

(Published in the Topeka Metro News February 15, 2010)

ORDINANCE NO. 19381

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 142-1 and § 142-429, concerning parking violations and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 142-1, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

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

Angle or diagonal parking means the standing or parking of a motor vehicle on a public street with the long axis of the vehicle extending away from the street curb or roadway edge, and with the front of the vehicle away from the center of the street or roadway.

Central business district means that area bounded by Tyler Street, Madison Street, Second Street, and Huntoon Street.

College Hill TIF Development District means the area bounded by SW 13th Street, SW Lane Street, SW Washburn Avenue and SW 17th Street, including the parking lot at 1325 SW 16th Street, the cutback parking on SW 16th Street west of Washburn Avenue, and the development of the northwest corner of SW 17th Street and SW Washburn Avenue.

Parallel parking means:

(1) On streets with curbs, the standing or parking of the vehicle with the righthand wheels thereof parallel and within 12 inches of the righthand curb or roadway edge, subject to the exceptions permitting left side parallel parking as provided in this chapter.

(2) On streets without curbs, the standing or parking of a motor vehicle with the righthand wheels thereof parallel with the right edge of the roadway so that at least 20 feet of the width of the roadway remains for the free movement of vehicular traffic.

Street parking means that portion of a street between the curb or lateral lines of a roadway and the adjacent lot lines not occupied by a sidewalk.

Traffic division means the traffic division of the city police department created by ordinance or such other unit of the police department as is designated functions under this chapter.

Traffic engineer means the traffic engineer of the city or any person designated by the public works director or designee for the purpose of implementing and enforcing ordinances of the city relating to traffic.

Transportation operations division means that division within the public works department which has responsibility for street maintenance, traffic operations and onstreet and offstreet parking.

Transportation operations superintendent means the supervisor of the transportation operations division within the public works department.

Vehicle as used in section 142-266(b) means any vehicle belonging to a person other than the person who owns or is entitled to possession of the private property on which abandonment occurs, propelled by power other than human power, designed to travel along the ground by use of wheels, tread, runners or slides, and transport

persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons.

Zones:

(1) *Curb loading zone* means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) *No parking zones* means portions of streets described, designated and established by the city council as zones within which parking is prohibited at all times or at stated times when signposted.

(3) *No standing zones* means portions of streets described, designated and established by the city council as zones within which standing or stopping is prohibited at all times or at stated times when signposted.

(4) *Parking meter zones* means portions of streets described, designated or established by the city council as zones within which the parking of vehicles shall be controlled, regulated and inspected with the aid of timing devices or meters, referred to in this chapter as parking meters.

(5) *Passenger curb loading zone* means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(6) *Safety zone* means the area of space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

Words and phrases not defined in this section shall have the meaning ascribed to them by the laws of the state relating to motor vehicles.

Section 2. That section 142-429, Duty of traffic officers, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

77 **Duty of traffic officers.**

78 (a) Parking control officers shall have the authority to issue parking meter
79 tickets, and a uniform complaint and notice to appear for violations of standard traffic
80 ordinance sections 83 through and including 102 and City of Topeka Code sections
81 142-356, 142-384(a) and 142-504 within the central business district and the College
82 Hill TIF Development District. This authority is limited exclusively to the designated
83 violations and restricted to the central business district and the College Hill TIF
84 Development District.

85 (b) It shall be the duty of each parking control officer or police officer to take
86 the block number and the street name at which any vehicle is parked in violation of the
87 provisions of this division and take the license tag number or any other available
88 identification number of each such vehicle and issue a parking meter ticket or uniform
89 citation, as the case may be. Each such officer shall leave on such vehicle a ticket or
90 summons stating thereon the violation.

91 Section 3. That original § 142-1 and § 142-429 of The Code of the City of
92 Topeka, Kansas, are hereby specifically repealed.

93 Section 4. This ordinance shall take effect and be in force from and after its
94 passage, approval and publication in the official City newspaper.

95 PASSED AND APPROVED by the City Council February 9, 2010.

96 CITY OF TOPEKA, KANSAS

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102 William W. Bunten, Mayor

103 ATTEST:

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106 Brenda Younger, City Clerk