



## MEMORANDUM

TO: Town Council

FROM: Richard J. White, Town Manager

DATE: Thursday, February 22, 2007

SUBJECT: **Resident Parking Sticker Program**

**Adopted by Town Council: Wednesday, April 25, 2007**

TOWN CODE

BE IT

ORDAINED: BY THE TOWN COUNCIL OF THE TOWN OF WINTHROP, as follows:

That the Code of the Town of Winthrop be hereby amended by inserting a new section as follows, Chapter 271, Section 1 through Section 12: Resident Parking Sticker Program.

### **Section 271.1 Designation of Residential Parking Sticker Area**

- (a) The Traffic Safety Advisory Committee shall recommend to the Town Manager and Town Council designated areas as residential parking sticker areas in which only vehicles displaying a valid residential parking sticker or visitor permit may be parked. The Town Council makes final determination of adoption of designated areas as residential parking sticker areas in which only vehicles displaying a valid residential parking sticker or visitor permit may be parked.
- (b) Definition of Residential Parking Sticker Area: Residential Parking Sticker Area shall mean any area designated by the Town Council for residential parking. Areas may be designated for residential parking in any area regardless of zoning. The Residential Parking Sticker program will be in effect town-wide from 1:00AM to 5:00AM, Monday through Sunday, including Holidays.

## **Section 271.2 Town-wide Resident Sticker Regulations**

The Tax Collector shall oversee the residential sticker program. The program requires that residents, who own a vehicle, and individuals moving into the Town of Winthrop with a vehicle, register their vehicle in the Town or have their registration changed to read that the vehicle is principally garaged in Winthrop.

- (a) Resident Parking Stickers shall be valid for one year. The location for the distribution of the Resident Sticker shall be the Office of the Tax Collector, Revenue Collections, Room 2, Town Hall; the specific date(s) for the annual distribution will be announced in the local newspapers and the local Winthrop Cable Access Television (WCAT) station(s), in addition an application will be mailed in the Town of Winthrop's first commitment of motor vehicle excise tax bill mailing. No more than one residential parking sticker shall be issued per motor vehicle.
- (b) A vehicle on which is displayed a valid residential sticker in the designated location on the vehicle shall be permitted to stand, park or stop on all Town public streets and Town owned municipal parking lots respectively. The provisions of this bylaw establishing a residential parking sticker area shall not relieve any person from the duty to observe other and more restrictive provisions of other bylaws prohibiting or limiting the stopping, standing or parking of vehicles at specific times.
- (c) A new resident moving into Winthrop must obtain a residential parking sticker. In addition, any Winthrop resident having been issued a new registration or purchasing a new vehicle with the same registration must obtain a new residential parking sticker.
- (d) A resident parking sticker shall not guarantee or reserve a parking space.
- (e) The following vehicles are not eligible under this bylaw:
  - a. Taxi cab and vehicles bearing livery plates;
  - b. Taxi cab and vehicles bearing taxi plates;
  - c. Any vehicle bearing commercial plates;
  - d. Any bus that exceeds 25 feet in length;
  - e. Any vehicle bearing dealer plates;
  - f. Any vehicle bearing repair plates;
  - g. Any trailer not attached to a vehicle with a residential parking sticker;
  - h. Vehicles not displaying a resident parking sticker that are being repaired or awaiting owner pick-up during the designated residential sticker hours.
- (f) Residential Parking Stickers and visitor passes are valid from July 1 to June 30.

## **Section 271.3 Applying for a Residential Sticker**

- (a) Each applicant shall submit proof of residency and current motor vehicle registration issued by the Commonwealth of Massachusetts Registry of Motor Vehicles affirming that the Town of Winthrop is the applicant's residence or that the vehicle is principally garaged in the Town of Winthrop. Such proof shall be submitted along with the Town of Winthrop's application for a Resident Parking Sticker supplied by the Revenue Collections Department for review and a Self-Addressed Stamp Envelope. Any two of the following document will be accepted as proof of residency:
  - a. A valid drivers license with correct address;

