

# TIGARD MUNICIPAL CODE

## Chapter 10.28 PARKING

### Sections:

**10.28.010** Definitions  
**10.28.020** Repealed by Ord. 93-21  
**10.28.022** Purposes for Which Parking Is Prohibited  
**10.28.025** Vehicle Sales on Private Property  
**10.28.030** Truck, Trailer, Bus, Camper, Motor Home, and Boat Restrictions  
**10.28.040** Removal of Parked Vehicle from Fire Area  
**10.28.050** Required Precautions  
**10.28.060** Parallel Parking Requirements  
**10.28.070** Space Markings  
**10.28.080** Repealed by Ord. 18-01  
**10.28.090** Two-Hour Time Limit  
**10.28.095** Repealed by Ord. 02-14  
**10.28.110** Fifteen-Minute Time Limit  
**10.28.115** Four-Hour Time Limit  
**10.28.120** Sunday Restrictions  
**10.28.125** Repealed by Ord. 18-01  
**10.28.130** Prohibited at Any Time  
**10.28.135** Permit Parking Only Zones  
**10.28.136** Loading Zones  
**10.28.137** Repealed by Ord. 18-01  
**10.28.138** Permits for Construction Zones and Temporary Loading Zones  
**10.28.139** Permit Parking  
**10.28.140** Violation—Mode of Charging Defendant  
**10.28.145** Violation—Parking Time Limits  
**10.28.150** Violation—Penalty  
**10.28.160** Authority to Impound Improperly Parked Vehicles  
**10.28.170** Parking Prohibited in Specified Places  
**10.28.175** Residential Parking Zones  
**10.28.180** Definitions for Sections  
**10.28.185** Parking for Persons with Disabilities  
**10.28.190** Application of Parking Regulations to Persons with Disabilities  
**10.28.200** Repealed by Ord. 18-01  
**10.28.210** Removal and Impoundment of Vehicle Unlawfully Parked in Space Reserved for Persons with Disabilities

**10.28.185** Parking for Persons with Disabilities  
**10.28.190** Application of Parking Regulations to Persons with Disabilities  
**10.28.200** Repealed by Ord. 18-01  
**10.28.210** Removal and Impoundment of Vehicle Unlawfully Parked in Space Reserved for Persons with Disabilities

### **10.28.010** Definitions

A. “Parking” or “parked,” for purposes of the city motor vehicle code, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers, or in obedience to traffic regulations or traffic signs or signals.

B. For purposes of this chapter, the definitions of the following terms as used herein shall conform to the following ORS sections (2017) which by reference herein are made a part of this chapter:

1. “Camper” is defined as set forth in ORS Section 801.180.
2. “Highway” or “street” is defined as set forth in ORS Section 801.305.
3. “Motorbus” is defined as a Commercial Bus as set forth in ORS 801.200.
4. “Motor home” is defined as set forth in ORS Section 801.350.
5. “Motor truck” is defined as set forth in ORS Section 801.355.
6. “Trailer” is defined as set forth in ORS Section 801.560.

# TIGARD MUNICIPAL CODE

7. "Travel trailer" is defined as set forth in ORS Section 801.565.

8. "Truck tractor" is defined as set forth in ORS Section 801.575.

9. "Truck trailer" is defined as set forth in ORS Section 801.580. (Ord. 18-01 §1; Ord. 99-28; Ord. 93-21 §1; Ord. 70-41 §1)

## **10.28.020 Repealed by Ord. 93-21**

## **10.28.022 Purposes for Which Parking is Prohibited**

No person shall park a vehicle on the right-of-way of any highway, or upon any public street or public way within the city limits for any of the following purposes:

- A. Selling or offering merchandise for sale;
- B. Displaying the vehicle for sale;

C. Washing, greasing or repairing such vehicle except as may be necessitated by emergency. (Ord. 18-01 §1; Ord. 93-21 §3)

## **10.28.025 Vehicle Sales on Private Property**

A. No property owner, unless in compliance with the provisions of Chapter 5.04, Business Taxes, and in further compliance with all applicable zoning codes, shall allow more than one vehicle to be displayed for sale on his or her property.

