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**Subdivision I. Generally**

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**Sec. 106-401. Public parking lots designated.**

- (a) The city lot located at the northeast corner of Campbell Avenue and Pacific Street is hereby declared to be Public Parking Lot No. 1.
- (b) The city lot located in the southwest corner of Robberson Avenue and Pacific Street is hereby declared to be Public Parking Lot No. 2.
- (c) The city lot located at the southwest corner of Jefferson Avenue and Blaine Street is hereby declared to be Public Parking Lot No. 3
- (d) The city lots located at the northeast and southwest corners of Boonville Avenue and Brower Street and all of that city property laying east of Boonville Avenue, south of Central Street, west of Jefferson Avenue and north of Chestnut Expressway is hereby declared to be Public Parking Lot No. 7.
- (e) The city lot located on the northwest corner of Boonville Avenue and Olive Street is hereby declared to be Public Parking Lot No. 9.
- (f) The city lot located on the northeast corner of Boonville Avenue and Olive Street is hereby declared to be Public Parking Lot No. 10.
- (g) Reserved.
- (h) A lot located approximately 65 feet west of the northwest corner of Patton Avenue and McDaniel Street and 80 feet east of the northeast corner of Campbell Avenue and McDaniel Street, which lot is bounded on the east by the city utilities bus terminal, on the north by College Street, and on the south by McDaniel Street, is hereby declared to be Parking Lot No. 12.
- (i) The city lot located on the northeast corner of College Street and Campbell Avenue is hereby declared to be Public Parking Lot No. 13.
- (j) A lot located at the southwest corner of McDaniel Street and Campbell Avenue is hereby declared to be Parking Lot No. 14.

*(Code 1981, § 22-148; G.O. No. 4538, § 1, 6-7-1995; G.O. No. 5120, § 1, 10-1-2001; G.O. No. 5522, § 2, 1-23-2006; G.O. No. 5714, § 1, 9-24-2007; G.O. No. 5816, § 2, 4-6-2009)*

**Sec. 106-402. Maximum size of vehicles; parking for purpose of selling goods; manner of parking.**

No person shall park on any public parking lot any vehicle over eight feet in width or over 23 feet long overall, including any projection thereof, nor shall any person park on any public parking lot any vehicle for the purpose of selling, displaying or offering for sale any goods, wares or merchandise. No person shall park on any public parking lot other than with the front of such vehicle directed to the front or curb of such angle or diagonal parking space.

(Code 1981, § 22-149)

**Sec. 106-403. Time limits and hours of parking.**

- (a) *Three-hour parking in Parking Lot Nos. 1, 2, 13 and 14.* Twenty-four of the parking spaces on Parking Lot No. 1, and 14 of the parking spaces on Parking Lot No. 2, and all parking spaces in Parking Lot Nos. 13 and 14 shall be designated as three-hour parking spaces, upon appropriate signs being placed on the lots or portion thereof indicating those parking spaces designated as three-hour parking spaces and stating the hours and days during which such limitations are applicable. When such signs are placed on the lots, the following parking laws shall apply to those areas signed. No person shall park any motor vehicle in an area designated on either one of the parking lots for more than three hours from 8:00 a.m. to 5:00 p.m., Monday through Saturday. Any person parking a motor vehicle in a space designated as a three-hour parking space on either of the parking lots shall be entitled to leave such vehicle parked for no more than three one-hour periods in any one day. For purposes of this subsection, the three one-hour periods may be accumulated by parking in one or more locations within Parking Lot Nos. 1 and 2 at different times on any one given day. It shall not be deemed necessary to accumulate the hours consecutively. For purposes of determining if a motor vehicle is parked for a one-hour period, it shall be sufficient that the motor vehicle is parked in any location designated as a three-hour parking space within Parking Lot Nos. 1, 2, 13 and 14 for any portion of a given hourly period, as defined as follows:

8:00 a.m. to 8:59 a.m.

9:00 a.m. to 9:59 a.m.

10:00 a.m. to 10:59 a.m.

11:00 a.m. to 11:59 a.m.

12:00 p.m. to 12:59 p.m.

1:00 p.m. to 1:59 p.m.

2:00 p.m. to 2:59 p.m.

3:00 p.m. to 3:59 p.m.

4:00 p.m. to 4:59 p.m.

- (b) *Permit for overnight parking in Parking Lot Nos. 1, 2, 3 and 11.*
- (1) *Issuance.* Any person owning real property, any merchant, any employee or any person residing within the area described on exhibit A, part 1, of the ordinance codified in this subsection may be issued a permit by the director of finance that allows parking on the city parking lots described on exhibit A, part 2. Permits will be issued only to real property owners, merchants, employees and residents of the area. The application for a permit shall contain the name of the owner or operator of the motor vehicle, the residential address, the vehicle's make, model and registration number, and the applicant's driver's license number. The motor vehicle of a resident of the area must be registered to the applicant's address within the area. If the residential applicant's vehicle is not so registered or if the applicant does not reside within the area, the applicant must provide proof that he owns real property, is a merchant, is an employee or resides within the district, by copy of a notarized lease, a utility bill bearing the applicant's name and address, certified records of ownership from the county registrar's office, written verification of employment from an employer, or a similar document.

