

Klamath Falls City Code

**6. TRAFFIC AND PARKING**

**GENERAL**

- 6.005 Short Title
- 6.010 Definitions
- 6.015 Powers of the Council
- 6.020 Duties of the Manager
- 6.025 Duties of the Manager; Council Approval
- 6.030 Public Danger
- 6.035 Standards
- 6.040 Authority of Police and Fire Officers

**TRAFFIC CONTROL**

**GENERAL REGULATIONS**

- 6.100 Applicability of State Traffic Laws
- 6.102 Impoundment of Vehicles
- 6.103 Redemption
- 6.105 Crossing Private Property
- 6.110 Trespass Driving
- 6.115 Unlawful Riding
- 6.120 Sleds, etc. on Streets
- 6.125 Damaging Sidewalks and Curbs
- 6.135 Horse Use Restricted
- 6.140 Removing Glass and Debris
- 6.145 Storage of Motor Vehicles on Streets
- 6.150 Right of Way of Military Vehicles
- 6.155 Speed Limits in Parks and Cemeteries
- 6.160 Obstructing Public Ways
- 6.165 Pedestrians Must Use Crosswalks
- 6.170 Funeral Processions
- 6.175 Motor Truck Traffic Prohibited
- 6.180 Truck Routes Established
- 6.185 Motor Truck Parking Permit

**PARADES**

- 6.200 Definitions
- 6.205 Permits
- 6.210 Commercial Parades or Motorcades Prohibited
- 6.215 Offenses Against Parade
- 6.220 Permit Application
- 6.225 Issuance or Denial of Permit
- 6.230 Appeal to Council

## Klamath Falls City Code

6.235 Revocation of Permit

### **BICYCLES, SKATEBOARDS AND ROLLER SKATES**

6.250 Prohibited Areas  
6.255 Bicycle Operating Rules  
6.260 Impounding of Bicycles  
6.265 Bicycle Licenses  
6.270 Renting of Bicycles

### **ABANDONED VEHICLES**

6.302 Definitions - Abandoned Vehicles

### **OVERSIZED VEHICLES AND LOADS**

6.350 Authority  
6.355 Definitions  
6.360 Applicability  
6.365 Permit Application  
6.370 Application Review  
6.375 Information From Applicant  
6.380 Tentative Approval  
6.385 Conditions on Permit  
6.390 Denial of Application  
6.395 Notice of Utility  
6.400 Issuance of Permit  
6.405 Removal of Facilities  
6.410 Adjustment of Estimated Costs

### **PARKING REGULATIONS**

#### **GENERAL**

6.600 Method of Parking  
6.605 Prohibited Parking or Standing  
6.610 Prohibited Parking  
6.611 Prohibited Parking in Downtown Parking District  
6.613 Information for Control of Parking in Downtown Parking District  
6.615 Use of Loading Zone  
6.620 Unattended Vehicles  
6.625 Standing or Parking of Buses and Taxicabs  
6.630 Restricted Use of Bus and Taxicab Stands  
6.635 Double Parking  
6.640 Parking on City Property  
6.645 Parking on City-owned Parking Lot  
6.650 Vehicles Parked on Street with Leak in Gas Tank Which Creates a Fire Hazard

## Klamath Falls City Code

- 6.655 Extension of Parking Time
- 6.660 Exemption
- 6.700 Exceptions Applicable to Emergency and Governmental Vehicles
- 6.765 Delivery or Service Permit Cards
- 6.767 Parking Permits
- 6.770 Use of Service Permit Cards
- 6.775 Display
- 6.780 Prohibited Use
- 6.785 Courtesy Permits
- 6.790 Handicapped Parking Spaces

### **PARKING CITATIONS AND OWNER RESPONSIBILITY**

- 6.800 Citation on Illegally Parked Vehicle
- 6.805 Failure to Comply with Parking Citation Attached to Parked Vehicle
- 6.810 Owner Responsibility
- 6.815 Registered Owner Presumption

### **BOOT PROCEDURES**

- 6.835 Boot Installation
- 6.840 Boot Removal
- 6.845 Boot Fees; Charges; Impounding

### **RESIDENTIAL PARKING ZONE**

- 6.860 Declaration of Necessity and Purpose
- 6.865 Definitions
- 6.867 Creation of Residential Parking Zone
- 6.870 Issuance of Permits; Erection of Signs
- 6.875 Parking in Residential Permit Parking Zones
- 6.880 Parking Permit Violations

### **PENALTIES**

- 6.990 Penalties

Klamath Falls City Code

## 6. TRAFFIC AND PARKING

### GENERAL

**6.005 Short Title.** This chapter may be cited as the City of Klamath Falls Uniform Traffic Code.

**6.010 Definitions.** In addition to those definitions contained in the Oregon Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

**Bus Stop.** A space on the edge of a roadway designated by sign for the use of buses loading or unloading passengers.

**Holiday.** Sunday, New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the Council to be a holiday.

**Loading Zone.** A space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours of specified days.

**Motor Vehicle.** Every vehicle that is self-propelled, including tractors, forklift trucks, motorcycles, road building equipment, street cleaning equipment, and any other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

**Street.** Highway, road or street as defined in ORS 487.005(8).

**Taxicab Lane.** That area of the roadway used for the movement of a single line of traffic.

**Vehicle.** As used in this chapter, includes bicycles, skateboards and roller skates.

**Sidewalk.** A pedestrian walkway located within a public right-of-way with a width of at least five (5) feet and composed of concrete or such other material as may be approved by Council.

[Added by Ord. No. 6373, enacted Jan. 4, 1982.]

### **6.015 Powers of the Council.**

- (1) Subject to the State laws, the Council shall exercise all municipal traffic authority except those powers specifically and expressly delegated herein. Such authority may be exercised by ordinance, resolution or motion, at the discretion of the Council.
- (2) The powers of the Council shall include but not be limited to:
  - (a) Designation of direction of traffic flow.
  - (b) Designation of truck routes or streets where trucks are prohibited.

**6.020 Duties of the Manager.** The City Manager or the City Manager's designee shall exercise the following duties by administrative actions:

## Klamath Falls City Code

- (1) Implement the ordinances, resolutions and motions of the Council and the City Manager's own orders by installing traffic control devices.
- (2) Designate through streets.
- (3) Restrict the use of certain streets  
by any class or kind of vehicle to protect the streets from damage.
- (4) Authorize greater maximum weights or lengths for vehicles using City streets than specified by State law where not deleterious to City streets or public safety.
- (5) Establish, maintain, remove or alter the following classes of traffic controls:
  - (a) Traffic control signals.
  - (b) Crosswalks, safety zones and traffic lanes.
  - (c) Intersections channelization and areas where drivers of vehicles shall not make right, left or U-turns and the time when the prohibition applies.
  - (d) Parking areas and time limitations, including the form of permissible parking.
  - (e) Loading zones and stops for all vehicles.
- (6) Issue over size or overweight vehicles permits.
- (7) Designate certain streets as bridle or bicycle paths and prohibit bicycles, horses and animals on other streets.
- (8) Keep and maintain a record showing a description of all signals now installed or hereafter installed on any street.
- (9) Issue special parking permits for government vehicles, visitors, handicapped persons, construction vehicles, and permits for use of the planting strip.
- (10) Temporarily close to vehicular or pedestrian traffic any street when in the City Manager's opinion it is necessary to do so because of an emergency or for the protection of life, limb, public safety or property; or for the more expeditious movement of either vehicular or pedestrian traffic; or for special events of community interest; parades; or construction in a street right-of-way. The City Manager shall cause to be placed and maintained during such temporary closure "No Parking", "No Walking", "Street Closed" or other appropriate directional signs.

