

## ORDINANCE NO. 7,829-N.S.

REPEAL AND REENACT BERKELEY MUNICIPAL CODE CHAPTER 14.52 TO ALLOW PAYMENT AT LICENSE PLATE ENTRY (“PAY-BY-PLATE”) PAY STATIONS AND IMPLEMENT PAID PARKING IN PORTIONS OF RESIDENTIAL PREFERENTIAL PARKING (RPP) AREA I AS PART OF THE GOBERKELEY SMARTSPACE PILOT PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 14.52 is repealed and reenacted to read as follows:

**14.52.010 Parking meter zones.**

A. goBerkeley Program parking meter zones are those streets or portions of streets in the City located within the goBerkeley Areas hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay stations, and/or a City-approved software application that processes pay-by-phone payments from a mobile phone at fees set in 14.52.120:

Acton Street, both sides, from 150 feet north of University Avenue to University Avenue.

Addison Street, both sides, from Oxford Street to Martin Luther King Jr. Way.

Addison Street, north side, from Martin Luther King Jr. Way to 170 feet west of Martin Luther King Jr. Way.

Adeline Street, east side, from Ward Street to Essex Street.

Adeline Street, west side, from Russell Street to Ashby Avenue.

Alcatraz Avenue, south side, from 75 feet east of College Avenue to College Avenue.

Allston Way, both sides, from Oxford Street to Martin Luther King Jr. Way.

Ashby Avenue, both sides, from Domingo Avenue to Claremont Avenue.

Ashby Avenue, north side, from College Avenue to Benvenue Avenue.

Ashby Avenue, south side, from Benvenue Avenue to Elmwood Avenue.

Ashby Place, east side, from Ashby Avenue to a point 80 feet north of Ashby Avenue.

Bancroft Way, both sides, from Piedmont Avenue to Milvia Street.

Benvenue Avenue, west side, from Ashby Avenue to 100 feet south of Ashby Avenue.

Berkeley Square, both sides, from Addison Street to Center Street.

Berkeley Way, north side, from Oxford Street to Shattuck Avenue.

Berkeley Way, south side, from Oxford Street to 385 feet west of Shattuck Avenue.

Blake Street, both sides, from Telegraph Avenue to 125 feet west of Telegraph Avenue.

Blake Street, south side, from Shattuck Avenue to 80 feet west of Shattuck Avenue.

Bonar Street, east side, from University Avenue to 150 feet south of University Avenue.

Bonar Street, west side, from University Avenue to Addison Street.

Bonita Avenue, east side, from University Avenue to Berkeley Way.

Bowditch Street, east side, from Bancroft Way to Dwight Way.

California Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.

Camelia Street, north side, from Tenth Street to Ninth Street.

Camelia Street, north side, from San Pablo Avenue to 100 feet west of San Pablo Avenue.

Center Street, both sides, from Oxford Street to Martin Luther King Jr. Way.

Channing Way, north side, from Shattuck Avenue to 250 feet west of Shattuck Avenue.

Channing Way, north side, from College Avenue to Dana Street.

Claremont Avenue, east side, from Russell Street to Ashby Avenue.

Claremont Avenue, west side, from Russell Street to Claremont Boulevard.

Colby Street, west side, from Webster Street to South Hospital Drive.

College Avenue, east side, from Bancroft Way to 200 feet south of Dwight Way.

College Avenue, west side, from Bancroft Way to Dwight Way.

College Avenue, east side, from 75 feet south of Webster Street to 175 feet north of Russell Street.

College Avenue, west side, from 140 feet north of Russell Street to Webster Street.

College Avenue, east side, from 150 feet north of Alcatraz Avenue to Berkeley-Oakland city limits south of Alcatraz Avenue.

College Avenue, west side, from Alcatraz Avenue to Berkeley-Oakland city limit, south of Alcatraz Avenue.

Colusa Avenue, east side, from Catalina Avenue to 225 feet south of Solano Avenue

Colusa Avenue, west side, from Catalina Avenue to 180 feet south of Solano Avenue.