B. Violation of this section shall be a Class 1 infraction and shall be subject to the provisions of the civil infractions ordinance, Chapter 1.16 of this code. (Ord. 87-40 §1)

## **10.28.030 Truck, Trailer, Bus, Camper, Motor Home, and Boat Restrictions**

A. No person shall at any time park or leave standing a motor bus, motor truck, truck tractor, motor home, boat, vehicle with camper, or trailer, whether attended or unattended, on any improved public highway, public street or other public way within the city limits, for a period greater than 30 minutes, between the hours of 12 a.m. and 6 a.m.

B. A camper, travel trailer or motor home may be parked on a public street longer than the period allowed in subsection A if:

- 1. It is owned by the resident or guest of the resident of the property in front of which it is parked;
- 2. It is parked on the public street adjacent to the lot of the resident; and
- 3. It is parked on the public street no longer than 10 days in any calendar year. After the 10-day allowance, the vehicle may not be parked or left standing for a period greater than 30 minutes, between the hours of 12 a.m. and 6 a.m.

C. Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers. No feature of the vehicle may create a hazard to pedestrian traffic, including, but not limited to, slide outs, canopies and retractable steps.

D. Tractor Trailer, Truck Trailer. No person shall at any time park a tractor trailer or truck trailer as described in Section 10.28.010.B unattended on any improved public highway, public street or other public way within the city limits.

# TIGARD MUNICIPAL CODE

E. These restrictions shall not apply to any city-owned or public-owned vehicle that is operating in an official capacity. (Ord. 18-01 §1; Ord. 01-23; Ord. 93-21 §4; Ord. 81-86 §1; Ord. 81-84 §1; Ord. 79-109 §1; Ord. 76-57 §1; Ord. 76-30 §1; Ord. 70-41 §3)

## **10.28.040 Removal of Parked Vehicle from Fire Area**

Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the Fire Department has been summoned, he or she shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers. (Ord. 70-41 §4)

## **10.28.050 Required Precautions**

No person having control or charge of a motor vehicle shall allow it to stand on any street unattended without first fully setting its parking brakes, stopping its motor and removing the ignition key and, when standing upon any precipitous grade, the front wheels of the vehicle shall be angled into the curb. (Ord. 70-41 §5)

## **10.28.060 Parallel Parking Requirements**

No person shall stand or park a vehicle in a street other than parallel with the edge of the shoulder or curb when present, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within 12 inches of the edge of the curb, except where the street is marked or signed for angle parking. (Ord. 18-01 §1; Ord. 70-41 §6)

## **10.28.070 Space Markings**

Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space. (Ord. 70-41 §7)

## **10.28.080 Repealed by Ord. 18.01**

## **10.28.090 Two-Hour Time Limit**

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, continuously in excess of two hours in any area designated as a two-hour parking zone during the times and days specified by signage, except with a valid construction zone or temporary loading zone permit issued pursuant to TMC Section 10.28.138. (Ord. 18-01 §1; Ord. 02-14; Ord. 99-13; Ord. 95-31; Ord. 92-27 §2; Ord. 87-05 §1; Ord. 86-45 §1; Ord. 84-03 §1; Ord. 82-75 §1; Ord. 81-87 §1; Ord. 80-65 §3; Ord. 79-108 §1; Ord. 79-10 §1; Ord. 77-36 §1; Ord. 77-5 §1; Ord. 76-53 §1; Ord. 70-41 §9)

## **10.28.095 Repealed by Ord. 02-14**

## **10.28.110 Fifteen-Minute Time Limit**

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, for a period of longer than 15 minutes in any area designated as a 15-minute parking zone during the times and days specified by signage. (Ord. 18-01 §1; Ord. 95-30; Ord. 86-59 §1; Ord. 71-33 §1; Ord. 70-41 §§10, 12, 12A)

## **10.28.115 Four-Hour Time Limit**

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, or attended or unattended, continuously in excess of four hours in any area designated as a four-hour parking zone during the times and days specified by signage, except with a valid permit pursuant to TMC Section 10.28.138 or 10.28.139. (Ord. 18-01 §1)

# TIGARD MUNICIPAL CODE

## **10.28.120 Sunday Restrictions**

No person shall park a motor vehicle of any kind or character, whether motorized or not, whether attended or unattended, in any area designated as a Sunday restricted zone during the times specified by signage. (Ord. 18-01 §1; Ord. 70-41 §13)