*Editor's note—*

Exhibit A, referred to in the preceding subsection, is not printed herein, but is on file at the offices of the city.

- (2) *Term; renewal.* Parking permits shall be issued for a period of 12 months and must be renewed annually. A tenant residing in the area under a shortterm lease will be issued a permit for the term of the lease, which shall be indicated on the application for the permit. The permit shall automatically become void when the tenant vacates that location.
- (3) *Display.* Permits shall be displayed in the rear window of all vehicles or in the rearmost window on the left side of the vehicle.
- (4) *New property owners, merchants, employees or residents.* New real property owners, merchants, employees or residents to the area must obtain a permit within two weeks of becoming an owner, merchant, employee or resident.
- (5)

*New vehicles.* Should a real property owner, merchant, employee or resident transfer ownership of a vehicle registered under this section, the old permit must be presented prior to issuance of a new permit.

- (c) *Overnight parking restricted in Parking Lot Nos. 1, 2, 3 and 11.* No person shall:
- (1) Park any motor vehicle in Parking Lot Nos. 1, 2, 3 or 11 between the hours of 1:00 a.m. and 6:00 a.m. of any day without a valid permit properly displayed.
  - (2) Falsely represent himself as eligible for a parking permit, or furnish false information in an application for a permit.
  - (3) Use or display or allow the use or display of a valid permit on a motor vehicle other than that for which the permit was issued.
  - (4) Use or display a facsimile or counterfeit permit.
  - (5) Sell or otherwise dispose of a vehicle displaying a permit without destroying that permit, and no subsequent owner of the vehicle shall use a permit issued to a previous owner.
  - (6) Allow a nonresident to use or display a permit.
  - (7) Knowingly permit any act prohibited under this subsection, or aid or abet another to do so.
- (d) *Authority of city manager to regulate use of Parking Lot No. 7.*
- (1) In order to provide for the needs of the public and to provide for the parking of city employees and officials in a harmonious and desirable fashion, as those needs may from time to time appear, the city manager is hereby authorized to:
    - a. Adopt from time to time such rules and regulations governing the public use of Parking Lot No. 7 as he may determine to be necessary to provide for adequate public parking for the patrons of city hall. Such rules and regulations may establish parking time limitations upon Lot No. 7, may prohibit public parking on portions of the lot, and may provide for the installation and operation of parking meters on portions of the lot; provided, however, that if any parking meter shall be erected under the authority granted by this subsection, no charge to operate the meters shall be made in excess of \$0.05 for every two hours of parking time allowed.
    - b. Adopt from time to time rules and regulations pertaining to the use of Parking Lot No. 7 in order to provide adequate city official and employee parking. Such rules and regulations may prohibit others than city officials and city employees from parking in designated areas at designated times and may provide for the issuance of stickers or other identifying emblems to city officials and employees in order to identify their vehicles.
  - (2) If the city manager finds that portions of Parking Lot No. 7 are not needed to provide for adequate public parking for the patrons of city hall and that they are not needed for city officials and employees, he may then provide for the leasing of such portions, upon such rules and regulations as he may adopt, to private individuals; provided, however, no lease shall require a payment of more than \$3.50 per month per vehicle space.
  - (3) No rule or regulation adopted by the city manager pursuant to this subsection shall be in force or effect until the rule or regulation shall have been filed in the office of the city clerk for at least five days, and no rule or regulation prohibiting or restricting parking on Parking Lot No. 7 shall be effective unless adequate signs shall first have been erected giving notice of such restrictions.
  - (4) Any person violating any of the rules and regulations adopted by the city manager under the provisions of this subsection shall be guilty of a misdemeanor and shall be punished as provided under section 1-7.

*(Code 1981, § 22-150; G.O. No. 5714, § 2, 9-24-2007)*

## **Sec. 106-404. Parking lot meter zones.**

All parking lots covered by [section 106-403](#) which have metered zones and hours of operation and those lots covered by [section 106-403](#) which do not have specific hours of operation shall now be operated as follows: The hours of operation for such zones and lots shall be from 8:00 a.m. to 5:00 p.m., Monday through Saturday, except Sundays and public holidays, and such lots shall be otherwise controlled by the provisions of section 106-403. Provisions of this section shall control such zones and lots insofar as the hours of operation are concerned until such time that this section is amended or repealed.