Curtis Street, both sides, from 100 feet north of University Avenue to University Avenue.

Dana Street, both sides, from Bancroft Way to Channing Way.

Dana Street, west side, from Haste Street to 150 feet south of Haste Street.

Delaware Street, south side, from 60 feet east of Shattuck Avenue to Shattuck Avenue.

Derby Street, north side, from 150 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.

Derby Street, south side, from 150 feet east of Telegraph Avenue to Telegraph Avenue.

Derby Street, south side, from 300 feet east of Milvia Street to Milvia Street.

Domingo Avenue, both sides, from Berkeley-Oakland city limit to Ashby Avenue.

Durant Avenue, both sides, from Fulton Street to Milvia Street.

Durant Avenue, both sides, from College Avenue to Ellsworth Street.

Dwight Way, both sides, from Fulton Street to Milvia Street.

Dwight Way, north side, from 300 feet east of Telegraph Avenue to 300 feet east of Dana Street.

Dwight Way, north side, from College Avenue to Bowditch Street.

Dwight Way, south side, from 125 feet east of Regent Street to 325 feet west of Telegraph Avenue.

Dwight Way, south side, from Benvenue Avenue to Hillegass Avenue.

Dwight Way, north side, from 40 feet east of San Pablo Avenue to San Pablo Avenue.

Eighth Street, west side, from 100 feet north of University Avenue to 200 feet south of University Avenue.

Ensenada Avenue, east side, from 66 feet north of Solano Avenue to 90 feet south of Solano Avenue.

Euclid Avenue, east side, from 135 feet north of Ridge Road to Hearst Avenue.

Euclid Avenue, west side, from 130 feet north of Ridge Road to Hearst Avenue.

Fifth Street, west side, from Virginia Street to Hearst Avenue.

Fifth Street, both sides, from Hearst Avenue to Addison Street.

Fourth Street, east side, from Virginia Street to Addison Street.

Fourth Street, west side, from Cedar Street to Addison Street.

Francisco Street, both sides, from Shattuck Avenue to 100 feet west of Shattuck Avenue.

Fresno Avenue, east side, from Solano Avenue to 69 feet south of Solano Avenue.

Fulton Street, both sides, from Kittredge Street to Bancroft Way.

Fulton Street, east side, from Bancroft Way to Durant Avenue.

Fulton Street, west side, beginning at Durant Avenue and extending south for 80 feet.

Grant Street, both sides, from 100 feet north of University Avenue to 100 feet south of University Avenue.

Grayson Street, south side, from San Pablo Avenue to 60 feet west of San Pablo Avenue.

Harold Way, both sides, from Allston Way to Kittredge Street.

Haste Street, both sides, from 250 feet east of Shattuck Avenue to Milvia Street.

Haste Street, north side, from College Avenue to Dana Street.

Haste Street, south side, from 300 feet east of Telegraph Avenue to 350 feet west of Telegraph Avenue.

Haste Street, south side, from College Avenue to Bowditch Street.

Hearst Avenue, north side, from LaLoma Avenue to Scenic Avenue.

Hearst Avenue, south side, from Euclid Avenue to Gayley Road.

Hearst Avenue, south side, from Oxford Street to Arch Street.

Hearst Avenue, both sides, from Oxford Street to Shattuck Avenue.

Hearst Avenue, north side, from Fifth Street to Third Street.

Hearst Avenue, south side, from Sixth Street to Third Street.

Kittredge Street, both sides, from Oxford Street to Milvia Street.

LaLoma Avenue, both sides, from Ridge Road to Hearst Avenue.

LeRoy Avenue, both sides, from Ridge Road to Hearst Avenue.

Lincoln Street, south side, from Shattuck Avenue to 150 feet west of Shattuck Avenue.

Martin Luther King Jr. Way, both sides, from Addison Street to Allston Way.