[Amended by Ord. No. 6373, enacted Jan. 4, 1982.]

**6.025 Duties of the Manager; Council Approval.** Prior to exercising any of the duties set forth in Section 6.020, the City Manager shall consult with and obtain the approval of all Council members whose wards will be specifically affected. In the event of an emergency, the City Manager may act without such prior consultation, provided that the appropriate Council members are subsequently contacted.

**6.030 Public Danger.** Under conditions constituting a danger to the public, the City Manager or his/her designee may install temporary traffic control devices deemed to be necessary.

Klamath Falls City Code

**6.035 Standards.** The regulations of the City Manager or his/her designee shall be based upon:

- (1) Traffic engineering principles and traffic investigations.
- (2) Standards, limitations and rules promulgated by the Oregon Transportation Commission.
- (3) Other recognized traffic control standards.

**6.040 Authority of Police and Fire Officers.**

- (1) It shall be the duty of the police officers to enforce the provisions of this chapter.
- (2) In the event of a traffic accident, fire or other public emergency, officers of the Police and Fire Departments may direct traffic as conditions require, notwithstanding the provisions of this chapter.

Klamath Falls City Code

## TRAFFIC CONTROL

### GENERAL REGULATIONS

**6.100 Applicability of State Traffic Laws.** Violation of provisions of the Oregon Vehicle Code (ORS Chapters 801 through 822), as now or hereinafter constituted, shall be an offense against this City.

[Amended by Ord. No. 6464, enacted Aug. 6, 1984; Amended by Ord. No. 6515, enacted Aug. 18, 1986; Amended by Ord. No. 6523, enacted Jan. 20, 1987; Amended by Ord. No. 6583, enacted Oct. 16, 1989; Amended by Ord. No. 93-13, enacted Aug. 18, 1993.]

**6.102 Impoundment of Vehicles.** Whenever a traffic citation is issued, or a physical arrest made for a violation of the Vehicle Code of the State of Oregon, or local traffic regulations, and the driver of such motor vehicle does not possess a valid operator's license, is driving on a suspended or revoked license, or is without proof of liability insurance as required by the Oregon Vehicle Code, the vehicle shall be impounded and towed by a licensed towing company to the towing company's garage. The towing and storage of a vehicle pursuant to this Section shall create a lien against the vehicle and any property left within the vehicle in favor of the towing company as provided by ORS 87.152.

[Added by Ord. No. 93-13, enacted Aug. 18, 1993.]

**6.103 Redemption.** The owner of the impounded vehicle, or the owner's authorized agent, may redeem such vehicle (between the hours of 8:00 a.m. and noon and 1:00 p.m. and 4:00 p.m. commencing the next business day following the impounding of the vehicle) upon payment of the towing bill, vehicle storage fees in a per diem amount contractually established between the City and the service provider and a release fee of Fifty Dollars (\$50.00). If redemption is not made within thirty (30) days after the vehicle is impounded, then such vehicle may be disposed of by the towing company in accordance with the procedure provided for in the foreclosure of liens under ORS 87.152 et. seq.

[Added by Ord. No. 93-13, enacted Aug. 18, 1993; Amended by Ord. No. 96-10, enacted May 2, 1996; Amended by Ord. No. 07-09; Amended by Ord. No. 06-23, enacted Aug. 7, 2006.]

**6.105 Crossing Private Property.** No operator of a vehicle shall proceed from one street to an intersecting street by crossing private property. This provision shall not apply to the operator of a vehicle who stops on property for the purpose of procuring or providing goods or services.

**6.110 Trespass Driving.**

## Klamath Falls City Code

- (1) No person shall drive a motor vehicle upon or across any public property without the express or implied consent of the public entity having jurisdiction over such property.
- (2) No person shall drive a motor vehicle upon or across any private property without the express consent of the person owning or having control over such property.

### **6.115 Unlawful Riding.**

- (1) No operator shall permit a passenger and no passenger shall ride on a vehicle upon a street except on a portion of the vehicle designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to a person riding within a truck body in a space intended for merchandise.
- (2) No person shall board or alight from a vehicle while the vehicle is in motion upon a street.

**6.120 Sleds, etc. on Streets.** No person shall use the streets for traveling on skis, toboggans, sleds or similar devices, except where authorized.

### **6.125 Damaging Sidewalks and Curbs.**

- (1) The operator of a motor vehicle shall not drive upon a sidewalk, bikeway or parking strip except to cross at a permanent or temporary driveway.
- (2) No unauthorized person shall place dirt, wood or other material in the gutter or space next to the curb of a street with the intention of using it as a driveway.
- (3) No person shall remove a portion of a curb or move a motor vehicle or device upon a curb or sidewalk without first obtaining authorization and posting bond if required. A person who causes damage shall be held responsible for the cost of repair.

### **6.135 Horse Use Restricted.**

- (1) No person shall ride, drive or lead a horse in a City park or on a city sidewalk, bikepath or other pathway except designated bridle paths.
- (2) No person under the age of fifteen (15) shall ride a horse on any City street or public right-of-way, except when accompanied by an adult.
- (3) Horse operators shall be responsible for cleaning-up any droppings from their horse.
- (4) As used in this section the term horse shall include mules, horses, donkeys, ponys and other similar animals.

[Amended by Ord. No. 94-17, enacted Aug. 11, 1994.]

**6.140 Removing Glass and Debris.** A party to a vehicle accident or a person causing broken glass or other debris to be upon a street shall remove the glass or other debris from the street.

**6.145                    Storage of Motor Vehicles and Personal Property on Streets.**

(1) No person shall store or permit to be stored on a street, alley or other public property, without written permission of the City Manager, or his/her designee, a motor vehicle or personal property for a period in excess of forty-eight (48) hours. Failure to move a motor vehicle for a period of forty-eight (48) hours shall constitute prima facie evidence of storage of a motor vehicle. Motor vehicles not being actively used for transportation and other personal property may not remain on any City street, alley or other public property in excess of forty-eight (48) hours, without written permission of the City Manager, or his/her designee. Written permission granted by the City shall be prominently and visibly displayed as required by the permit. This Section shall not apply to parking lots specifically designated for extended parking.

(2) If a motor vehicle has not been moved, or removed pursuant to an order entered in compliance with Subsection (4) of this Section, within five (5) calendar days following service of a notice as provided in Subsection (3) of this Section, the vehicle may be treated as “disabled or abandoned” under ORS 819.110 and may be taken into custody and removed pursuant to the notice and hearing requirements of ORS 819.110, and related statutes, including any amendments thereto. For all other personal property, if such personal property has not been removed within five (5) calendar days following service of a notice as provided in Subsection (3) of this Section, the personal property may be immediately and summarily taken into custody and removed by the City, and the owner and possessor of such property shall be jointly and severally responsible for the costs of removal and storage of such property.

