

ARTICLE X. - PARKING REGULATIONS

FOOTNOTE(S):

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Note— See Editor's note following Art. VII.

Sec. 74R-1. - Definitions.

For the purposes of these regulations, the following definitions shall apply:

- (a) *Vehicle*: Any device in, upon, or by which any person or property is or may be transported upon a highway and which is required by the laws of the State of Connecticut to be registered with the state commissioner of motor vehicles.
- (b) *Person*: Any individual, firm, partnership, association or corporation.
- (c) *Operation*: Every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle.
- (d) *Park or parking*: The standing of a vehicle, whether occupied or not, upon a municipal off-street parking lot, other than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator.
- (e) *Pay station*: Any mechanical or electronic mechanism not inconsistent with these regulations placed or erected for the regulation of parking by authority of these regulations.
- (f) *Pay station zone*: Any area in which a pay station is installed and in operation to govern daily parking spaces.
- (g) *Parking space*: Any space within a municipal off-street parking lot which is duly designated for the parking of a single vehicle by lines painted or durably marked or by signs.
- (h) ~~*Parking voucher*: A form of parking permit, the fee for which is payable to the town or its agent, granting use of a parking space for the period of time indicated on such voucher through its activation and display by the holder thereof. To be valid, a parking voucher shall be:
 - (1) ~~Pre-printed on forms approved by the first selectman.~~
 - (2) ~~Obtained through lawful means.~~
 - (3) ~~Activated and displayed in accordance with such instructions as the first selectman may issue by means of written information printed on such voucher or a booklet containing such voucher, or otherwise, or by means of posted signs.~~~~

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~~(i) Incentive parking permit: A special permit to be used in selected designated areas where the regular permit price has been discounted to encourage parking in designated spaces.~~

(Reg. of 12-30-1969, § 2; Amd. of 9-1-1981; Amd. of 4-5-1999, § 1; Amd. of 9-21-2009; Amd. of 9-30-2013)

Sec. 74R-2. - Vehicle position within space; compliance with signs.

Vehicles shall be parked on a municipal off-street parking lot within the lined spaces and in accordance with all posted signs or instructions. It shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

(Reg. of 12-30-1969, § 3)

Sec. 74R-3. - Parking time limited.

(a) A vehicle shall not remain parked on a municipal off-street parking lot for an uninterrupted period longer than the time specified herein:

Darien station12 hours
Noroton Heights station12 hours
Center Street lots3 hours
Center Street lots (certain spaces designated by signs)1 hour and 12 hours
Grove Street (certain spaces designated by signs)3 hours and 12 hours
Squab Lane and Squab Lane lot12 hours
Mechanic Street lot (as designated)3 hours
Mechanic Street lot12 hours
Leroy-West lot12 hours
Tilley Municipal Parking Lot (certain spaces designated by signs)15 minutes, 1 hour and 2 hours

- (b) Vehicles which have been parked on a municipal off-street parking lot for the time permitted shall not be reparked in the same lot within one hour thereafter.
- (c) Up to 12 spaces in the Center Street lot shall be set aside and reserved for free parking by members of volunteer agencies provided they are performing volunteer duties at the time their vehicles are parked and provided their agency has in advance been formally recognized by the board of selectmen as an approved volunteer agency. Such approvals shall be reviewed from time to time.
- (d) The Town will issue free permits for employees of the property owner, or such owner's designee of address to park in designated spaces in the upper lots of the Tilley Municipal Parking Lot. The Town will issue up to two free permits per apartment unit to property owners within the Tilley Municipal Parking Lot block for parking in designated spaces in the lower and mid-level of the Tilley Municipal Parking Lot.

(Reg. of 12-30-1969, § 4; Amd. of 4-25-1977; Amd. of 8-13-1979; Amd. of 12-12-1983, § 1; Amd. of 12-1-1986, § 1; Amd. of 9-30-1991, §§ 1—3; Amd. of 3-22-1993; Amd. of 9-20-1993, §§ 1, 2)

Sec. 74R-4. - Compliance with directional signs.

Vehicles shall be driven into or out of a parking lot in accordance with the directions indicated by posted signs or road markings.

(Reg. of 12-30-1969, § 5)

Sec. 74R-5. - Parking permits—Restrictions.