(Code 1981, § 22-150.1)

## Sec. 106-405. Parking restrictions in special business district.

- (a) *Purpose and intent.* The intent of this section is to encourage the economic growth and stability of the Downtown Park Central Mall area of the city through the provision of adequate and convenient parking spaces for citizens who desire to use and patronize the Downtown Park Central Mall area establishments. The availability of adequate and convenient parking will reduce automobile pollution and prevent decay and deterioration of businesses, and is hereby determined to be consistent with the overall plan for the redevelopment of an urban renewal area. In determining the need for these parking regulations, the city council finds that adequate and convenient parking in close proximity to commercial districts fosters and encourages customers and clients to patronize businesses located within those districts. The city council also finds that lack of adequate and convenient customer parking tends to have a negative effect upon the economic growth and stability of commercial districts and their environment. The city council hereby finds that there is a high rate of vacant buildings in the area and that the availability of customer parking is needed to encourage redevelopment of the area. This lack of adequate parking is attributable in substantial part to the utilization of prime spaces for longterm parking by individuals working in the business district who park in the most convenient spaces and occupy those spaces for most of the business day. In this regard, this section is drafted to ensure that adequate parking is available in close proximity to the Downtown Park Central Mall area by requiring sufficient turnover of motor vehicles in the parking lots through limiting the length of time any motor vehicle can be parked in the lots located within the special business district and also by prohibiting employees, employers, owners and proprietors of establishments located within the special business district and other nearby areas from parking their motor vehicles on the lots located within the special business district.
- (b) *Three-hour parking areas.* Parking lots as defined in section 106-401 which are designated as parking lots 9, 10 and 12, parking spaces designated on parking lot 5-A as 37 through 40 and on parking lot 5-B as 30 through 39, and parking spaces designated on parking lot 5-C are hereby designated as three-hour parking lots upon appropriate signs being placed on the lots indicating such restrictions and stating the hours and days during which such limitations are applicable. When such signs are placed on the lots, the following parking laws shall apply. No person shall park any motor vehicle in any one or more three-hour parking lots located in the special business district for more than three one-hour periods, as defined in this subsection, on any day. An hourly period shall start at the beginning of the hour and continue until the end of that hour. The hourly periods shall be limited to the following hours:
- 8:00 a.m. to 8:59 a.m.
  - 9:00 a.m. to 9:59 a.m.
  - 10:00 a.m. to 10:59 a.m.
  - 11:00 a.m. to 11:59 a.m.
  - 12:00 p.m. to 12:59 p.m.
  - 1:00 p.m. to 1:59 p.m.
  - 2:00 p.m. to 2:59 p.m.
  - 3:00 p.m. to 3:59 p.m.
  - 4:00 p.m. to 4:59 p.m.
  - 5:00 p.m. to 5:59 p.m.
  - 6:00 p.m. to 6:59 p.m.
  - 7:00 p.m. to 7:59 p.m.

For purposes of this section, the three one-hour periods may be accumulated by parking on one or more lots within the special district on a given day. It shall not be deemed necessary to accumulate the hours consecutively. For purposes of determining if a motor vehicle is parked on a lot during any one-hour period, it shall be sufficient that the motor vehicle is parked upon a lot within the district for any portion of a given hourly period as defined in this subsection.

- (c) *Employee parking.* No person who is an employer, employee, owner or proprietor of a business, office or governmental agency located within the special business district or within that area near the district as described in this subsection shall park any motor vehicle in which that person has an ownership interest, as evidenced by the motor vehicle's registration certificate, on any lot maintained by the special business

district during any hours in which that person is employed, including the lunch hour, within the special business district. There is hereby created a rebuttable presumption that an employee, employer, owner or proprietor of a business located within the special business district or near the district is parked in violation of this section if a motor vehicle is found parked in a designated lot in the special business district, which motor vehicle's registration shows that the person has some ownership interest in that vehicle. This presumption can be overcome by showing by clear and convincing evidence that the vehicle was not used to transport the employee, employer, owner or proprietor to the place of work of such person. Employees, employers, owners and proprietors of a business, office or governmental agency within the area described in exhibit A of the ordinance codified in this subsection are hereby determined to be near the district and shall be subject to the parking restriction set forth in this subsection.

*Editor's note—*

Exhibit A, referred to in the preceding subsection, is not printed herein, but is on file with the original ordinance in the office of the city clerk.

- (d) *Other parking restrictions.* No vehicle other than a motor vehicle shall be parked on the lots in the district. No person shall park on any public parking lot within the district any vehicle over eight feet in width or over 23 feet long overall, including any projection thereof, nor shall any person park on any such lot any vehicle for the purpose of selling, displaying or offering for sale any goods, wares or merchandise. No person shall park on any such lot other than with the front of such vehicle directed to the front or curb of such angle or diagonal parking space.

*(Code 1981, § 22-150.2)*

#### **Sec. 106-406. Handicapped parking spaces.**

- (a) All parking lots covered by section 106-403 shall have one or more spaces, as determined necessary by the city traffic engineer, each designated as a handicapped parking space. A sign designating facilities which have been specifically designed and reserved for use by the physically handicapped shall contain the international handicap symbol of access. Any person whose vehicle prominently displays a handicap permit or license plate described in [section 106-361](#) on or in the motor vehicle shall be presumed to be utilizing such space in accordance with the terms of section 106-363. Any person whose vehicle does not display the permit or license plate shall be presumed to be in violation of the provisions of section 106-363.
- (b) Notwithstanding any other provisions of this Code to the contrary, the minimum fine for violating provisions of this section shall be \$50.00; provided that, if the fine is not paid within five days after the violation, there shall be an additional \$10.00 fine.

*(Code 1981, § 22-151)*

#### **Secs. 106-407—106-420. Reserved.**