(3)                    The initial notice required by Subsection (2) of this Section:

(a) Shall contain, to the extent practical, all of the information set forth in ORS 819.170(2), including any amendments thereto;

(b)                    Shall be brightly colored and prominently and visibly displayed on the offending motor vehicle(s) or other personal property;

(c)                    Shall be mailed to the registered owners of all vehicles, as identified by Motor Vehicles Division records;

(d)                    Shall be mailed to any other person identified through investigation as having any ownership or possessory rights in, or control over, the offending vehicle(s) or personal property; and

(e)                    Shall be mailed by certified mail, return receipt requested, and first class mail.

(4) In the event a person having ownership or possessory rights in, or control over, any offending vehicles or personal property has been found to be in violation of this Section three or more times within any twelve-month period, the Municipal Court Judge may order that such persons remove all motor vehicles and/or personal properties under the person’s control from all City streets, alleys and other public properties for a period of twelve months. Persons violating a judicial removal order

issued under this Subsection may be held in contempt of court and may be charged with violation of this Subsection.

[Amended by Ord. No. 07-08, enacted March 5, 2007.]

**6.155 Speed Limits in Parks and Cemeteries.** No person shall operate or cause to be operated a motor vehicle in any City park or cemetery, whether within or without the boundaries of the City, at a speed which violates the basic rule of the State as set out in ORS 487.465; and in no event shall a motor vehicle be operated or caused to be operated at a speed in excess of 15 miles per hour.

**6.160 Obstructing Public Ways.**

- (1) Except as authorized by the City and in a manner prescribed by the City, and except as provided in Sections 6.020 or 6.040, no person shall obstruct the free movement of vehicles or pedestrians using the street, sidewalks or other public ways.
- (2) No person shall park or stand a vehicle in such a manner or location that it constitutes a hazard to public safety or an obstruction on the street, sidewalk or other public way.

**6.165 Pedestrians Must Use Crosswalks.**

- (1) No pedestrian shall cross a street other than within a crosswalk in blocks with marked crosswalks or if within two hundred (200) feet of a marked crosswalk.
- (2) A pedestrian shall cross a street at a right angle, unless crossing within a crosswalk.

**6.170 Funeral Processions.**

- (1) A funeral procession shall proceed to the place of internment by the most direct route which is both legal and practicable.
- (2) The procession shall be accompanied by adequate escort vehicles for traffic control purposes.
- (3) All motor vehicles in the procession shall be operated with their lights turned on.
- (4) No person shall unreasonably interfere with a funeral procession.
- (5) No person shall operate a vehicle that is not a part of the procession between the vehicles of a funeral procession.

**6.175 Motor Truck Traffic Prohibited.**

- (1) Except as provided in Subsection (2), no person shall operate any motor truck upon any public street or alley within the City unless such street or alley has been designated as a truck route under Section 6.180.
- (2) Motor trucks being operated on public streets for the following specific purposes are exempt from the restriction imposed by Subsection (1) above:
  - (a) Picking up or discharging goods at any business establishment or residence in the City;
  - (b) Going to or from a business in the City for the purpose of fuel, service, or repair;

Klamath Falls City Code

- (c) Servicing utility facilities or construction sites in the City; or
  - (d) Traveling to or from the driver's residence provided a permit has been obtained pursuant to Section 6.185 and subject to Klamath Falls City Code Section 6.605(2)(a). Provided, however, such exempted vehicles shall depart from and return to the nearest available truck route for each exempted trip, they shall not cut through non-truck route areas between stops.
- (3) For purposes of this Section, "motor truck" means every motor vehicle designed, used or maintained primarily for the transportation of property and having a gross weight in excess of eight thousand (8,000) pounds, excluding emergency governmental vehicles and City franchised vehicles. [Amended by Ord. No. 6371, enacted Nov. 16, 1981; Amended by Ord. No. 6375, enacted Jan. 18, 1982; Amended by Ord. No. 6508, enacted June 2, 1986.]

**6.180 Truck Routes Established.** Those streets, roads, and highways located within the limits of the City of Klamath Falls, shown on Schedule A and Schedule B are hereby designated as truck routes.

[Added by Ord. No. 6347, enacted July 20, 1981; Amended by Ord. No. 6419, enacted May 2, 1983.]

**6.185 Motor Truck Parking Permit.**

- (1) No person shall park a motor truck in any residential zone or residentially designated area of a planned unit development zone of the City unless and until a motor truck residential parking permit has been obtained from the City Manager.
- (2) Application for a motor truck residential parking permit shall be made on forms provided by the City Planning Division and shall be accompanied by:
  - (a) Written consents of the occupants of all of the properties adjacent to the property of the applicant; and
  - (b) Written consents of the occupants of at least a simple majority of the properties located within a distance of two hundred feet in any direction from the external boundaries of applicant's property.
- (3) As used in (2) above, "adjacent" shall mean the properties have at least one (1) foot of common property line, or would, if not separated by an alley right-of-way.
- (4) Approval of the permit shall be conditioned upon the following:
  - (a) A change in occupancy of any property from which consent was obtained under the application shall not require the submittal of a new consent.
  - (b) Applicant shall be responsible for compliance with all local ordinances, including, but not limited to, restrictions for parking of trucks on public streets, noise, noxious fumes and home occupations. Failure to comply with any such

## Klamath Falls City Code

ordinance shall be grounds for termination of the permit. In addition, the City may revoke the permit upon thirty (30) day written notice to the permit holder.

- (c) The permit shall automatically terminate at such time as the applicant terminates residence at the address stated in the permit.
- (d) The permit is valid for parking on private property only. It does not extend authority for the parking of a motor truck on or within the public street or its right-of-way.
- (e) Applicant shall use the most direct route available to move to and from the location granted within the permit to an established truck route.
- (f) The applicant shall maintain in the applicant's possession a valid Residential Parking Permit at all times within any truck kept on the premises of the residence described herein or in coming to or going from the residence.

[Added by Ord. No. 6375, enacted Jan. 18, 1982.]

PARADES

**6.200 Definitions.** As used in Sections 6.205 to 6.235, the following terms shall mean:

Manager. The City Manager or his/her designee.

Motorcade. An organized procession containing twenty-five (25) or more vehicles, except a funeral procession, upon any public street, sidewalk or alley.

Parade. A march or procession consisting of people, animals or vehicles, or a combination thereof, except a funeral procession, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls. "Parade" includes walking, jogging, running, biking and other similar events which do not comply with normal and usual traffic regulations and controls.

[Amended by Ord. No. 6600, enacted May 21, 1990.]

**6.205 Permits.** No person shall conduct a parade or motorcade in or upon any public street, sidewalk or alley in the City or knowingly participate in a parade or motorcade unless and until a permit to conduct the parade or motorcade has been obtained from the City Manager or, as hereinafter provided, from the Council.

**6.210 Commercial Parades or Motorcades Prohibited.** No permit shall be issued authorizing the conduct of a parade or motorcade which the City Manager finds is proposed to be held for the sole purpose of advertising a product, goods, wares, merchandise, or event, and is designed to be held purely for private profit.