## **10.28.125 Repealed by Ord. 18-01**

## **10.28.130 Prohibited at Any Time**

No person shall at any time park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, in any area designated by signage as a no-parking zone. (Ord. 18-01 §1; Ord. 14-07 §1; Ord. 09-09 § 3; Ord. 02-14; Ord. 99-12; Ord. 99-11; Ord. 98-23; Ord. 98-09; Ord. 96-01; Ord. 95-32; Ord. 95-25; Ord. 95-23; Ord. 95-17; Ord. 95-07; Ord. 95-06; Ord. 94-22; Ord. 93-27 §§1, 2; Ord. 93-26 §1; Ord. 92-28 §1; Ord. 92-17 §1; Ord. 92-11 §1; Ord. 91-29 §1; Ord. 91-25 §1; Ord. 91-24 §1; Ord. 91-23 §1; Ord. 91-09 §1; Ord. 90-42 §1; Ord. 90-36 §1; Ord. 90-35 §1; Ord. 90-34 §1; Ord. 90-33 §1; Ord. 90-32 §1; Ord. 90-31 §1; Ord. 89-12 §1; Ord. 88-30 §1; Ord. 88-05 §1; Ord. 88-04 §1; Ord. 87-53 §1; Ord. 87-46 §1; Ord. 86-67 §1; Ord. 87-06 §1; Ord. 86-55 §1; Ord. 86-54 §1; Ord. 86-45A §1; Ord. 86-13 §1; Ord. 86-04 §1; Ord. 84-53 §1; Ord. 83-50 §1; Ord. 83-46 §1; Ord. 83-29 §1; Ord. 83-28 §1; Ord. 82-82 §1; Ord. 82-76 §1; Ord. 81-80 §1; Ord. 81-57 §1; Ord. 81-46 §1; Ord. 80-65 §§1, 3; Ord. 79-60 §1; Ord. 79-107 §1; Ord. 79-113 §1; Ord. 79-114 §1; Ord. 79-39 §1; Ord. 79-9 §1; Ord. 78-45 §1; Ord. 78-68 §1; Ord. 78-39 §1; Ord. 78-38 §1; Ord. 77-93 §1; Ord. 77-92 §1; Ord. 77-78 §1; Ord. 77-77 §1; Ord. 77-73 §1; Ord. 77-61 §1; Ord. 77-40 §1; Ord. 77-39 §1; Ord. 77-36 §2; Ord. 77-6 §1; Ord. 76-56 §1; Ord. 76-38 §1; Ord. 76-33 §1; Ord. 76-31 §1; Ord. 76-20 §1; Ord. 76-8 §1; Ord. 76-7 §1; Ord. 76-6 §1; Ord. 75-47 §1; Ord. 75-38 §1; Ord. 75-34 §1;

Ord. 75-51 §1; Ord. 74-44 §1; Ord. 71-32 §1; Ord. 70-41 §14)

## **10.28.135 Parking Permit Only Zones**

A. The City Council may, by resolution, establish permit parking only zones. Such zones will be for the exclusive use of vehicles with valid permits, issued pursuant to TMC Section 10.28.139, during the days and times indicated by signage.

B. At all times other than those times designated in the resolution establishing a particular permit parking only zone, such zones are available for general use. (Ord. 18-01 §1; Ord. 75-19 §1)

## **10.28.136 Loading Zones**

A. The City Council may, by resolution, establish loading zones along any street for the purpose of permitting the loading and unloading of merchandise and persons. In establishing loading zones the City Council shall give consideration to the volume and nature of business within the area under consideration, the traffic demands upon the street in question, the nature of the need of the adjacent business or businesses and of the needs of other businesses within the immediate area, the width and surface of the street, and any other relevant information. Loading zones will be marked by signage.

B. Loading zones are reserved for use by commercial vehicles loading and unloading persons and commodities during the hours designated on all days except Sundays and holidays. No person may stop, stand or park any vehicle other than a commercial vehicle within the designated area between such hours, except that noncommercial vehicles may use such zones while actually engaged in the loading or unloading of persons or commodities. Noncommercial vehicles must, upon demand,

# TIGARD MUNICIPAL CODE

give way to commercial vehicles whose drivers desire to use the zone for loading or unloading purposes. Commercial vehicles using loading zones are entitled to the use of a loading zone only during such time as may reasonably be necessary for the loading and unloading of persons and materials and for so long as such activity actually continues. Loading zones may not be used by employees of the business or businesses for the benefit of which they were established, for any purpose except the continuous loading or unloading of persons or materials.