Milvia Street, both sides, from Berkeley Way to Center Street.

Milvia Street, east side, from Center Street to Bancroft Way.

Milvia Street, east side from Derby Street to Ward Street.

Modoc Street, east side, from Solano Avenue to 90 feet south of Solano Avenue.

Modoc Street, west side, from Solano Avenue to 66 feet south of Solano Avenue.

Ninth Street, east side, from 300 feet north of Gilman Street to Gilman Street.

Ninth Street, west side, from 75 feet north of University Avenue to 150 feet south of University Avenue.

Oregon Street, north side, from 75 feet east of Telegraph Avenue to 50 feet west of Telegraph Avenue.

Oregon Street, south side, from 175 feet east of Telegraph Avenue to Telegraph Avenue.

Oregon Street, both sides, from Shattuck Avenue to Adeline Street.

Oxford Street, both sides, from Hearst Avenue to Kittredge Street.

Page Street, north side, from San Pablo Avenue to Tenth Street.

Pardee Street, south side, from San Pablo Avenue extending 60 feet west of San Pablo Avenue.

Parker Street, both sides, from 200 feet west of Regent Street to 100 feet west of Telegraph Avenue.

Parker Street, both sides, from Shattuck Avenue to 100 feet west of Shattuck Avenue.

Parker Street, north side, from 100 feet east of Shattuck Avenue to Shattuck Avenue.

Regent Street, east side, from Ashby Avenue to 125 feet south of Webster Street.

Regent Street, west side, from Ashby Avenue to South Hospital Drive.

Ridge Road, north side, from 100 feet east of Euclid Avenue to 250 feet west of Euclid Avenue.

Ridge Road, south side, from LeRoy Avenue to 250 feet west of Euclid Avenue.

Rose Street, north side, from 100 feet east of Shattuck Avenue to 100 feet west of Henry Street.

Rose Street, south side, from Walnut Street to Shattuck Place.

Russell Street, north side, from 85 feet east of College Avenue to 175 feet west of College Avenue.

Russell Street, south side, from 120 feet east of College Avenue to 200 feet west of College Avenue.

Russell Street, south side, from 75 feet east of Telegraph Avenue to 100 feet west of Telegraph Avenue.

San Pablo Avenue, both sides, from Harrison Street to Carrison Street.

Scenic Avenue, east side, from Hearst Avenue to Ridge Road.

Seventh Street, east side, from University Avenue to 150 feet south of University Avenue.

Shattuck Avenue, both sides, from 100 feet north of Rose Street to University Avenue.

Shattuck Avenue, both sides, of the east roadway, from University Avenue to Addison Street (Shattuck Square).

Shattuck Avenue, both sides, of the west roadway, from University Avenue to Addison Street (Shattuck Square).

Shattuck Avenue, both sides, of the east roadway, from Addison Street to Center Street (Berkeley Square).

Shattuck Avenue, both sides, of the west roadway, from Addison Street to Center Street (Berkeley Square).

Shattuck Avenue, both sides, from Center Street to Ashby Avenue.

Shattuck Place, both sides, from Rose Street to Shattuck Avenue.

Sixth Street, east side, University Avenue to Addison Street.

Solano Avenue, both sides, from Tulare Avenue to The Alameda.

Solano Avenue, north side, from 140 feet to 184 feet east of The Alameda.

South Hospital Drive, south side, from Colby Street to 75 feet west of Colby Street.

Stuart Street, north side, from 70 feet east of Shattuck Avenue to Adeline Street.

Stuart Street, south side, from 50 feet east of Telegraph Avenue to Telegraph Avenue.

Tacoma Avenue, both sides, from 66 feet north of Solano Avenue to Solano Avenue.

Telegraph Avenue, both sides, from Bancroft Way to Dwight Way.

Telegraph Avenue, east side, from Dwight Way to Woolsey Street.

Telegraph Avenue, west side, from Dwight Way to Prince Street.

Tenth Street, west side, from 300 feet north of Gilman Street to Gilman Street.