**6.215 Offenses Against Parade.** No person shall knowingly join or participate in a parade or motorcade conducted under permit from the City Manager in violation of any of the terms of the permit, nor knowingly join or participate in a permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress, participants or orderly conduct.

**6.220 Permit Application.** A person who wants to conduct a parade or motorcade shall apply to the City Manager for a permit at least thirty (30) days in advance of the date of the proposed parade or motorcade. The City Manager may, in his/her discretion, consider any application for a permit to conduct a parade or motorcade which is filed less than thirty (30) days prior to the date such parade or motorcade is to be conducted. The application for such permit shall be made in writing on a form approved by the City Manager. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairperson, and the address and telephones of each.

- (2) The purpose of the parade or motorcade, the date and when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled, and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A description and the number of the individual floats, animals, marching units, vehicles, bands, including a description of any sound-amplification equipment to be used.
- (4) The number of persons proposed to be provided by the applicant to monitor the parade or motorcade.
- (5) Such other information as the City Manager may consider reasonable and necessary.

**6.225 Issuance or Denial of Permit.**

- (1) The City Manager shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of the permit, unless the City Manager finds that:
  - (a) The time, route and size of the parade or motorcade will disrupt, to an unreasonable extent, the movement of other traffic.
  - (b) The parade or motorcade is of a size or nature that requires the diversion of so great a number of Police officers of the City to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the City.
  - (c) The parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.
  - (d) The information contained in the application is found to be false or nonexistent in any material detail.
  - (e) The applicant refuses to agree to abide by or comply with all conditions of the permit.
- (2) If the City Manager finds one or more of the criteria in Subsection (1), other than Subpart (e), he/she may impose such reasonable conditions in the permit as may be necessary to alleviate the finding, including but not limited to:
  - (a) Requiring an alternate date.
  - (b) Requiring an alternate route.
  - (c) Restricting the size of the parade or motorcade.
- (3) The City Manager shall notify the applicant of the decision within five (5) days of receipt of the application.
- (4) If the City Manager proposes alternatives or refuses to issue a permit, the applicant shall have the right to appeal the decision to the Council.

**6.230 Appeal to Council.** An applicant under Section 6.220 may appeal the decision of the City Manager pursuant to Section 1.025.

**6.235 Revocation of Permit.**

- (1) Any permit for a parade or motorcade issued pursuant to Section 6.225 may be summarily revoked by the City Manager at any time when by reason of disaster,

Klamath Falls City Code

public calamity, riot or other emergency the City Manager determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or be certified mail.

- (2) A revocation determination may be appealed pursuant to the provisions of Section 1.025.

Klamath Falls City Code

BICYCLES, SKATEBOARDS AND ROLLER SKATES

**6.250 Prohibited Areas.**

- (1) No person shall skate or travel by means of a skateboard or roller skates within the Veteran's Memorial area at Veterans Memorial Park or upon, over or along the streets or sidewalks of the following thoroughfares in the City:

Main Street from Riverside Drive to the Government Canal; East Main Street from Main Street to Sixth Street; Klamath Avenue from Second Street to Eleventh Street; Ninth Street from Klamath Avenue to Prospect Street; Prospect Street from Ninth Street to Upham Street; Upham Street from Worden Street to Oregon Avenue; Oregon Avenue from Upham Street to Biehn Street; Biehn Street from Oregon Avenue to Kit Carson Way; Tenth Street from Main Street to the Government Canal; Esplanade from Main Street to the Government Canal; Riverside Street from City limits to Main Street; Eighth Street from Klamath Avenue to Jefferson Street; Sixth Street from Pine Street south to City limits; Pine Street from Second Street to Eleventh Street; Eleventh Street from Klamath Avenue to Upham Street; Seventh Street from Klamath Avenue to Pine Street; Fifth Street from Pine Street to Sixth Street; Fourth Street from Klamath Avenue to Pine Street; Third Street from Klamath Avenue to Pine Street; Second Street from Klamath Avenue to Pine Street.

[Amended by Ord. #08-07, enacted 2-5-08.]

- (2) No person shall ride a bicycle upon a sidewalk along the streets described in Subsection (1).
- (3) As used in this Section, "skateboard" means a board of any material, natural or synthetic, with wheels affixed to the underside, designed to be ridden by a person.

**6.255 Bicycle Operating Rules.** In addition to observing all other applicable provisions of this Ordinance and State law pertaining to bicycles, no person shall leave a bicycle, except in a bicycle rack. If no rack is provided, the person shall leave the bicycle so as not to obstruct any roadway, sidewalk, driveway or building entrance. A person shall not leave a bicycle in violation of the provisions relating to the parking of motor vehicles.

**6.260 Impounding of Bicycles.**

- (1) No person shall leave a bicycle on public or private property without the consent of the person in charge or the owner thereof.
- (2) A bicycle left on public property for a period in excess of twenty-four (24) hours may be impounded by the Police Department.
- (3) In addition to any citation issued, a bicycle parked in violation of this chapter may be immediately impounded by the Police Department.

**6.265 Bicycle Licenses.**

Klamath Falls City Code

- (1) Bicycle licenses shall be issued and renewed by the Police Chief.
- (2) There shall be no fee for a bicycle license.
- (3) A bicycle, whether or not licensed under the regulations of any other governmental unit, if brought into this City, shall be licensed in accordance with this chapter within thirty (30) days.
- (4) No bicycle shall be licensed which is not equipped in accordance with requirements of the Oregon Vehicle Code.

[Amended by Ord. No. 6515, enacted Aug. 18, 1986.]

**6.270 Renting of Bicycles.** No person shall rent to another a bicycle not licensed as required by Klamath Falls City Code Section 6.265.

[Amended by Ord. No. 6515, enacted Aug. 18, 1986.]

ABANDONED VEHICLES

**6.300** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.302** **Definitions - Abandoned Vehicles.** For purposes of applying the Abandoned Vehicle provisions of the Oregon Vehicle Code within the City, the following words or phrases shall mean:

Abandoned Vehicle. A vehicle left unoccupied and unclaimed or in a damaged or dismantled condition such that the vehicle is inoperable.

Hazard or Obstruction to Traffic. Leaving a vehicle in a location or condition such as to constitute an immediate and continuous hazard to the safety of persons using the streets or alleys of the City. For example, and not by limitation, leaving:

- (1) Vehicles blocking public or private right-of-ways.
- (2) Vehicles with leaks in gas tanks.
- (3) Vehicles blocking fire hydrants.

Hearings Officer. The Municipal Court Judge.

[Added by Ord. No. 6374, enacted Jan. 4, 1982; Amended by Ord. No. 6515, enacted Aug. 18, 1986.]

**6.305** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.310** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.315** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.320** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.325** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.330** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

Klamath Falls City Code

**6.335** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.340** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

**6.345** [Repealed by Ord. No. 6374, enacted Jan. 4, 1982.]

## OVERSIZED VEHICLES AND LOADS

**6.350 Authority.** Sections 6.350 to 6.410 are enacted pursuant to the authority vested in the City by ORS 483.528.

**6.355 Definitions.** As used in Sections 6.350 to 6.410, the following words and phrases shall mean:

Facilities. Any electrical wires, telephone lines, traffic control devices, TV cables, or similar facilities running over or along City streets and alleys.