- b. A valid motor vehicle registration with correct address;
  - c. A real estate tax bill, municipal water bill or utility bill, with the applicant's name;
  - d. An rental or lease agreement for rental where applicant resides;
  - e. Such other proof acceptable to Revenue Collections Department.
- (b) Applications are accepted:
- a. By mail only at the start of each year after the first mailing of the Town of Winthrop's motor vehicle excise tax bills;
  - b. Walk-ins only after the release of new Residential Parking Stickers are in effect, or after July 1.
- (c) The Tax Collector shall insure that all residents have paid their motor vehicle excise tax and parking tickets.
- (d) Once proof of residency and payment of motor vehicle excise and parking tickets is assured by the Tax Collector, the Resident Parking Sticker shall be issued.
- a. Release of Residential Parking Stickers received by mail-in application process, received from January through June, will be mass mailed by the Tax Collector in June of that year (Effective July 1);
- (e) The resident sticker shall be affixed to the lower right-hand side of the driver's side front window in a manner as not to interfere with the vision of the operator while still visible to police and parking enforcement officers.
- (f) A replacement residential parking sticker will not be issued without the return of the original sticker and/or fragments of the original sticker. There is no charge for a replacement sticker.

#### **Section 271.4 Visitor Placard**

- (a) Only one qualified member per household, who provides proper identification, may be given one visitor placard at the Revenue Collections Department, Room 2, Town Hall. There is no charge for the visitor placard.
- (b) Visitor placards cannot be used on any vehicle owned and operated by the resident of the household or on a vehicle excluded in the bylaw as stated in section 271.2(e).
- (c) Visitor placards are to be used only while visitors are actually visiting a residential household.
- (d) Visitor placards does not exempt the vehicle from any other provisions of the Town bylaw, rules or regulations.
- (e) A vehicle with a visitor placard cannot be parked without moving for more than twenty-four hours upon any public way or public municipal parking lot.
- (f) Visitor placards must be returned to the resident at the conclusion of the visit.
- (g) Visitor placards cannot be used for more than three (3) consecutive days in a row or repeated non-consecutive use deemed by the police or parking enforcement officers.
- (h) Visitor placards cannot be copied, sold, transferred or altered in any way. Any person who violates this policy will be subject to a fine fore each offense.
- (i) Visitor placards shall be displayed hanging from the rearview mirror while the vehicle is parked, with printing facing forward.
- (j) The Town of Winthrop reserves the right to revoke visitor placard privileges at any time if any conditions of the Town of Winthrop bylaws is violated.

### **Section 271.4(a) Placard Replacements**

- (a) If visitor placard is lost or stolen, a replacement visitor placard can be obtained only through the Revenue Collections Department. To obtain a replacement visitor placard, you will need to show proof of residency. There is no charge for a replacement placard.

### **Section 271.5 Special Consideration Placard – Overnight, Holidays or Weekends**

- (a) Visitor placards can be obtained at the Winthrop Police Department only for special circumstances while the Town Hall is closed for business.
- (b) Once a special consideration placard is granted, it is the responsibility of the person issued the placard to be vigilant to safeguard the placard from theft and loss.
- (c) Placards shall be displayed hanging from the rear view mirror while the vehicle is parked, with printing facing forward.

### **Section 271.6 Special Consideration**

- (a) Visitors may submit requests for “Special Consideration” via the Internet at the Town of Winthrop’s Official Website at <http://www.town.winthrop.ma.us> off of the parking clerk, police, or Tax Collector’s web pages or by going to [http://www.town.winthrop.ma.us/pages/WinthropMA\\_Parking/special](http://www.town.winthrop.ma.us/pages/WinthropMA_Parking/special). Special consideration is reviewed and approved by the Town of Winthrop’s Chief of Police.
- (b) Upon the Chief’s review and approval, will post a list of special considerations within dispatch at the Winthrop Police Department for police personnel and parking enforcement officers.