C. At all times other than those times designated in the resolution establishing a particular loading zone, such zones are available for general use.

D. The City Council may consider creation of loading zones upon application by any resident or property owner, and if, after consideration of the factors identified in subsection A of this section, the City Council determines that a loading zone should be created, it will create such loading zone by resolution and direct that the loading zone so established be marked by appropriate signs. The city may require the applicant to pay the cost of the necessary signs and poles and the cost of the labor necessary to install them. (Ord. 18-01 §1; Ord. 76-10 §1)

**10.28.137 Repealed by Ord. 18-01**

**10.28.138 Permits for Construction Zones and Temporary Loading Zones**

A. Provision for Permits. Any person who finds it necessary to park a motor vehicle for actual construction or maintenance work or who finds it necessary to block off a parking space or spaces along the curb in a zone in which parking is controlled, shall be entitled to a construction zone permit. Any person who finds it necessary in connection with the conduct of a commercial enterprise or in the construction of a building, to

park a motor vehicle or to block off a parking space or spaces along the curb for such work may apply for a temporary loading zone permit. Application for a construction zone permit or a temporary loading zone permit shall be made in writing on a form provided by the Community Development Director. The director, or director's designee, shall make such investigation as he or she deems necessary and, if he or she is satisfied that the applicant has a reasonable need for the permit, will issue a construction zone permit or a temporary loading zone permit.

B. Term of Permit. The term of a permit will be determined by the director and entered upon the permit, but may not exceed one year.

C. Fees. The fee for a construction zone permit or a temporary loading zone permit will be determined by resolution of the City Council and will be paid at the time of application.

D. Display of Permit. Whenever a vehicle is parked as authorized by such a permit, the permit shall must be legible and visible from outside the vehicle.

E. The purpose of this section is to permit use of the public streets for parking in circumstances in which parking would otherwise be prohibited or limited as to time pursuant to the ordinances of the City of Tigard. (Ord. 18-01 §1; Ord. 78-75 §2)

**10.28.139 Permit Parking**

A. A vehicle parking permit allows:

1. The parking of a permitted vehicle to be exempt from the posted time limit under TMC Section 10.28.115 where permit parking is designated by signage; and

2. The parking of a permitted vehicle in a space identified by signage as being for

# TIGARD MUNICIPAL CODE

permit parking only in a permit parking zone established pursuant to TMC Section 10.28.135.

B. Any person is eligible to obtain a vehicle parking permit.

C. A person desiring a vehicle parking permit must apply for same with the Community Development Department on a form prepared by the city and pay applicable fees. Permit fees and changes to permit fees for permit parking authorized by this chapter shall be by resolution of the City Council.

D. A permit holder shall notify the Community Development Department of loss or theft of a vehicle parking permit within three business days. The permit holder may purchase a replacement vehicle permit by paying the applicable fee, as set by resolution of the City Council.

E. A parking permit is valid until expiration, surrender, or revocation so long as the permit holder and its vehicle remain in compliance with all parking area regulations.

F. The city may revoke and may require the surrender of a vehicle parking permit held by a person or business who commits misuse of a parking permit as defined in subsection G of this section.

G. A person commits the offense of misusing a parking permit if a person does any of the following:

1. Displays a permit on a vehicle for which the permit was not issued;
2. Displays a permit that is expired, suspended, or revoked;
3. Obtains a permit from the city by misrepresentation;

4. Fails to surrender a permit at the city's lawful request;

5. Duplicates or attempts to duplicate, by any means, a parking permit authorized pursuant to this chapter, or displays such a duplicate permit on any vehicle.

H. In addition to any fines or other penalties that may be imposed, upon conviction for misusing a parking permit, all permits issued to the offender and the right to apply for or display a permit shall be suspended for a period of three months.

I. Misuse of a parking permit is a violation punishable under TMC Section 10.28.150.

J. Display of a vehicle parking permit does not convey any privileges other than that of exceeding the posted permit parking time limit or parking in permit parking areas. It does not authorize parking in any other restricted zone and is not a defense in enforcement of TMC Chapter 7.60.