Permittee. The person to whom a permit to move a structure has been issued pursuant to Section 6.400.

Oversized Vehicle. Any vehicle or combination of vehicles, including loads which exceed fourteen (14) feet in height or eight feet in width, as determined by ORS 483.504.

Utility. Any private or public entity or person owning or controlling facilities.

**6.360 Applicability.** No person shall move an oversized vehicle over the streets or alleys of the City without first obtaining a permit from the City pursuant to Section 6.400.

**6.365 Permit Application.**

- (1) Any person desiring to move an oversized vehicle over City streets or alleys shall apply in advance for a permit from the Police Chief. The application shall be on a form prescribed by the City.
- (2) In addition to such other information as may be required, the application shall describe the height and width of the vehicle, the proposed route, the length of time necessary for the move, and the vehicle or load to be moved. The application shall be signed by the applicant.
- (3) The application shall be accompanied by proof of public liability and property damage insurance in the sum of at least Three Hundred Thousand Dollars (\$300,000.00).

**6.370 Application Review.** The Police Chief shall refer each such application to a person, department or agency designated by the City Manager to review the application. Approval or denial of the application shall be based on consideration of all available evidence indicating whether the applicant meets the requirements for the permit. The permit shall not be granted if:

- (1) The information supplied for the review does not indicate that the applicant has the special knowledge or skill required to perform the move;
- (2) The move would endanger property or the public health or safety; or
- (3) The applicant's past or present violation of law or ordinance, including such violation as does not lead to a conviction, presents a reasonable doubt about his/her ability to perform the move without danger to property or public health or safety.

- 6.375 Information From Applicant.** A person or department designated to review an application may require the applicant to supply additional information necessary to determine the applicant's qualifications for the permit. If the applicant fails to supply the information so required or submits false or misleading information, the permit shall be denied.
- 6.380 Tentative Approval.** After receipts of reports from all persons and departments designated on the permit necessary to protect property or the public health and safety. Such conditions may include but are not limited to:
- (1) The route which shall be followed.
  - (2) The hours during which the move may be made.
- 6.385 Conditions on Permit.** The chief of Police or other City department may impose conditions on the permit necessary to protect property or the public health and safety. Such conditions may include but are not limited to:
- (1) The route which shall be followed.
  - (2) The hours during which the move may be made.
- 6.390 Denial of Application.** If, on the basis of the application review under Section 6.470, the Police Chief determines that the applicant does not qualify for issuance of the permit applied for, the Police Chief shall notify the applicant in writing that the application has been denied. The notice shall state the reason for denial and inform the applicant of the provisions for appeal in Section 1.025.
- 6.395 Notice of Utility.** Upon receipt of notice of tentative approval, the applicant shall contact the representative of every utility whose facilities may be affected by the move and shall pay in advance the utility's estimated cost and expense of cutting, raising, moving, lowering, repairing or replacing all affected facilities. The applicant shall also notify the utility of the time and date of the move.
- 6.400 Issuance of Permit.** After making payment and giving notice to the affected utilities, as provided in Section 6.395, the applicant shall so advise the Police Chief. The Police Chief, after verifying with affected utilities that payment and arrangements for moving facilities have been made, shall issue the *oversize vehicle* permit upon receipt of the applicant's permit fee. *The City Manager is authorized to set and modify the oversize vehicle permit fee in accordance with the requirements of Section 1.075.*  
[Amended by Ord. No. 07-09.]
- 6.405 Removal of Facilities.** The owner, City Manager or representative of the utility whose facilities will be affected by the permitted move shall, provided estimated costs have been received, remove and clear all facilities to permit the passage of the oversized vehicle without unnecessary delay at the permitted time and date.

Klamath Falls City Code

**6.410 Adjustment of Estimated Costs.** If the actual cost of moving any facility exceeds the estimate paid, the permittee shall pay the difference within thirty (30) days of notice from the utility. The permittee shall be entitled to repayment by the utility of any amount by which the actual cost exceeds the estimate paid.

Klamath Falls City Code

## **PARKING REGULATIONS**

### **GENERAL**

#### **6.600 Method of Parking.**

- (1) Where parking space markings are placed on a street, no person shall stand or park a vehicle other than in the indicated direction and, unless the size or shape of the vehicle makes compliance impossible, within a single marked space, with the tires or wheels within 12 inches of the curb but not on the curb.
- (2) The operator who first begins maneuvering a motor vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to interfere.
- (3) Whenever the operator of a vehicle discovers that the vehicle is parked close to a building to which the Fire Department has been summoned, the operator shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers.
- (4) No person shall allow a vehicle to stand on any street unattended without first:
  - (a) Effectively setting the brakes, except when such vehicle is parked head-in to the curb;
  - (b) Stopping the motor of the vehicle; and
  - (c) Turning the front wheels of the vehicle into the curb or side of the street when standing upon any perceptible grade.
- (5) More than one motorcycle and/or moped may be parked in a single marked space, providing no part of any of said vehicles extend on or beyond the space markings. Said vehicles shall have the rear tire against the curb and shall be diagonally parked in the direction of the traffic. As used herein, motorcycle and moped shall have the meanings ascribed by ORS 481.004.

[Amended by Ord. No. 6600, enacted Aug. 17, 1981.]

#### **6.605 Prohibited Parking or Standing.** In addition to the State motor vehicle laws prohibiting parking, no person shall park or stand:

- (1) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials, and in no case for a period in excess of thirty (30) consecutive minutes.
- (2) Any motor truck, motor bus, or logging truck, loaded or unloaded:
  - (a) On any street within a residential district within the City; excepting, however, certain service vehicles, utility company trucks when actually going to, performing or coming from work which normally falls within the scope of the utility companies' construction, maintenance and repair work, and moving vans when actually engaged in moving or transporting goods.
  - (b) On any street in front of or near any hotel or apartment building between the hours of 9:00 p.m. of one day and 7:00 a.m. of the day that follows.

- (3) Within that area between the curb or the curb line and the abutting property line commonly known as the planting strip, subject to the following exceptions:
  - (a) In any zone as established by the Community Development Ordinance currently in force, other than any commercial or industrial zone, as permitted by the City Manager upon written application showing special need for such right; or
  - (b) In any commercial or industrial zone, upon improvement of the planting strip to standards provided by the City's Public Works Director.
  - (c) Provided, however, neither of the above exceptions shall operate to permit parking on or over a sidewalk.

[Amended by Ord. No. 6373, enacted Jan. 4, 1982.]

**6.610 Prohibited Parking.** No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

- (1) Displaying the vehicle for sale.
- (2) Repairing or servicing the vehicle, except repairs necessitated by an emergency.
- (3) Displaying advertising from the vehicle.
- (4) Selling merchandise from the vehicle, except when authorized.

