven within the City;
- (g) The zone is a minimum of one block and is in a residential area; and
- (h) The ability of the City to recover all costs associated with the establishment of the permit parking zones through permit fees and fines for violations thereof.

**R-5.040-G REVIEW OF APPLICATION.**

The Traffic Engineer shall review the application for conformity with these regulations and shall issue an order denying the application, or granting the application and establishing the residential permit parking zone as applied for, or as modified by the Traffic Engineer. An order denying an application shall contain findings setting forth reasons, which may include, but are not limited to a failure to contain the required percentage of signatures, failure to establish proof that signatures are valid, or failure to meet the criteria set forth in R-5.040-F above. A finding that the application has been reviewed and found to be in conformity with the policies and regulations established herein, including the criteria set forth in R-5.040-F above, shall be a sufficient finding for approving an application and establishing a residential permit parking zone for all or a portion of the proposed designated area. An order issued hereunder shall be subject to appeal as provided in R-5.040-P.

**R-5.040-H ERECTION OF SIGNS.**

After approval of the administrative order establishing a residential permit parking zone, the Traffic Engineer shall cause signs to be erected within the area regulating parking and providing preferential long-term parking for permit holders.

**R-5.040-I PARKING PERMITS.**

1. **Application.** A person residing in or owning residential property within the designated area who desires to obtain a parking permit, shall submit an application for a parking permit on a form provided by the City. The application shall contain at a minimum:

1.1 The name, residential address, and approved picture identification of the owner or operator of the motor vehicle;

1.2 Acceptable proof of residence at a recognized address within the program area; and

1.3 A valid registration certificate for the motor vehicle for which the permit is sought.

A permit shall not be issued for a motor vehicle that is not owned by the applicant or his or her parent or legal guardian.

2. **Issuance of Permit.** Upon receipt of an application, and payment of required fees, one permit for the respective motor vehicle shall be issued to the vehicle owner or operator who resides on property within the designated area. The permit shall identify the residential permit parking zone, and shall contain the license number of the vehicle for which issued. Permits shall not be valid in any other permit parking area or for any vehicle other than as identified thereon. Except as may be provided herein, permits may not be transferred.

3. **Duration and Renewal of Permit.** A permit shall be issued for a term of one year, the commencement and termination thereof to be set forth in the order designating the permit parking zone, and may be renewed annually thereafter in the manner noted on the permit. Permits issued after the commencement of the term shall be for the unexpired portion of the term, and the fee therefore shall be prorated accordingly.

4. **Transfer.** Permits may not be transferred from one vehicle to another unless the vehicle for which the permit was issued is sold or otherwise disposed of. Upon return of the original permit to the City, provision of the information required in R-5.040-I-1, and payment of any required fee, a permit for the unexpired term of the permit being cancelled shall be issued for the new vehicle.

5. **Special Permits.**

5.1 **Absentee Owner.** An owner of property within a designated area who does not reside on the property may purchase an annual permit or receive up to

three temporary permits per year in order to inspect or maintain the property. Requests for temporary permits must be submitted to the City at least two days prior to the anticipated use, and be accompanied by any required fees. The two day period may be waived by the Traffic Engineer or designee if the applicant satisfactorily demonstrates that circumstances would not permit an earlier notification.

**5.2 Guest Permits.** A permittee may apply for and receive temporary parking permits for guests, which shall be valid for the time specified thereon. No more than three guest permits per parcel shall be issued at one time. The permits shall be returned to the City upon expiration of the time for which issued.

**5.3 Exemption Permits.** Upon application to the Traffic Engineer or designee, an exemption permit shall be issued to service or delivery vehicles which are used to provide services or make deliveries to dwellings within the residential permit parking zone.

**6. Display.** Permits shall be displayed on the rear portion of the vehicle on the driver's side either on the bumper, the rear window, or other location so as to be readily visible, or in the manner indicated on the permit, whenever the vehicle is parked within the designated zone.

**R-5.040-J AUTHORIZATION.**

A permit issued for a residential permit parking zone established by the Traffic Engineer or designee in accordance with these regulations shall entitle the holder thereof to preferential long-term parking during pre-established peak parking periods within the residential permit parking zone for the vehicle identified thereon, so long as the permit is properly displayed. The issuance of a parking permit shall not guarantee to, nor reserve for the holder a parking space within the zone. The permit shall be valid only for the vehicle and zone designated thereon. Neither these regulations nor any permits issued for a residential permit parking zone shall entitle the holder thereof to park or stand a motor vehicle in violation of any parking or traffic laws.