K. Nothing in this chapter shall limit the authority of any city police officer from requiring or causing the removal of any parked vehicle in an emergency or where the vehicle is subject to seizure or removal according to law. (Ord. 18-01 §1)

## **10.28.140 Violation—Mode of Charging Defendant**

A. In all prosecutions for violation of city motor vehicle parking laws, it shall be sufficient to charge the defendant by an unsworn written notice if the same clearly states:

1. The date, place and nature of the charge.

# TIGARD MUNICIPAL CODE

2. The time and place for defendant's appearance in court.

3. The name of the citing officer.

4. The license number of the vehicle.

B. The notice provided for in subsection A of this section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. The notice shall serve as the complaint in the case. In all other respects the procedure now provided by law in such cases shall be followed. (Ord. 18-01 §1; Ord. 70-41 §15)

## **10.28.145 Violation—Parking Time Limits**

A. It shall be unlawful to park a vehicle in violation of the maximum time limits applicable in any time limited parking zone. The time limits mean the continuous aggregate of time in which a vehicle is parked in a time-limited zone. This shall not prohibit removing a vehicle from the above-designated area and returning the vehicle to said area after expiration of one hour or moving the vehicle more than 300 feet from its original location.

B. Subsection A does not apply to vehicles in a 4-hour parking space displaying a valid permit pursuant to TMC Sections 10.28.138 or 10.28.139. (Ord. 18-01 §1)

## **10.28.150 Violation—Penalty**

Any violation of the provisions of any section of this chapter or any rule or regulation therein stated, shall, upon conviction, be punishable by a fine set by resolution of the City Council. (Ord. 18-01 §1; Ord. 70-41 §30)

## **10.28.160 Authority to Impound Improperly Parked Vehicles**

A. When any unattended vehicle is parked upon any street, alley or public way of the City of Tigard in such a manner that it is unlawfully parked in any prohibited or restricted area; or is unlawfully parked for a length of time prohibited by ordinance or resolution of this city; or is parked in such a position that it constitutes an obstruction to traffic or creates a danger to travel upon the street, alley or public way; or is found abandoned in any street, alley or public way; or in the event that an operator of a vehicle is arrested and placed in custody and is not in condition to drive the vehicle to a place of safety and there is no other person present who may properly act as agent for such operator to drive the vehicle to a place of safety, such vehicle is declared to be a public nuisance and subject to summary abatement, removal and impounding.

B. Both the owner and the operator of a vehicle impounded pursuant to subsection A of this section shall be legally responsible for payment of the costs of towing and storage. The towing and storage charges shall be established in advance, pursuant to an agreement between the police department of the City of Tigard and the towing and storage firm or firms called upon to conduct such business. No charges in excess of those previously agreed upon shall be levied against the owner or operator of a vehicle towed pursuant to subsection A of this section.

C. The towing service called upon to impound a vehicle and finding the owner or driver thereof present shall release the vehicle upon the presentation of proper identification of the owner or operator, and upon the owner or operator's signing an authorized receipt in duplicate (except where exclusive orders are given by the police department that the vehicle be impounded), and a service charge not to exceed one-half of the cost for the towing of the vehicle shall be made, that

# TIGARD MUNICIPAL CODE

charge to be paid by the owner or operator. The duplicate signed receipt shall be given to the operator or owner of the vehicle, and the original signed copy shall be recorded by the towing service in its ledger of releases. (Ord. 77-98 §1)

## 10.28.170 Parking Prohibited In Specified Places

It is unlawful for the driver of a vehicle to stop or park the vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

- A. Within an intersection.
- B. On a crosswalk.
- C. Within 50 feet of any uncontrolled intersection or any intersection controlled with side-mounted stop signs, side-mounted yield signs, or side-mounted signals, except:
  - 1. On one-way streets leaving an intersection;
  - 2. On streets otherwise signed if:
    - a. The vehicle is over six feet in height, or
    - b. The vehicle is less than six feet in height but by manufacture or modification, obscures the vision of:
      - i. Any official side-mounted traffic control sign or signal,
      - ii. Intersection traffic, or
      - iii. Any pedestrian in a crosswalk;

c. Vehicles described in subsection C.2 of this section include, but are not limited to, the following:

- i. Vehicles with darkened, shaded or curtained windows,
- ii. Vehicles modified to eliminate side window(s) and/or rear windows,
- iii. Vehicles with visibility through windows blocked by parcels, packages or freight,
- iv. Pickup vehicles of less than six feet in height but mounted with a canopy or camper with limited visibility through it,
- v. Panel trucks (except those with windows on both sides of the rear portion of the truck, and also on the back of the truck);

d. An uncontrolled intersection is one where there are no traffic-regulating signs or signals.