**6.611 Prohibited Parking in Downtown Parking District.**

- (1) No person shall cause any motor vehicle to be parked in any one or more parking spaces upon public streets or public off-street parking lots for a period in excess of the posted parking limit.
- (2) No person shall park a motor vehicle in any designated reserve parking space without displaying an appropriate Downtown Parking District permit on the vehicle.
- (3) This Section shall not apply in designated long-term permit parking (whether on the street or in public controlled off-street parking lots) where the motor vehicle displays an appropriate Downtown Parking District permit.
- (4) Notwithstanding the above, any person who, while at his or her place of employment shall cause any motor vehicle owned, operated or controlled by that person to be parked in violation of any of the provisions of this Section shall be subject to twice the fines and bails as provided for non-employee/employer vehicles.
- (5) Any vehicle displaying a Downtown Parking District permit shall be presumed to be owned, operated or controlled by a person at his or her place of employment at the time of the infraction.
- (6) Any vehicle found to be in violation of one or more of the above restrictions three (3) or more times within any twelve (12) month period shall be subject to the twice the penalties otherwise applicable.

[Added by Ord. No. 6433, enacted Sept. 20, 1983; Amended by Ord. No. 6436, enacted Nov. 21, 1983; Amended by Ord. No. 94-35, enacted Jan. 6, 1995.]

**6.613 Information for Control of Parking in Downtown Parking District.**

Klamath Falls City Code

- (1) Upon request by the City:
  - (a) An employer of a person employed part-time or full-time in the City shall furnish within ten days to the City the full name of the employer and employee.
  - (b) A person self-employed part-time or full-time in the City shall furnish within ten days to the City his or her full name.
  - (c) The information requested by this Section shall be supplied in a mode and on forms prescribed by the City.

[Added by Ord. No. 6433, enacted Sept. 20, 1983.]

**6.615 Use of Loading Zone.** No person shall stand or park a vehicle for any purpose or length of time, other than for the expeditious loading of persons or materials, in a place designated as a loading zone when the hours applicable to that loading zone are in effect. In no case, when the hours applicable to the loading zone are in effect, shall the stop for loading and unloading of materials exceed the time limits posted. If no time limits are posted, then the use of the zone shall not exceed thirty (30) minutes.

**6.620 Unattended Vehicles.** Whenever a police officer finds a motor vehicle parked or standing unattended with the ignition key in the vehicle, the officer is authorized to remove the key from the vehicle and deliver the key to the person in charge of the police station.

**6.625 Standing or Parking of Buses and Taxicabs.** The operator of a bus or taxicab shall not stand or park the vehicle upon a street in a business district at a place other than a bus stop or taxicab stand, respectively; except that this provision shall not prevent the operator from temporarily stopping the taxicab outside a traffic lane while loading or unloading passengers.

**6.630 Restricted Use of Bus and Taxicab Stands.** No person shall stand or park a vehicle other than a taxicab in a taxicab stand or a bus in a bus stop; except that the operator of a passenger vehicle may temporarily stop for the purpose of and while actually engaged in loading or unloading passengers when stopping does not interfere with a bus or taxicab waiting to enter or about to enter the restricted space.

**6.635 Double Parking.**

- (1) No person shall double park a vehicle on the streets of the City, except while loading or unloading passengers.
- (2) Double parking near an available regular parking space is prohibited under all conditions.
- (3) No person shall double park any motor truck upon any street in this City at the rear of and behind vehicles parked head-in to or alongside vehicles parked parallel with the street curb, except as provided in Subsection (4) of this Section.

- (4) The owner or operator of a motor truck may obtain a limited time double parking permit from the Police Chief. Said permit shall allow a motor truck to double park for up to five (5) minutes while loading or unloading property if, and only if, there is no loading zone or parking space available on the same side and within the same block of the street as the address where pickup or delivery is being made. Conviction or bail forfeiture for a violation of this Section shall be basis for revocation of a permit and denial of future permits.

**6.640 Parking on City Property.** No person shall move a vehicle onto or leave a vehicle standing on a lot, other than a designated public parking lot, or on real estate owned by the City without the owner or the person lawfully in possession thereof having first been given permission to move such vehicle onto such lot or real estate by the Council or a properly authorized officer of the City.

**6.645 Parking on City-owned Parking Lot.**

- (1) No person shall move onto or leave standing a vehicle on any parking lot owned or leased by the City, which is provided for public parking in excess of the time limit posted upon the sign at the entrance of such parking lot.
- (2) No person shall move onto or leave standing a vehicle on any parking lot owned or leased by the City, which is provided for public parking, unless such vehicle is parked at the angle of and between painted strips or other markings upon the pavement and in such a way as not to impede other vehicles in the lot.
- (3) No person or motor vehicle shall go in or upon or be found within or upon the City-owned parking lot at City Hall between the hours of 3:00 a.m. and 6:30 a.m. of the same day throughout the year. City employees whose duties require them to be upon such premises and motor vehicles used to carry out these duties shall not be deemed in violation of this Subsection.
- (4) The City Manager shall establish, upon official motion of the Council, opening and closing hours for all City-owned or operated parking lots not covered by Subsection (3) of this Section.

**6.650 Vehicles Parked on Street with Leak in Gas Tank Which Creates a Fire Hazard.**

- (1) No person shall park or leave standing on the streets or alleys of the City motor vehicle with a leak in its gas tank (other than overflow from the nozzle of the tank caused by expansion from heat) that creates a fire hazard due to escaping gas.
- (2) When it is called to the attention of the Fire or Police Department that the hazard referred to in Subsection (1) of this Section exists, it shall investigate and if, in the opinion of the officer or representative of the Fire or Police Department making the investigation, a fire hazard does exist, which endangers other vehicles or property in the vicinity of the vehicle, the officer or representative of the Fire or Police Department shall either cause the vehicle creating the hazard to be moved to a safe location or cause it to be impounded.

Klamath Falls City Code

**6.655 Extension of Parking Time.** Where maximum parking time limits are designated by sign, movement of a vehicle within a block shall not extend the time limits for parking.

**6.660 Exemption.** The provisions of this Code regulating the parking or standing of vehicles shall not apply to a vehicle of the City, County or State or public utility while necessarily in use for construction or repair work on a street, or a vehicle owned by the United States while in use for the collection, transportation or delivery of mail, or a vehicle which has been issued a special parking permit pursuant to Section 6.020(9).

**6.675** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.680** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.685** [Repealed by Ord. No. 6292, enacted July 7, 1980.]

**6.690** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.695** [Repealed by Ord. No. 6292, enacted July 7, 1980.]

**6.700 Exceptions Applicable to Emergency and Governmental Vehicles.** Emergency vehicles, when engaged in official business, shall be exempt from the terms and provisions of this Code.

[Amended by Ord. No. 6344, enacted July 6, 1981.]

**6.705** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.710** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.715** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.720** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.725** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.730** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.735** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.750** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.755** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.760** [Repealed by Ord. No. 6344, enacted July 6, 1981.]

**6.765 Delivery or Service Permit Cards.** The City Manager may issue a service permit, including a vehicle identification card, to a person regularly using a passenger-type vehicle for the delivery of service or the delivery or pick up of merchandise. Upon proof of necessity, the City Manager may also issue a service permit for a commercial-type vehicle, if the vehicle is performing an essential service. The annual fee for a service permit shall be Twenty Dollars (\$20.00) for each vehicle.

**6.767 Parking Permits.**

(1) Upon recommendation of the Downtown Parking District Committee, the City Manager may issue parking permits allowing persons to park in designated lots in the district. The cost of such permits shall be Ten Dollars (\$10.00) per month and may change from time to time by order of the City Manager upon recommendation of the Committee.