Tenth Street, both sides, from Gilman Street to Camelia Street.

Tenth Street, east side, from 100 feet north of University Avenue to 100 feet south of University Avenue.

The Alameda, east side, from Solano Avenue to Los Angeles Avenue.

The Alameda, west side, from 90 feet north of Solano Avenue to 220 feet north of Los Angeles Avenue.

Tulare Avenue, east side, from Solano Avenue to 90 feet south of Solano Avenue.

University Avenue, both sides, from Oxford Street to Third Street.

Vine Street, north side, from 75 feet east of Walnut Street to 100 feet east of Henry Street.

Vine Street, south side, from 150 feet east of Walnut Street to 100 feet east of Henry Street.

Virginia Street, north side, from 150 feet east of Shattuck Avenue to 150 feet west of Shattuck Avenue.

Virginia Street, south side, from Shattuck Avenue to 125 feet west of Shattuck Avenue.

Walnut Street, east side, from 75 feet north of Vine Street to 125 feet south of Vine Street.

Walnut Street, west side, from Rose Street to 200 feet south of Vine Street.

Walnut Street, both sides, from Berkeley Way to University Avenue.

Ward Street, north side, from 300 feet east of Milvia Street to Milvia Street.

Webster Street, both sides, from 125 feet east of College Avenue to 100 feet west of College Avenue.

Webster Street, north side, from Colby Street to 150 feet west of Telegraph Avenue.

Webster Street, south side, from Colby Street to 100 feet west of Telegraph Avenue.

B. goBerkeley SmartSpace Pilot Program parking meter zones are those streets or portions of streets currently included in Residential Preferential Program (RPP) Area I in the City hereinafter described as zones within which the parking of motor vehicles shall be controlled, regulated and inspected with the aid of parking meters, pay stations, and/or a City-approved software application that processes pay-by-phone payments from a mobile phone at fees set in 14.52.120:

Channing Way, north side, from Piedmont Avenue to College Avenue.

Durant Avenue, both sides, from Piedmont Avenue to College Avenue.

Haste Street, both sides, from Piedmont Avenue to College Avenue.

Piedmont Avenue, both sides, from Bancroft Way to Dwight Way.

C. The City Traffic Engineer shall cause parking meters and pay stations to be installed and maintained in all parking meter zones.

#### **14.52.020 Manner of installation.**

##### *A. Single space meters.*

1. Parking meters shall be installed upon the curb or sidewalk area immediately adjacent to each parking space. Each meter shall be placed in such manner as to show or display by a sign or signal that the parking space adjacent thereto is or is not legally in use. Each parking meter shall indicate the limit of parking time in the parking space adjacent to the parking meter.

2. Each parking meter shall be set to display, after the operational procedure has been completed, a sign or signal indicating legal parking for that period of time conforming to the limit of parking time as indicated on the meter, and shall continue to operate from the time of the completion of the operational procedure until the expiration of the time fixed as the parking limit or a portion thereof for the part of the street upon which said meter is placed. Each said meter shall also be so arranged that upon the expiration of said legal parking time it will indicate by a mechanical operation and by proper signal that the lawful parking period has expired.

##### *B. Pay stations.*



1. Pay stations are used to accept payment for multiple paid parking spaces on a block face or off-street parking lot and shall include pay-and-display stations and pay-by-plate stations.
2. Pay stations shall be installed upon the curb or sidewalk area within any designated meter zone. Each pay station shall indicate the limit of parking time in that particular designated meter zone.
3. Each pay-and-display station shall be set to dispense, after the operational procedure has been completed, a two-part windshield dispensing machine ticket indicating legal parking for that period of time conforming to the limit of parking time as indicated on the pay-and-display station or indicated by signage or curb markings.
4. Each pay-by-plate station shall be set for the vehicle operator to register their vehicle license plate as the parking permit indicating legal parking for that period of time conforming to the limit of parking time as indicated on the pay-by-plate station or indicated by signage or curb markings.

