

ORDINANCE 1872

AN ORDINANCE AMENDING THE METERED PARKING
REGULATIONS WITHIN THE TOWN OF MUNSTER

WHEREAS, the Town Council of the Town of Munster is the municipal legislative body of the unit; and

WHEREAS, The Town of Munster, its Staff, and consultants have reviewed and recommended various changes to the Munster, Indiana Code regarding metered parking; and

WHEREAS, based on those recommendations, the Munster Town Council has concluded that amendments to Chapter 54. Traffic and Vehicles, Article IV. Stopping, Standing and Parking, Division 3. Metered Parking, is appropriate; and

WHEREAS, The Munster Town Council deems it to be in the best interest of the general health, safety, and welfare of the citizens of the Town of Munster to amend Chapter 54. Traffic and Vehicles, Article IV. Stopping, Standing and Parking, Division 3. Metered Parking, of the Munster Code of Ordinances.

Now, therefore, be it **ORDAINED** by the Town Council of the Town of Munster, Lake County, Indiana as follows:

**Chapter 54 – Traffic and Vehicles, Article IV – Stopping, Standing and Parking,
Division 3. Metered Parking of the Munster Municipal Code, be amended to read
as follows:**

Division 3 - Metered parking.

Sec. 54-221. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Parking meter means any mechanical device or digital parking enforcement technology used for the regulation of parking. The term *parking meter* includes, but is not limited to, a mechanical device or kiosk placed or erected on any parking area of the Town where parking fees are required to be paid to park and that accepts payments onsite; a parking management service accessed through a smartphone app, website browser, or pay-by-phone to make payment of parking fees when required to pay to park in specified areas of the Town; and license plate recognition (LPR) technology that identifies license plates of vehicles entering and exiting parking areas of the Town where parking fees are required to be paid to park to determine if the vehicle has an existing annual parking pass or if the driver made payment via the on-site parking meter kiosk, smartphone app, website, or by phone.

Sec. 54-222. Metered parking lots.

All parking lots in Centennial Park in the Town of Munster are metered parking lots. This includes the parking or standing of vehicles, including ADA accessible vehicles, in the north parking lot of Centennial Park (entry from Calumet Avenue at Superior Avenue), and in the south parking lot of Centennial Park (entry from Calumet Avenue at Columbia Avenue).

Sec. 54-223. Parking meter fund.

- (a) A parking meter fund (fund) was established within the office of the clerk-treasurer. This special non-reverting revenue fund is authorized under Indiana Code 36-9-12 et seq.
- (b) All monies received by the Town of Munster from parking fees paid via a parking meter, in accordance with this division, shall be deposited into this fund.

Sec. 54-224. Payment of parking meter required.

Whenever a vehicle is parking or standing in a metered parking lot, the person operating the vehicle shall pay the applicable parking fees at the rate established by the Town Council.

Sec. 54-225. Applicable parking fees.

- (a) The fee to park in a metered parking lot is \$2.00 per hour or \$5.00 per day (including re-entry during the applicable hour or day).
 - (1) A fifteen (15) minute grace period is allotted upon a vehicle's entry into a metered parking lot whereby parking fees will not be assessed if the vehicle exits the lot within the grace period. Parking fees will be assessed if the vehicle remains in the lot beyond the fifteen (15) minute grace period.
 - (2) Payment of the hourly or daily parking fee shall be made within 15 minutes of entry to the metered lot via the on-site parking meter kiosk, smartphone app (download [ParkbyApp](#) from the App Store or Google Play), website ([ParkbyApp.com](#)), or by phone (1-888-764-ASTA). If payment is made via the smartphone app, a convenience fee of \$00.50 will be assessed for each transaction. Payment will not be accepted by the town clerk-treasurer.
- (b) An annual pass to a metered parking lot may be purchased each calendar year. The fee for an annual pass to a metered lot shall be as follows, subject to all conditions of this division and the applicable parking management agreement:
 - (1) *Residents.* One time each calendar year, Town of Munster residents are eligible to register the license plates of two (2) vehicles, per household, for an annual parking pass at no cost (\$0.00). Registration shall be completed each year through a link on the Town's website.

Residents may purchase annual parking passes for additional vehicles (vehicle 3, 4, etc.) per household, for \$20.00 per vehicle, per calendar year. Residents shall contact the Parks Department directly to register and obtain payment information for additional vehicles.
 - (2) *Non-Residents.* Non-residents of the Town of Munster may register the license plate of a vehicle for an annual parking pass for \$120.00 per vehicle, per calendar year.