[Added by Ord. 6566, enacted April 3, 1989.]

**6.770 Use of Service Permit Cards.** A person with a service permit may use the vehicle for which an identification card has been issued by parking in a loading zone in compliance with the requirements for loading zones for a period not to exceed twenty (20) minutes, if he/she is occupying the space while actually engaged in the delivery of service or the pick up and delivery of merchandise.

[Amended by Ord. No. 6344, enacted July 6, 1981.]

**6.775 Display.** It shall be the duty of the person parking a vehicle with a properly issued permit to display the identification card in plain sight within the driver's compartment of the vehicle for which the card was issued.

**6.780 Prohibited Use.** No person shall use an identification card for a vehicle other than the vehicle for which it was issued, nor while using the licensed vehicle for any purpose other than that authorized by the permit. Willful violation of these provisions will result in forfeiture of the permit and denial of future permits.

**6.785 Courtesy Permits.**

(1) The City Manager may, in his/her discretion, make courtesy permits available to visitors of the City. Such permits shall be valid for not more than three days and shall be free. These permits, if properly displayed in accordance with the direction prescribed by the City Manager, shall authorize the permittee to park his/her vehicle, without regard to time limits, in any parking space allowing over thirty (30) minutes of continuous parking.

Klamath Falls City Code

- (2) Downtown businesses may purchase courtesy parking permits for use by customers, clients, patients or patrons allowing all day parking in any two or three hour space in a public lot or on the street.

Said permits may be purchased for \$30/quarter upon application to the Parking District. Replace-ments for lost permits shall cost \$10/per permit.

- (3) Use of a courtesy permit issued under (2) above by a downtown employer or employee is prohibited and shall be punishable by a minimum fine of \$100.

It being deemed necessary for the preservation of public peace, health, safety and welfare that this Ordinance be enacted immediately, an emergency is declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the City Council and its approval by the Mayor (Mayor Pro-tem).[Amended by Ord. No. 6344, enacted July 6, 1981.][Amended by Ord. No. 97-5, enacted March 18, 1997.]

**6.790 Handicapped Parking Spaces.**

- (1) No person shall stand or park a vehicle for any purpose or length of time in a parking space designated for physically handicapped persons unless said vehicle displays a special decal, identifying insignia or plates issued by the State of Oregon pursuant to ORS 487.925 or a handicapped parking permit issued by the City Manager and unless said marked vehicle is being utilized by the person to whom such decal, insignia, plates or permit was issued.
- (2) As used herein "Parking spaces designated for physically handicapped person" shall include any space so designated in a private parking lot which is otherwise open to the public for parking.

[Added by Ord. No. 6416, enacted April 4, 1983.]

**6.795** [Added by Ord. No. 96-5, enacted Feb. 21, 1996; repealed by Ord. No. 99-14, enacted Oct. 19, 1999.]

Klamath Falls City Code

PARKING CITATIONS AND OWNER RESPONSIBILITY

- 6.800 Citation on Illegally Parked Vehicle.** Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this Code or State law, the office finding the vehicle shall take its license number and any other information displayed on the vehicle which may identify its owner and shall conspicuously affix to the vehicle a parking citation instructing the operator to answer to the charge against him/her or pay the penalty imposed within the five days during the hours and at a place specified in the citation.
- 6.805 Failure to Comply with Parking Citation Attached to Parked Vehicle.** If the operator does not respond to a parking citation affixed to a vehicle by the date of appearance in Court, the City Manager may send to the owner of the vehicle to which the parking citation was affixed a notice informing the owner of the violation and warning him/her that in the event that the notice is disregarded for a period of seven (7) days, a warrant for the arrest of the owner will be issued.
- 6.810 Owner Responsibility.** The owner of a vehicle placed in violation of a parking restriction shall be responsible for the offense, except when the use of the vehicle was secured by the operator without the owner's consent.
- 6.815 Registered Owner Presumption.** In a prosecution of a vehicle owner charging a violation of a restriction on parking, proof that the vehicle at the time of the violation was registered to the defendant shall constitute a presumption that the defendant was then the owner in fact.

BOOT PROCEDURES

**6.835 Boot Installation.**

- (1) When a driver, owner or person in charge of a motor vehicle is:
- (a) Summoned to respond to a charge against him/her for violating this Code or ORS 221.340;
  - (b) Has had a citation filed against him/her for alleged violation of the motor vehicle parking restrictions of the City but has failed to appear in response to the citation; or
  - (c) Has five (5) or more traffic citations outstanding and delinquent, or has two or more traffic citations outstanding and delinquent for ninety (90) days or more; then

Any officer of the City is authorized to immobilize the vehicle temporarily by installing on or attaching to the vehicle a device designed to restrict the normal movement of the vehicle.

- (2) When the vehicle is so immobilized, the officer who installs or attaches the device shall conspicuously affix to the vehicle a written notice, on a form provided by the Police Chief, advising the owner, driver or person in charge of the vehicle that it has been immobilized by the City for violation of this Code or ORS 221.340 and that release of the vehicle may be obtained at a designated place. Unless release of the vehicle is so arranged by 9:00 a.m. of the following day, the vehicle shall be removed from the streets at the direction of the Police Department. The notice shall contain whatever additional information the Police Chief deems necessary.

**6.840 Boot Removal.** No person other than an officer of the City may remove or attempt to remove the device, or move or attempt to move the vehicle, before it is released by the Police Department or the Clerk of the Municipal Court in accordance with Sections 6.835 to 6.845 of this Code.

**6.845 Boot Fees; Charges; Impounding.** When a motor vehicle is immobilized in accordance with Section 6.835 of this Code, a *release* fee shall be charged by the Clerk of the Municipal Court or by the Police Department, in addition to all other amounts lack of payment of which has led to impoundment of the vehicle. The fee and all the other amounts shall be paid before the vehicle is released. *The City Manager is authorized to set and modify the release fee in accordance with the requirements of Section 1.075.* The parking restrictions of the City shall not apply to a vehicle so immobilized. If the Vehicle is not released by 9:00 a.m. of the day following its impoundment, the Police Department shall have it impounded, after which it shall be subject to the provisions of Section 6.830 of this Code concerning redemption and sale.

[Amended by Ord. No. 07-09.]

RESIDENTIAL PARKING ZONE

**6.860 Declaration of Necessity and Purpose.** It is hereby found and declared:

- (1) That there exists within certain residential areas of the City a heavy concentration of vehicles which park all day.
- (2) That the presence of these vehicles causes vehicular congestion on residential streets, impedes the movement of traffic, and unduly restricts entry of residents to their homes.
- (3) That such vehicular congestion creates polluted air, excessive noise and trash and refuse.
- (4) That the conditions and evils mentioned in Subsection (1), (2), and (3), of this Section create blighted or deteriorated residential areas.
- (5) That establishment of residential permit parking zones will help to preserve the character of these areas as residential areas and will preserve property values.
- (6) That establishment of residential permit parking zones will reduce motor vehicles miles traveled in the City by requiring commuters to car pool or to utilize forms of transportation which are less polluting per person than private passenger motor vehicles, and thereby assist in the attainment of national and State ambient air quality standards.
- (7) That residential permit parking regulations are necessary to promote the health, safety and welfare of the inhabitants of the City.

