

# City of Salem

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## FIRST PASSAGE

*In the year Two Thousand and Sixteen*

An Ordinance to amend an ordinance relative to traffic and parking

*Be it ordained by the City Council of the City of Salem, as follows:*

**Section 1.** Delete in their entirety the Parking Department Board, Chapter 2, Article VIII, Division 2 and the Transportation Advisory Commission, Chapter 2, Article IV, Division 12 and replace with a new Traffic and Parking Commission within Chapter 2, Article IV as follows:

**"DIVISION 12. – TRAFFIC AND PARKING COMMISSION**

Sec. 2-986. - Created; composition; compensation of members.

The Traffic and Parking Commission is established to study traffic and parking issues and recommend Traffic Ordinance amendments and Commission Regulations to the Mayor and City Council for their approval. Such Commission shall consist of five members, the Chief of Police or designee, one representative from the Salem business community, and three Salem residents appointed by the Mayor, subject to City Council confirmation. The Salem resident members of the Commission shall include at least two members with a background in transportation, traffic, engineering or urban planning. Members shall serve without compensation, but shall be allowed their reasonable and necessary expenses incurred in the performance of their duties as such members.

Sec. 2-987. - Appointment; term; removal; filling vacancies; organization.

The Mayor shall appoint the initial members of the Commission, except the Chief of Police, as follows: two members shall serve for a term of one year; one member shall serve for a term of two years; and one member shall serve for a term of three years. Thereafter and upon expiration of the term of each such member, the Mayor shall appoint members of the Commission to succeed such appointees whose terms expire and each member so appointed shall hold office for a term of three years. Members shall hold office for specified terms from February 1 next following such appointment.

Immediately after their appointment, the members of the Traffic and Parking Commission shall meet and organize by electing one of the members as chairperson and such other officers as may be necessary. Each officer shall serve a one-year term from February 1 next following such election.

Sec. 2-988. - Powers, duties and responsibilities generally.

Subject to all local, state and federal laws and regulations, the Traffic and Parking Commission shall be charged with the control, development, management, operation, and maintenance of all public on-street parking and public off-street automobile parking facilities within the City or to contract therefor. Reasonable regulations not inconsistent with the provisions of any statute or ordinance for the orderly use of all public off-street parking facilities shall be prescribed by the Commission, as well as a schedule of parking fees and other charges for the use of public on-street parking and public off-street automobile parking facilities, with the approval of the Mayor and the City Council, whether such public on-street parking or public off-street automobile parking facilities are operated by the Commission or under contract therefor. In determining parking fees, the Commission as well as the Mayor and City Council shall give consideration to the needs of the public and merchants to provide parking at the lowest cost possible.

The Traffic and Parking Commission shall also oversee traffic planning and policy development for the City; implement the City's Complete Streets Policy; and make recommendations to the Mayor and the City Council to adopt or amend City Ordinances and Commission regulations relative to traffic and parking; plan and implement residential traffic calming initiatives; plan and install on and off-street parking and transit related technology improvements; review and act, as necessary, on traffic and parking regulation petitions; and implement the City's comprehensive parking plan, updating it as necessary.

Any Salem resident or business owner may petition the Commission for action related to traffic and parking in the City by first filing said petition with the Commission. Upon the filing of a petition, the Commission shall file the same with the City Council and the Mayor. The Commission shall initiate a review of any petition within sixty days. If the Commission fails to act within sixty days, any City Councilor may bring the petition before the City Council for action that the City Council may determine. The City Council shall act on any recommendation of the Commission within sixty days.

Sec. 2-989. – Effective date of regulations; limitations.

The Commission may adopt regulations, effective upon approval by the City Council. Any approved regulations shall authorize the Commission to administer the specific parking and traffic regulations contained therein and may authorize the Commission to act without further Council approval on certain public street or parking designations. Any other parking or traffic recommendation of the Commission for which the Commission has not been authorized by the City Council to administer shall be proposed to the City Council for adoption as a City Ordinance or Council Order.

Nothing in this division shall be construed as giving the Traffic and Parking Commission power to supersede the Police Department in the regulation and enforcement of parking on the City streets."

**Section 2.** Amend Chapter 2, Article VIII, by deleting Division 2 in its entirety and renaming Division 3 as Division 2, renumbering the sections within the newly created Division 2 beginning with Sec. 2-1396 and further amending the newly created Article VIII, Division 2 by:

a) replacing the term "Parking Department" with the term "Traffic and Parking Department" as it appears in this Article;

b) replacing the Appointment term of the Traffic and Parking Executive Director of "one year" with "two years"; and

c) inserting the following responsibilities of the Executive Director immediately following Responsibilities (b)(5):

(6) Carry out traffic planning and policy development for the City, including providing review of all traffic modifications, parking changes, or other similar activities, whether regulatory or through construction

(7) Assist with implementation of the City's Complete Streets Policy and, in particular, the adoption of regulations favoring multi-modal transportation

(8) Oversee residential traffic calming initiatives and other similar traffic programs

(9) Serve as the City lead on major state and local roadway and corridor improvement projects

(10) Plan, install, and oversee parking and transit related technology improvements

(11) Continue implementation of the existing comprehensive parking plan, updating it as necessary, including, but not limited to, parking meter control and regulation, resident parking programs, the creation of new parking, and the improvement or alteration of existing parking, pursuant to the regulations of the Traffic and Parking Commission

(12) Staff the Traffic and Parking Commission

**Section 3.** This Ordinance shall take effect as provided by City Charter.

In City Council October 22, 2015

Received after the deadline of Tuesday noon under suspension of the rules

Referred to the Committee on Government Services co-posted with the Committee of the Whole

In City Council November 12, 2015

Matter remain in committee

In City Council February 11, 2016

All of section 1, as amended, remain in Committee of Government Services coposted with the Committee of the Whole and all of Section 2, as amended, be referred to the Committee on Ordinances, Licenses and Legal Affairs coposted with the Committee of the Whole

In City Council April 28, 2016

2) Adopted to refer to matter back to the Committee on Ordinances, Licenses and Legal Affairs coposted with Committee of the Whole

3) A motion to invoke Council Rule Sec. 38 to bring Section 1 of the Ordinances out of the Committee on Government Services coposted with Committee of the Whole was adopted by a roll call vote of 10 yeas, 0 nay, 1 absent

4) Adopted to refer Section 1 of the ordinance into the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

In City Council May 12, 2016

Adopted as Amended for first Passage

ATTEST:

ADVERTISED SALEM NEWS  
5/18/2016

CHERYL A. LAPOINTE  
CITY CLERK