D. Any other vehicle not identified in subsection C of this section, within 25 feet from the intersection of curb lines; or if none, then within 15 feet of the intersection of property lines at an intersection within a business or residence district.

E. Within 15 feet of the driveway entrance to any fire station.

F. Within 10 feet of a fire hydrant, save and except taxicabs occupying properly signed taxi zones.

G. In front of a private driveway.

H. On a sidewalk or parking strip.

# TIGARD MUNICIPAL CODE

I. On the roadway side of any vehicle stopped or parked at the edge of a street or highway.

J. At any place where official signs, curb paint, or markings have been installed prohibiting standing, stopping or parking; provided, however, driver-attended private passenger motor vehicles, taxicabs or other public conveyances may stop for not more than 30 seconds in such a tow-away zone for the purposes of loading and unloading passengers.

K. In front of the entrance of any post office or other place where mail is received; or within 10 feet of a mailbox during the hours of 8:00 a.m. to 4:30 p.m.

L. In any street, alley or lane, so as to prevent the free passage of other vehicles in both directions at the same time (except on one-way streets), or so as to prevent any vehicle from turning from one street into another.

M. In any emergency zone.

N. In any loading zone, except as to a commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise or materials, for a period not exceeding 20 minutes; and as taxicabs when loading or unloading passengers or merchandise, for a period of time not exceeding two minutes.

O. In a bus loading zone, except a motor bus or taxicab actually engaged in loading or unloading passengers or merchandise for a period not exceeding two minutes.

P. In any construction zone, except by such vehicles as are actually necessary to the construction work being carried on.

Q. On city-owned or city-operated property designated for use for motor vehicle parking by

authorized city personnel only, without the consent of the city, if there is in plain view on such property a sign prohibiting public parking or restricting parking.

R. Within any city park or part thereof, during the time the park, or the relevant part of it, is closed to the public.

S. In a marked bicycle lane.

T. Within 20 feet from a crosswalk at an intersection. (Ord. 18-01 §1; Ord. 87-70 §1; Ord. 78-76)

## **10.28.175 Residential Parking Zones**

A. The City Council, pursuant to TMC Section 10.32.010, may establish residential parking zones. The purpose of residential parking zones is to prohibit parking by nonresidents during specific time periods within specific geographic areas used predominantly for residential purposes. The City Council resolution which establishes the residential parking zone shall clearly define the geographic limits of the area affected by the zone and the hours during which the parking by nonresidents will be prohibited. Residents within the parking zones may obtain a permit from the City Manager pursuant to subsection B of this section to allow for the parking of vehicles within the zone during the restricted hours.

B. The City Manager shall establish procedures and standards for the issuance of permanent and temporary permits to residents that will allow the residents and their guests to park their vehicles within residential parking zones during the restricted hours. At a minimum, the City Manager shall establish rules which establish the criteria for issuance, surrender and revocation of permits, evidence of proof of residence and vehicle ownership, terms of the permit, standards for display of the permit, and allow for the

# TIGARD MUNICIPAL CODE

issuance of temporary permits to residents for the parking of nonresident vehicles for temporary periods upon a showing of reasonable need for such permits.

C. The City Manager shall cause to be installed and maintained, pursuant to TMC Section 10.32.020, official signs for residential parking zones which clearly identify the parking restrictions for nonresidents and the exception to those restrictions for permit holders within the residential parking zones.

D. It is unlawful for any person to:

1. Provide false information in connection with an application for a permanent or temporary permit.

2. Fail to surrender a permit, when requested to do so, when the person is no longer entitled to the permit.

3. Use a permit when the permit holder is no longer entitled to the permit.

4. Use, or allow the use of a permit in conjunction with a vehicle other than the vehicle for which the permit was issued.

5. Use, or allow the use of a temporary permit in a manner inconsistent with the terms and limitations of the permit.

E. The City Manager is authorized to revoke any permit when the permit holder is found to be in violation of the provisions of this section, and, upon written notification thereof, the permit holder shall surrender the permit to the city. Failure to do so shall constitute a violation of this section. (Ord. 03-08; Ord. 91-26 §1)

## **10.28.180 Definitions for Sections 10.28.190 through 10.28.210**

As used in Sections 10.28.190 through 10.28.210 unless the context requires otherwise:

A. “Disabled parking space” means a parking space that is on private or public property and is marked or signed to provide parking for persons with disabilities.