**6.865 Definitions.** For purposes of Sections 6.860 to 6.880, the following definitions shall mean:

Commuter Vehicle. A motor vehicle parked in a residential area by a person not a resident thereof.

Impacted by Commuter Vehicle. A condition whereby the average number of commuter vehicles parking on streets in a residential area is in excess of twenty-five percent (25%) of the number of parking spaces in such streets, and the total number of spaces actually occupied by any vehicles exceeds seventy-five percent (75%) of the number of spaces on such streets on the weekdays of any month.

Residential areas. Contiguous or nearly contiguous areas containing public streets or parts thereof primarily abutted by residential property or residential and non-business property such as schools, parks, churches, hospitals and nursing homes.

**6.867 Creation of Residential Parking Zone.** The Council by ordinance may create residential parking zones in residential areas impacted by commuter vehicles following a public hearing. Council consideration may be initiated by the Council or at the request of any one or more abutting property owners. Notice of the public hearing shall be mailed to all property owners abutting the proposed residential

parking zone at least five (5) days prior to the public hearing by Council. The ordinance shall identify the zone and the appropriate time limits, if any.

[Added by Ord. No. 6520, enacted Dec. 1, 1986; Amended by Ord. No. 6632, enacted March 19, 1992.]

**6.870 Issuance of Permits; Erection of Signs.**

- (1) Following Council approval of the designation of a residential permit parking zone, the Finance Director shall issue appropriate permits and the Public Works Director shall cause parking signs to be erected in the zone, indicating the times and locations where parking is permitted by permit. A permit shall be issued upon application, without charge, only to the owner or the operator of a motor vehicle who resides on property immediately adjacent to a street or other location within the residential permit parking zone.
- (2) The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number and the number of the applicant's operator's permit. The owner or operator of a motor vehicle applying for a residential parking permit shall have valid Oregon vehicle license tags unless not legally required to have them. The permit shall be renewed annually, upon such conditions and procedures as the Finance Director shall specify. The permit shall display the motor vehicle's serial and license numbers and shall be color coded according to zone. (3) The Finance Director is authorized to make provisions for:
  - (a) The issuance of temporary parking permits to bona fide visitors of residents of designated residential parking zones; and
  - (b) The issuance of exemption parking permits to handicapped persons and service or delivery vehicles which are being used to provide services or make deliveries to dwellings in the parking zone.
- (4) One residential parking permit shall be issued to the owner of nonresidential property abutting a residential parking zone. Where there is more than one owner for a single nonresidential property, said owners shall determine to which vehicle the one permit is to be issued.

[Added by Ord. No. 6520, enacted Dec. 1, 1986.]

**6.875 Parking in Residential Permit Parking Zones.**

- (1) The holder of a residential parking permit which is properly displayed shall be permitted to stand or park a motor vehicle operated by him/her in an appropriately designated residential parking zone.
- (2) While a vehicle for which a residential parking permit has been issued is so parked, such permit shall be displayed so as to be clearly visible on the vehicle. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential permit parking zone.

Klamath Falls City Code

- (3) A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in a parking meter zone or in such places or during such times as the stopping, standing or parking of types of vehicles, nor exempt the holder from the observance of any traffic regulations other than parking time limits.

**6.880 Parking Permit Violations.**

- (1) No person shall request that he/she be entitled to a residential parking permit when not so entitled, fail to surrender a permit to which the person is no longer entitled, or park a vehicle displaying such a permit at any time when the holder of the permit is not entitled to hold it.
- (2) No person shall park or stand a vehicle in a residential parking permit zone without a valid residential parking permit issued by the City where parking is prohibited or for a period in excess of the posted time limits.

[Amended by Ord. No. 6632, enacted March 19, 1992.]

Klamath Falls City Code

**PENALTIES**

**6.990 Penalties.**

- (1) Violation of Sections 6.105 to 6.270 and Sections 6.350 is punishable by fine not to exceed Four Hundred Dollars (\$400.00).
- (2) Violation of Sections 6.600 to 6.815 is punishable by fine not to exceed Two Hundred Fifty Dollars (\$250.00).
- (3) Violation of Section 6.840 shall be punishable by a fine not to exceed Seven Hundred, Fifty Dollars (\$750.00), or by imprisonment for a period not to exceed thirty (30) days, or by both such fine and imprisonment. Upon violation of Section 6.840, the court shall impose at least a mandatory minimum sentence as follows:
  - (a) Upon a first conviction, a fine of Two Hundred, Fifty Dollars (\$250.00).
  - (b) Upon a second or subsequent conviction, a fine of Three Hundred, Fifty Dollars (\$350.00) and not less than five (5) days of imprisonment.
- (4) Violation of Sections 6.860 to 6.870 is punishable by fine not to exceed One Hundred Dollars (\$100.00). The Finance Director is authorized to revoke the residential parking permit of any permittee found to be in violation of those sections and, upon written notification thereof, the permittee shall surrender such permit to the Director. When so requested, failure to surrender a residential parking permit so revoked shall constitute a violation of Sections 6.860 to 6.870.
- (5) If there is a violation of any provisions identical to a State statute with a lesser penalty attaching, punishment shall be limited to the lesser penalty prescribed by State law. [Amended by Ord. No. 00-20, enacted October 16, 2000.]

Klamath Falls City Code

**SCHEDULE 6-A**

**TRUCK ROUTES**

Klamath Falls - Malin Highway No. 55 (Kit Carson Way and Alameda)

Dalles - California Highway No. 4 (Westside Bypass)

Biehn Street - Klamath Falls-Malin Highway to Oregon Avenue

Oregon Avenue - Biehn Street to Nevada Avenue

Nevada Avenue - Oregon Avenue to Westside Bypass

Esplanade - Alameda to Spring Street

Spring Street - Esplanade to Sewer Treatment Plant

Main Street - Spring Street to Alameda

Main Street - Fourth Street to Westside Bypass

Klamath Avenue - Westside Bypass to Fifth Street

Fourth Street - Willow Street to Main Street

Fifth Street - Klamath Avenue to Sixth Street

South Sixth Street - Washburn Way to Oak Street

Oak Street - Sixth Street to Fourth Street,  
Commercial Street to Spring Street

Washburn Way - Alameda Avenue to O. C. & E. Railroad Tracks

Commercial Street - South Sixth Street to Klamath Avenue

Market Street - South Sixth Street to Main Street

Elm Street - Spring Street to Commercial Street

Willow Street - Sixth Street to Fourth Street

Klamath Falls City Code

**SCHEDULE 6-B**

**RESIDENTIAL PARKING ZONES**

High Street from Third Street to Fifth Street inclusive, Cross Street from Crescent Street to MonClaire Street and MonClaire Street Res. No. 2585

Fourth Street from High Street to Washington Street

N. Sixth Street from Pine to High Streets Res. No. 2623

MonClaire Street between Alameda and Cross Streets Res. No. 3088

South Side of the 2000 Block of Orchard Avenue in front of 2020 and 2036 Orchard Res. No. 3173

Ord. No. 6633