**14.52.030 Time of operation of parking meters and pay stations.**

A. The provision of this chapter relating to the operation of parking meters and pay stations shall be effective between the hours of nine a.m. and six p.m. every day except Sundays, and as may be otherwise provided for specific locations in the sections of establishing parking meter zones.

*B. goBerkeley SmartSpace Pilot Program*

1. The provision of this chapter relating to the operation of parking meters and pay stations in the goBerkeley SmartSpace pilot program areas listed in 14.52.010 (B) shall be effective between the hours of eight a.m. and seven p.m. every day except Sundays.
2. A motor vehicle which has a valid RPP "Area I" annual or visitor residential parking permit is exempt from hourly paid parking in the goBerkeley SmartSpace pilot program areas listed in 14.52.010 (B).

**14.52.040 Operational procedure to be followed.**

A. *Single space meters.* Immediately after occupancy of a parking meter space, the operator of a vehicle shall, if necessary, deposit a coin of the United States, or use a credit or debit card acceptable to the City, or use a City-approved software application that processes pay-by-phone payments from a mobile phone, at said parking meter in accordance with the instructions posted on the face of the parking meter or the pay-by-phone software application that processes payments from a mobile device.

*B. Pay-and-display stations.*

1. Immediately after occupancy of a pay-and-display station space, the operator of a vehicle shall, if necessary, locate the nearest pay-and-display station on the block and deposit a coin of the United States, or use a credit or debit card acceptable to the City, or use a City-approved software application that processes pay-by-phone payments from a mobile phone at said pay-and-display station and make selections in accordance with the instructions posted on the face of the pay-and-display station, or the pay-by-phone software application that processes payments from a mobile phone.

2. Upon obtaining the printed dispensing machine ticket from the pay-and-display station, the operator of the vehicle shall return immediately to their vehicle and place the dispensing machine ticket face up on the street-side of the vehicle's dashboard in such a manner that the expiration time and date are readily visible from the exterior.

C. *Pay-by-plate stations.* Immediately after occupancy of a pay-by-plate station space, the operator of a vehicle shall, if necessary, locate the nearest pay-by-plate station on the block, enter their vehicle license plate number to register their payment, deposit a coin of the United States, or use a credit or debit card acceptable to the City, or use a City-approved software application that processes pay-by-phone payments from a mobile phone at said pay-by-plate station, and make selections in accordance with the instructions posted on the face of the pay-by-plate station, or the pay-by-phone software application that processes payments from a mobile phone.

**14.52.050 Unlawful to park after meter and/or pay station time has expired.**

A. *Single space meter.* It is unlawful for the operator of any vehicle to permit said vehicle to remain parked in any parking space during any time that an operable meter is showing a signal indicating that such space is illegally in use, such as where the time has expired, unless the operator of the vehicle has otherwise paid for the parking space via the use of a City-approved software application that processes pay-by-phone payments from a mobile phone, other than such time immediately after the original occupancy as is necessary to operate the meter to show legal parking.

B. *Pay-and-display stations.* It is unlawful for the operator of any vehicle to permit said vehicle to remain parked in any parking space during any time that pay-and-display station dispensing machine ticket is indicating that such space is illegally in use, such as where the time has expired, unless the operator of the vehicle has otherwise paid for the parking space via the use of a City-approved software application that processes pay-by-phone payments from a mobile phone, other than such time immediately after the original occupancy as is necessary to obtain a receipt from the pay-and-display station and to place said dispensing machine ticket face up on the street-side of the vehicle's dashboard to show legal parking.

C. *Pay-by plate stations.* It is unlawful for the operator of any vehicle to permit said vehicle to remain parked in any parking space during any time that the operator has not registered their vehicle by entering their vehicle license plate number and submitted payment at the nearest pay-by-plate station, unless the operator of the vehicle has otherwise paid for the

parking space via the use of a City-approved software application that processes pay-by-phone payments from a mobile phone, other than such time immediately after the original occupancy as is necessary to register their vehicle license plate number at the pay-by-plate station.

