

ORDINANCE NO. 2010-40

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to parking for employees of local merchants and amending Section 10.08.087 of the Bainbridge Island Municipal Code.

WHEREAS, the City has established an employee parking program that allows businesses and property owners in the Mixed Use Town Center district in the City to obtain parking permits from the City that authorize employees to park in City-owned parking lots or spaces on public streets that are designated for employee parking, so that other public parking spaces on Winslow Way and nearby streets are available to customers of businesses in the area; and

WHEREAS, the City has determined that it is in the best interest of the City to contract with an outside entity, such as the Bainbridge Island Chamber of Commerce, to administer the employee parking program; and

WHEREAS, the City has determined that the appropriate fee for employee parking permits issued under this program, and the administrative rules and procedures, should be established from time to time through an agreement between the City and the designated agency;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 10.08.087 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

10.08.087 Employee parking program.

A. ~~Designated Agency for Administration of Employee Parking Program. The city manager is authorized to contract with the Bainbridge Island Chamber of Commerce (“Chamber”) shall be or another entity to serve as the city’s designated agency for the administration of the city’s employee parking program, including issuance of permits, collection of permit fees, and oversight of program usage, on behalf of the city. The Chamber~~ The contract shall allow the designated agency to recover from such fees only its reasonable costs for administering the program. The designated agency shall may establish reasonable written rules or policies necessary for the effective administration of the program, including the assignment and distribution of such permits; provided, that any rules and policies, and the permissible locations for parking under the program (which may be revised from time to time) established by the Chamber must be approved by the city manager in a contract council and by the boards of Team

~~Winslow and the Chamber. Any rules or policies established by the Chamber shall and~~ be consistent with this section.

B. Participation in Employee Parking Program.

1. All mixed use town center commercial property owners and businesses with a valid city business license may participate in the city's employee parking program. ~~The city shall publish, at least annually, a notice advising all mixed use town center commercial property owners and licensed businesses that they are eligible to participate in the city's employee parking program.~~

2. Each commercial property owner or licensed business wishing to participate in the employee parking program shall, submit the following information when making an application for a permit or a renewal ~~a semi-annual basis, apply to the Chamber on the employee parking participation form provided by the Chamber. The employee parking participation form shall include:~~

- a. The name and address of the commercial property owner or business;
- b. For commercial property owners applying to participate, a complete list of all tenants located at the commercial property with employees who will be assigned an employee parking permit;
- c. The name of each employee that will be assigned an employee parking permit;
- d. The make, year, color and license plate number of each participating employee's vehicle;
- e. A statement, signed by the commercial property owner or the authorized representative of the licensed business, that the commercial property owner or licensed business shall: (1) comply with the employee parking regulations; (2) guarantee that all persons being issued a permit have received, read and signed a copy of the employee parking regulations; (3) maintain a current, accurate record of employee parking permits issued to the commercial property owner's tenants or the employees of the business; and (4) post the employee parking regulations and a map depicting the location of employee parking on the premises of the commercial property or licensed business; and
- f. A true and correct copy of a valid business license for each of the commercial property owner's tenants that will be issued an employee parking permit, or for the business applying to participate in the employee parking program.

3. Upon confirmation that an eligible commercial property owner or licensed business has submitted a complete and accurate employee parking participation form, and has paid a fee in the amount agreed in the contract, of \$2.00 for each original permit to be issued and \$2.00 for each permit to be renewed, the City's designated agency Chamber shall issue employee parking permits to the commercial property owner or the licensed business. The designated agency Chamber shall have the discretion to determine the number of parking permits issued to or renewed for each commercial property owner or licensed business, based on the number of permits requested by the commercial property owner or licensed business and on the availability of parking in the areas designated for employee parking. Notwithstanding the above, the fee for the period from November 1, 2010 to April 30, 2011 shall be \$20.00 per vehicle.

4. Employee parking permits shall be valid for six-month periods. Employee parking permits may be renewed for six-month periods in accordance with the procedures for obtaining an original employee parking permit. The fee shall be prorated by sixths for an initial period of months less than six.

C. Assignment of Employee Parking Permits.

~~1. Each participating commercial property owner or business shall be responsible for assigning an issued permit to an employee of a tenant of the commercial property owner or of the business. The commercial property owner or business shall maintain accurate, current records of the individuals assigned the permit, and shall provide an accurate, current list of the individuals assigned the permits to the Chamber on request. Any individual assigned a permit shall immediately return the permit to the commercial property owner or business on termination of the individual's employment with the property owner's tenant or the business.~~

~~2. When an employee is initially assigned a permit, the employee shall personally pick up the permit from the Chamber office and sign a statement acknowledging receipt of a copy of the employee parking regulations. When an employee parking permit is renewed, the participating business or commercial property owner may pick up the renewed permit from the Chamber office and distribute the renewed permit to the appropriate employee.~~

DC. Employee Parking Regulations. All persons using an employee parking permit shall comply with the following:

1. Persons using an employee parking permit shall properly display a current, valid employee parking permit in the lower left side of the

vehicle's windshield, in accordance with the rules and regulations established by this section and by the designated agency Chamber.

2. Persons using an employee parking permit shall park in designated employee parking areas only.

3. Persons using an employee parking permit shall not park in an employee parking designated area unless the person is actually working at the participating business or property at the time.

4. Persons using an employee parking permit shall not park in an employee parking designated area while traveling outside of the city, unless the travel is work-related, and the work originates from and concludes at the participating business or property within a 24-hour period.

5. Individual employees shall not transfer an employee parking permit to another person. Participating commercial property owners or businesses may transfer an employee parking permit from one employee to another.

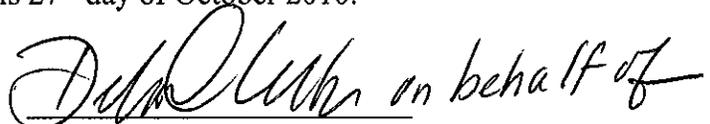
6. All persons assigned an employee parking permit shall acknowledge receipt of the employee parking regulations and a City-approved map depicting the employee parking areas, agree to review posted employee parking regulations at least monthly, and comply with any temporary rules and regulations posted by the city, the designated agency Chamber or the participating business or property owner.

E. Violations. An individual who violates any of the provisions of this section shall be liable for a civil infraction. Additionally, any commercial property owner or business that violates any of the provisions of this section shall not be permitted to participate in the employee parking program. Such owner or business shall not be issued employee parking permits and shall return any employee parking permits previously issued to the commercial property owner or business.

Section 2. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL this 27th day of October 2010.

APPROVED BY THE MAYOR this 27th day of October 2010.


Bob Scales, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	October 12, 2010
PASSED BY THE CITY COUNCIL:	October 27, 2010
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