**R-5.040-K VIOLATIONS.**

No person shall:

1. Falsely represent that he or she is entitled to a residential permit-parking zone permit.

2. Fail to surrender a permit to which he or she is no longer entitled.
3. Fail to properly display a permit.
4. Park a vehicle within a permit parking zone displaying a permit to which the holder is no longer entitled.

**R-5.040-L REVOCATION OF PERMIT.**

The Traffic Engineer or designee may revoke the permit of any permittee found to be in violation of either these regulations, an order establishing a residential permit parking zone, or any condition of the permit. Written notification of the revocation shall be given to the permittee by certified mail, return receipt requested, or by personal delivery thereof, directing that the permit be returned to the City within the time and in the manner indicated therein. Failure to surrender a revoked permit shall constitute a separate violation of these regulations.

**R-5.040-M REMOVAL OF DESIGNATION.**

The permit parking zone designation for an area, or any block within the area may be removed by administrative order of the Traffic Engineer or designee if the zone no longer meets with or fulfills the criteria for which it was initially established. The removal of designation may also be initiated by affected owners and/or residents by submitting an application therefore to the Traffic Engineer or designee, accompanied by the fees established by the City Manager pursuant to Section 2.020 of the Eugene Code, 1971 necessary to recover the City's costs in processing the application and removing the signs that have been erected. The application must be signed by all owners and tenants within the block or blocks seeking removal who are eligible to vote hereunder, and shall be for a minimum of one block in area. Upon approval of the application, the designation shall be removed and the signs taken down.

**R-5.040-N FEES.**

All fees required to be paid hereunder shall be established by order of the City Manager following the procedures set forth in Section 2.020 of the Eugene Code, 1971.

**R-5.040-O ORDER DESIGNATING PERMIT PARKING ZONE.**

In any administrative order of the Traffic Engineer or designee approving an

application for designation of a residential permit parking zone, a finding that the application has been reviewed and found to be in conformity with the policies and regulations established herein shall be sufficient authority for granting the application.

**R-5.040-P APPEALS.**

Any person aggrieved by a decision of the Traffic Engineer or designee hereunder may appeal the same within the time and in the manner set forth in Section 5.045 of the Eugene Code, 1971.

**R-5.040-Q WAIVER OF FEES.**

The Traffic Engineer may waiver or reduce the fees required to be paid hereunder when the residential permit parking zone has been established by order issued under R-5.040-C.2.

This Rule is adopted after giving public notice by publication on March 23, 24, 25, 26, 27, 1992 in the Register Guard, a newspaper of general circulation within the City, that I intended to adopt as a permanent rule Residential Permit Parking Zone Regulations Emergency Rule R-5.040, adopted on August 15, 1991, as amended, with the effective date thereof extended, and making copies of the Rule available for inspection by interested persons. The notice provided that written comments would be received thereon for a period of fifteen days from the first date of publication. The only written objection received, and my findings in response thereto consists of:

**Objection.** Members and staff of the Dental Arts Complex located at 14th and Mill Streets requested that either the Rule be modified or application of the Rule to employees of the Dental Arts Complex be waived to allow those employees to purchase residential parking permits.

**Finding.** Granting either request would be in direct conflict with the stated purpose and intent of these regulations to: eliminate commuter parking in established residential areas; minimize the adverse impact of motor vehicles on local residential streets, minimize spill-over parking from nearby high-employment sites; and the promotion of transit and alternative modes of transportation by discouraging long-term employee parking. None of the other businesses within the area have requested or been afforded these parking privileges, and it would be an inconsistent and unfair application of the regulations to grant either request of the Dental Arts Complex. City staff has explored other alternatives with staff of the Dental Arts Complex, such as improving the utilization of the Complex's private lot and on-street parking adjacent to its property and further use of LTD or other

alternatives to driving, and has indicated a willingness to continue to work with the members and staff of the Dental Arts Complex in resolving their parking concerns. I therefore find that this Rule should not be modified, nor its provisions waived in order to authorize issuance of residential parking permits to employees of the Dental Arts Complex.

Therefore, having fully responded to the comments and objections received, Emergency Rule R-5.040 is repealed, and this Residential Permit Parking Zone Regulations Administrative Rule R-5.040 is effective as of April 15, 1992.

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**Micheal D. Gleason, City Manager**