**14.52.060 Unlawful to extend time beyond limit.**

A. *Single space meter.* It is unlawful and a violation of the provisions of this chapter for any person to follow the operational procedure or any part of the operational procedure for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to which said parking meter is placed.

B. *Pay-and-display stations.* It is unlawful and a violation of the provisions of this chapter for any person to follow the operational procedure or any part of the operational procedure for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space which is indicated on the pay-and-display station dispensing machine ticket.

C. *Pay-by-plate stations.* It is unlawful and a violation of the provisions of this chapter for any person to follow the operational procedure or any part of the operational procedure for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space controlled by the nearest pay-by-plate station.

**14.52.063 No pay-and-display dispensing machine ticket displayed.**

A motor vehicle on which is properly displayed a valid pay-and-display dispensing machine ticket as provided for herein shall be permitted to stand or be parked in a pay-and-display zone for which the dispensing machine ticket has been issued for the period of time indicated on the dispensing machine ticket without being subject to parking penalties in effect for such area. However, any motor vehicle on which there is not displayed a valid dispensing machine ticket as provided herein shall be subject to parking regulations and consequent penalties in effect for such area. (Ord. 7305-NS (part), 2013)

**14.52.066 Improperly displayed pay-and-display dispensing machine ticket.**

A motor vehicle on which the pay-and-display dispensing machine ticket is not properly displayed as provided herein shall be subject to parking regulations and consequent penalties in effect for such area. (Ord. 7305-NS (part), 2013)

**14.52.070 Improper use of meter and pay station.**

It is unlawful to deposit or cause to be deposited in any parking meter any defaced or bent coin, or any slug, device or metallic substitute for a coin of the United States, or to otherwise use any card or other device in a parking meter or pay station having alternative payment capability in lieu of a card or device lawful and appropriate to an alternative payment process at such parking meter or pay station, or for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter or pay station. (Ord. 7305-NS (part), 2013)

**14.52.080 Deposit of coins in meter or coins, credit card, debit card, or epark card in meter or pay station by unauthorized person.**

A. *Single space meter.* It is unlawful for any person, other than the owner or operator of a vehicle, to deposit any coin, debit card or credit card in any parking meter without the knowledge or consent of said owner or operator of the vehicle using the parking space immediately adjacent to said meter.

B. *Pay stations.* It is unlawful for any person, other than the owner or operator of a vehicle, to deposit any coin, credit card, debit card, or epark card in any pay station without the knowledge or consent of said owner or operator of the vehicle using the parking space. (Ord. 7305-NS (part), 2013)

**14.52.090 Parking meters, pay stations and parking meter/pay station standards not to be used for certain purposes.**

A. *Single space meters.* It is unlawful for any person to attach anything to or allow a bicycle, newsrack or any other article or thing to lean against a parking meter or a parking meter standard.

B. *Pay stations.* It is unlawful for any person to attach anything to or allow a bicycle, newsrack or any other article or thing to lean against a pay station unit or a pay station standard. (Ord. 7305-NS (part), 2013)

**14.52.100 Rule of evidence.**

A. *Single space meters.* The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this chapter.

B. *Pay-and-display stations.* The parking or standing of any motor vehicle in a parking space, at which space the pay-and-display station dispensing machine ticket indicates illegal parking shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this chapter.

C. *Pay-by-plate stations.* The parking or standing of any motor vehicle in a parking space, at which space the vehicle license plate has not been registered at the nearest pay-by-plate station, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such a space for a period longer than permitted by this chapter.

**14.52.110 Use of money deposited in parking meters and pay stations.**

Except as permitted under subdivision **G** below, all moneys collected from parking meters and pay stations in the City shall be placed in a special fund, which fund shall be used for the following purposes:

A. For the purchasing, leasing, installing, repairing, maintaining, operating, removing, regulating and policing of parking meters and pay stations in the City and for the payment of any and all expenses relating or incidental thereto.