Registration and payment shall be made by debit or credit card, only, at a parking meter kiosk in Centennial Park

- (c) The Town of Munster will validate daily parking for Centennial Park Dog Park annual pass holders, Centennial Park Golf Course members, daily golfers, and during the rental of facilities at Centennial Park.
- (d) The Town Council may suspend enforcement of parking meters in the event of inclement weather or under other circumstances that the Town Council deems appropriate and reasonable.
- (e) The Director of Parks and Recreation is authorized to alter or modify the hourly charge or method of payment for parking in all metered parking lots in conjunction with special events and promotional activities.
- (f) The Director of Parks and Recreation is authorized to charge a daily rate of no more than \$5.00 per day to park in a metered parking lot on days that the parking meter equipment is non-functional.

Sec. 54-226. Unlawful parking in a metered lot prohibited.

- (a) No person shall park, stop, or leave a vehicle standing in a metered parking lot beyond the fifteen (15) minute grace period allotted upon entry to the lot, without having paid the applicable parking fee or having previously registered the vehicle for an annual pass or daily pass, as provided in sec. 54-225.
- (b) No person shall continue to park, stop, or leave a vehicle standing in a metered parking lot after a purchased parking session has elapsed. Failure to leave the metered parking lot or pay for a subsequent parking session prior to the expiration of the previously paid parking session is a violation of this section. The fifteen (15) minute grace period allotted upon a vehicle's entry into a metered parking lot, as set forth in sec. 54-225, does not apply to a second or subsequent parking session.
- ~~(b)~~(c) No vehicle, paid, permitted, or otherwise registered, shall be parked, stopped, or left standing in a metered parking lot in Centennial Park beyond park hours, as set forth in sec. 34-81.

Sec. 54-227. Presumption that owner parked car.

When a vehicle is parked, stopped, or standing in a metered lot, there is a prima facie presumption that the registered owner of the vehicle's license plate was the person who parked or placed the vehicle in the metered parking lot during the time which the violation occurred.

Sec. 54-228. Notice of violation.

Whenever the Town of Munster, or an agent of the parking management service contracted with the Town of Munster for the enforcement of metered parking, shall find that an owner or operator of a vehicle has not paid the applicable parking fee(s) to park in a metered parking lot in violation of a provision of this division 3, the Town or the agent of the parking management service shall notify the owner or operator in writing of the violation. A Parking Charge Notice will

be mailed to the registered owner or operator of the vehicle's license plate and will set forth the fines due in accordance with sec. 54-229.

Sec. 54-229. Fines.

- (a) A violation of this division 3 shall be subject to a fine of \$45.00 per violation. A fine that remains unpaid after fifteen (15) days of the initial Parking Charge Notice shall increase to \$85.00.
- (b) Payment of a fine assessed under this section shall be made directly to the town's parking management company online (*parkinginvoice.com*), or by phone or mail to the phone number or address on the Parking Charge Notice. If payment is made online or by phone, a convenience fee of \$3.99 will be assessed for each transaction. Payment will not be accepted by the town clerk-treasurer.
- (c) If the unpaid fines are referred to a third-party collection agent, or the town is required to send notices to individuals with unpaid violations, or the town is required to commence litigation to collect unpaid fines assessed under this division 3, then the town shall be entitled to recover all reasonable collection costs, administrative fees, and attorney fees, in addition to any unpaid fines.

Sec. 54-230. Vehicle towing and impoundment for multiple violations.

- (a) If an owner or operator of a vehicle has been assessed four (4) or more metered parking violations that remain unpaid, and after notification of the fines to the registered owner or operator of the vehicle, as required by law, in addition to any other penalties or fines permitted, the vehicle may be towed by the town's enforcement authority each time thereafter that it is in a metered parking lot.
- (b) The towing service provider or garage-keeper shall release such vehicle only to the registered owner or operator of the vehicle, as determined by the license plate registration, or to a person lawfully entitled to possession of the vehicle, upon payment directly to the towing service provider of the applicable costs itemized on the invoice and authorized in sec. 54-74 of this Code.
- (c) The owner or operator of the vehicle shall be responsible for all towing, storage, and other charges resulting from the removal of the vehicle, in accordance with sec. 54-75, as well as the unpaid parking fines set forth in sec. 54-229.

Sec. 54-231. Responsibility for enforcement of metered parking.

The provisions of this division 3 may be enforced by law enforcement officers, code enforcement officers, and agents of the metered-parking management service contracted with the Town of Munster.

Sec. 54-232. Parking law conflicts.

The provisions of this division 3 shall not be construed to modify or change the traffic and parking laws set forth in other portions of this Code which restrict or prohibit parking.

Secs. 54-233 – 54-240. Reserved.

This Ordinance shall be effective from and after adoption by this Council and compliance with I.C. §36-5-2-10.

Now, therefore, be it **ORDAINED** that the above-referenced Ordinance is hereby enacted.

ORDAINED and ADOPTED by the Town Council of the Town of Munster, Indiana, on the ____ day of _____ 2022, by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL OF THE TOWN OF MUNSTER,
LAKE COUNTY, INDIANA**

Chuck Gardiner, President

ATTEST:

Wendy Mis, Clerk-Treasurer