### **Section 271.7 Business Placard**

- (a) A business that has employees who are required to work beyond the start time of the resident sticker program. The following must be provide to the Tax Collector each year for review and approval:
  - a. A letter on business letter head requesting such special consideration;
  - b. A list of employees
  - c. A copy of each employees valid motor vehicle registration
  - d. A point of contact and phone numbers for each business.
- (b) A business that has patrons who stay for an extended time frame, which would go beyond the start time of the resident sticker program. The following must be provided to the Tax Collector each year for review and approval:
  - a. A letter on business letter head requesting such a special consideration;
  - b. A specific number of business placards needed, which the business is responsible for administering for that year.
  - c. Such business would need to have no or limited parking for their patrons to be considered for business placards.

### **Section 271.7(a) Special Exception for Resident Parking Sticker**

- (a) Subject to the following circumstance, a resident parking sticker may be obtained and deemed as a special exception:
  - a. A full-time student who rents an apartment while attending an area school;
  - b. A resident in accordance with Massachusetts General Law, Chapter 90, Sections 1 through 3-1/2;
  - c. A resident in accordance with the Tax Collector's list of exceptions.

### **Section 271.8 Sticker and Permit Fees**

- (a) The Tax Collector, with the approval of the Winthrop Town Council and the Town Manager, shall determine the fee for a residential parking sticker, visitor placards, special placard, business placard, and the replacement of such, due to damage or loss.

### **Section 271.9 Penalty Provision**

- (a) It shall be unlawful and a violation of these regulations for any person to park, stand or stop a vehicle on any public street or municipal parking lot covered by this bylaw without a valid residential sticker, visitor placard, special placard, business placard, or special consideration. Said violation shall be punishable by a fine as prescribed in the Town of Winthrop Code, Chapter 275: Vehicles and Traffic, Article VIII, Parking Fines.
- (b) It shall be unlawful and a violation of these regulation for a person to falsely represent themselves as eligible for a residential parking sticker or to furnish false information to the Tax Collector or designee. Such violation shall be punishable by a fine of \$300.00 in accordance with the Town of Winthrop Code, Chapter 1, General Provisions [M.G.L. 40 § 21].
- (c) It shall be unlawful and a violation of these regulations for a person holding a valid resident parking sticker to permit the use of such sticker on a vehicle other than that for which the sticker was issued. Such violation shall be punishable for a fine of \$300.00 in accordance with the Town of Winthrop Code, Chapter 1, General Provisions [M.G.L. 40 § 21].
- (d) It shall be unlawful and a violation of the se regulations for a person to copy, produce or otherwise use a facsimile or counterfeit a residential parking sticker, visitor placard, special placard, or business placard. Such violation shall be punishable for a fine of \$300.00 in accordance with Chapter 1, General Provisions [M.G.L. 40 § 21].

### **Section 271.10 Revocation of Stickers and Permits**

- (a) The Tax Collector is authorized to revoke the residential parking sticker or visitor placard or special placard, or business placard of any person found in violations of these regulations and, upon written notification thereof, the person shall surrender the sticker or placard to the Office of the Tax Collector, Revenue Collections, Room 2, Town Hall.
- (b) Residential parking stickers will automatically be revoked if the resident ceases to qualify under Section 271.3.

- (c) If the parking sticker or placard is found on a vehicle other than the one so designated at the time of issuance, or the registration number on the parking sticker is different than the one on the vehicle, then the parking sticker or placard shall be automatically revoked for the remaining period of the issue year.

**Section 271.11 Public Notification**

- (a) Street signs - The provisions of this section shall be effective only at such times that official traffic signs are erected at both entrances to the Town, as follows: The Revere Street entrance and the Main Street entrance.
- (b) Local newspaper – one ad per year
- (c) Application stuffer – mailed in the first motor vehicle commitment mailing for each year
- (d) Winthrop Cable Access Television (WCAT)
- (e) Reverse 911 calls to listed telephone numbers

**Section 271.12 Severability**

The provisions of the bylaw shall be severable and if any section, part or portion hereof shall be held invalid for any reason by any court, the decision of such court shall not affect or impair any section, part or portion thereof.

All bylaws or parts of bylaws in conflict with the foregoing are hereby repealed.