B. For the purchasing, leasing, acquiring, improving, operating and maintaining of off-street parking facilities in the City.

C. For the installation and maintenance of traffic control devices and signals.

D. For the painting and marking of streets and curbs required for the direction of traffic and the parking of motor vehicles.

E. For the proper regulation, control and inspection of parking and traffic upon the public streets.

F. To be pledged as security for the payment of principal of and interest on off-street parking revenue bonds issued by the City.

G. Additional Revenue deemed to be generated by the goBerkeley Pilot Program will be used to fund goBerkeley efforts, pursuant to Section 1012(b) of Intermodal Surface Transportation Efficiency Act of 1991, as amended, as agreed in the 2012 Cooperative Agreement between the City of Berkeley, the California Department of Transportation and the Federal Highway Administration.

H. Surplus money not utilized under subdivision A through F above may be transferred to the general fund. The City Manager or their designee may make an annual determination as to what is surplus based on the needs and obligations of the special fund and transfer such surplus to the general fund. (Ord. 7498-NS § 2, 2016; Ord. 7305-NS (part), 2013).

#### **14.52.120 Parking meter and pay station fees.**

Single-space meter and pay station fees for the goBerkeley Program parking meter zones hereinabove set forth in 14.52.010 shall be as follows:

A. For goBerkeley Program parking meter zones set forth in 14.52.010:

1. Pay stations and credit card enabled single-space meters shall accept nickels, dimes, quarters, one dollar coins and credit/debit cards.

2. The minimum transaction amount for cash payment shall be five cents (\$0.05) and shall purchase a segment of time proportional to the prevailing hourly rate, rounded up to the nearest whole minute. The prevailing hourly rate for meter zones specified in 14.52.010 shall be set by section 14.52.120(B).

3. The 12-minute minimum transaction amount for credit/debit card payment shall purchase a segment of time proportional to the prevailing hourly rate, rounded up to the

nearest whole minute. The prevailing hourly rate for meter zones specified in 14.52.010 shall be set by section 14.52.120(B).

B. At single-space meters and pay stations within the goBerkeley Program parking meter zones:

1. The hourly rate may vary between \$0.50 and \$5.00 per hour effective FY 2017, between \$0.50 and \$6.00 per hour effective FY 2018, between \$0.50 and \$7.00 effective FY 2019, and between \$0.50 and \$8.00 effective FY 2020, as set by the City Manager.

2. The parking fee may be either flat rates (same rate for a specified time period e.g. 1 hour, 4 hours, all day), or may be variable rates based on time of day, length of stay, or a combination of those pricing structures, as set by the City Manager.

3. The City Manager may adjust the parking fee by increments no larger than 50 cents (\$0.50) per hour.

4. The City Manager may implement special event pricing at designated times and at designated pay stations and parking meters,

5. Adjustments to the parking fee must be supported by published data on parking usage statistics with the goal of achieving 65-85% parking occupancy of spaces as calculated in the goBerkeley Program Guidelines.

6. Adjustments to the parking fee at pay stations and parking meters must be posted to the City's website no later than 30 calendar days prior to the adjustment.

7. Parking rates may be adjusted no more frequently than once per 60 calendar days. (Ord. 7752-NS § 2, 2021: Ord. 7498-NS § 3, 2016: Ord. 7308-NS § 1, 2013: Ord. 7305-NS (part), 2013)

**14.52.130 Time limits enforced at inoperable parking meters and pay stations.**

A. *Single space meters.* Where parking meters are installed in the City, if the parking meter is inoperable, the time limits posted on the parking meter shall be enforced during the hours of operation of parking meters.

B. *Pay stations.* Where pay stations are installed in the City, if the pay station is inoperable, the time limits posted on the pay station within the block that the vehicle is parked or indicated by signage or curb markings shall be enforced during the hours of operation of the pay station.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 28, 2022, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