B. “Government building” and “public building” have the meanings given those terms in ORS 447.210.

C. “Marked motor vehicle” means a motor vehicle conspicuously displaying the decal, insignia or plates issued under the provisions of ORS 487.925.

D. “Person with a disability” means a person who permanently suffers from any of the following disabilities:

1. Loss or loss of function of one or both legs or significant limitation in the use of the legs;

2. Inability to be mobile without the use of a wheelchair or other assistance device;

3. Loss or loss of function of both hands;

4. Loss of vision or substantial loss of visual acuity or visual field beyond correction;

5. Respiratory disability that makes use of walking as a means of transportation impossible or impractical; or

6. Cardiovascular disability that makes use of walking as a means of transportation impossible or impractical. (Ord. 18-01 §1; Ord. 80-58 §1)

# TIGARD MUNICIPAL CODE

## **10.28.185      Parking for Persons with Disabilities**

A. A person commits the offense of unlawful parking in a space reserved for persons with disabilities if:

1. The person parks a vehicle in any parking space that is on private or public property and that is marked or signed to provide parking for persons with disabilities and the vehicle does not conspicuously display a disabled person parking permit issued by Oregon DMV or another jurisdiction;

2. The person parks a vehicle in the aisle required by ORS 447.233 regardless of whether or not the vehicle displays a disabled person parking permit; or

3. The person parks a vehicle in a parking space that is on private or public property and that is marked or signed "Wheelchair User Only" as described in ORS 447.233 and the vehicle does not conspicuously display a "Wheelchair User" placard or decal issued under ORS 811.613.

B. A person commits the offense of blocking a parking space reserved for persons with disabilities if the person:

1. Stops or parks a vehicle in such a way as to block access to a parking space that is on private or public property and that is marked or signed to provide parking for persons with disabilities; or

2. Places an object or allows an object to be placed in such a manner that it blocks access to a parking space that is on private or public property and that is marked or signed to provide parking for persons with disabilities.

C. A person commits the offense of unlawful use of a disabled person parking permit if the person:

1. Is not a person with a disability and is not transporting the holder of a disabled person parking permit to or from the parking location; and

2. Uses a disabled person parking permit described under ORS 811.602 or 811.606 to exercise any privileges granted under ORS 811.635.

D. A person commits the offense of use of an invalid disabled person parking permit if the person uses a permit that is not a valid permit from another jurisdiction, and that:

1. Has been previously reported as lost or stolen;

2. Has been altered;

3. Was issued to a person who is deceased at the time of the citation;

4. Has not been issued under ORS 811.602;

5. Is a photocopy or other reproduction of a permit, regardless of the permit or status; or

6. Is mutilated or illegible.

E. Subsections A through D of this TMC Section 10.25.085 do not apply:

1. To a vehicle that is momentarily in a disabled parking space for purposes of allowing a person with a disability to enter or leave the vehicle.

# TIGARD MUNICIPAL CODE

2. To any disabled parking space that is subject to different provisions or requirements under city ordinance if the different provisions or requirements are clearly posted. (Ord. 18-01 §1)

## **10.28.190 Application of Parking Regulations to Persons with Disabilities**

A disabled person may:

A. Park a marked motor vehicle in any public parking zone restricted as to the length of time parking is permitted therein without incurring the penalties imposed for overtime parking in such zones; and

B. Park a marked motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee.

C. The provisions of subsection A of this section do not apply:

1. To parking in zones where stopping, parking or standing of all motor vehicles is prohibited;

2. To late evening or overnight parking where such parking is prohibited;

3. To parking in zones reserved for special types of motor vehicles or activities; or

4. To parking in zones where parking is permitted only for 30 minutes or less.

D. A person other than a person with a disability, as defined in TMC Section 10.28.180, and who exercises the privileges granted to a person with a disability under this section, commits a parking violation as provided in Section 10.28.150. (Ord. 18-01 §1; Ord. 80-58 §2)

## **10.28.200 Repealed by Ord. 18-01**

## **10.28.210 Removal and Impoundment of Vehicle Unlawfully Parked in Space Reserved for Persons with Disabilities**

A vehicle parked on private property in violation of Section 10.28.185 is subject to the provisions of Section 10.28.160. (Ord. 18-01 §1; Ord. 80-58 §4) ■