- (a) Only those vehicles for which a valid parking permit has been issued shall be parked in the designated areas of the Mechanic Street, Grove Street, Squab Lane, Leroy West, or the Noroton Heights station lot. After ~~10:00~~ 9:00 a.m. any available permit space may be used by a daily parker with payment of the daily rate in the Noroton Heights, Squab Lane and Leroy West lots. Preference for parking in the all-day spaces of the Center Street, Mechanic Street and a portion of the Grove Street lots shall be given to employees of local business establishments.
- (b) Parking permits shall be issued by the parking division. Application for permits shall be made to the parking division and permits will be issued in the order received to the extent that parking spaces are available. Only Darien residents, Darien taxpayers, or employees of local business establishments shall be eligible for such permits, except that nonresidents of Darien shall be eligible for parking permits at the Noroton Heights station parking lot to the extent that parking spaces remain available at those lots. Permits shall be issued only for a vehicle registered in the name of the applicant or for leased vehicles.
- (c) Fees for the permit and refunds for that period of the permit not used shall be in accordance with section 74R-6
- (d) A permit shall be valid only in the lot for which it is issued.

- (e) The permits shall be ~~affixed to the lower right hand corner of the rear window of the vehicle for which it has been issued~~ displayed in a proper manner so that it may be easily viewed and authenticated by Town of Darien Parking Personnel. Failure to do so may result in a fine.
- (f) It shall be the responsibility of the permittee to have the permit ~~affixed to~~ displayed in his vehicle at all times. If it should become lost or destroyed or if another vehicle is substituted, the permittee shall immediately notify the parking division.
- (g) Permits shall not be transferable. Illegal transfer of a permit shall result in a fine.
- (h) That portion of the Noroton Heights station lot, westbound, to the north and west of the Depot and extending to the westerly side of the curb cut on Heights Road shall be restricted to patrons of the Depot between 8:00 p.m. and midnight, when the designated area is appropriately signed. Unauthorized persons shall be ordered from the area by the police department.

(Reg. of 12-30-1969, § 6; Amd. of 4-25-1977; Amd. of 12-3-1979, § 2; Amd. of 12-12-1983, § 3; Amd. of 12-1-1986, § 2; Amd. of 5-1-1992)

Sec. 74R-6. - Same—Fee schedule; expiration, duration.

(a) The fee or rebate for a:

- (1) A fee or rebate for a Parking Permit, including State Sales Tax, for all lots shall be as follows:

<u>Beginning or Terminating Date</u>	<u>Fee</u>	<u>Rebate</u>
<u>January 1 through March 31</u>	<u>\$345.00</u>	<u>\$258.75</u>
<u>April 1 through June 30</u>	<u>258.75</u>	<u>172.50</u>
<u>July 1 through September 30</u>	<u>172.50</u>	<u>86.25</u>
<u>October 1 through November 30</u>	<u>86.25</u>	<u>28.75</u>
<u>December 1 through December 31</u>	<u>28.75</u>	<u>0.00</u>

<u>Beginning or Terminating Date</u>	<u>Fee</u>	<u>Rebate</u>
<u>January 1-31</u>	<u>400.00</u>	<u>366.67</u>
<u>February 1-28 (29)</u>	<u>366.67</u>	<u>333.33</u>
<u>March 1-31</u>		

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	<u>333.33</u>	<u>300.00</u>
<u>April 1-30</u>	<u>300.00</u>	<u>266.67</u>
<u>May 1-31</u>	<u>266.67</u>	<u>233.33</u>
<u>June 1-30</u>	<u>233.33</u>	<u>200.00</u>
<u>July 1-31</u>	<u>200.00</u>	<u>166.67</u>
<u>August 1-31</u>	<u>166.67</u>	<u>133.33</u>
<u>September 1-30</u>	<u>133.33</u>	<u>100.00</u>
<u>October 1-31</u>	<u>100.00</u>	<u>66.67</u>
<u>November 1-30</u>	<u>66.67</u>	<u>33.33</u>
<u>December 1-31</u>	<u>33.33</u>	<u>-</u>

(2) Incentive parking permit, including state sales tax, for all lots shall be as follows:

<u>Beginning or Terminating Date</u>	<u>Fee</u>	<u>Rebate</u>
<u>January 1 through March 31</u>	<u>\$200.00</u>	<u>\$150.00</u>
<u>April 1 through June 30</u>	<u>150.00</u>	<u>100.00</u>
<u>July 1 through September 30</u>	<u>100.00</u>	<u>50.00</u>
<u>October 1 through November 30</u>	<u>50.00</u>	<u>16.67</u>
<u>December 1 through December 31</u>	<u>16.67</u>	<u>0.00</u>

- (b) The expiration for all permits shall be December thirty-first of the year for which it is issued.
- (c) The fee is determined by the date [the] applicant is notified that a permit is available. Example: If the applicant is notified on February 1 that a permit is available, the fee for the permit for the period February 1 to December 31 for all lots would be ~~\$170.00~~366.67.

- (d) A rebate on permits returned to the parking division is determined by the date the permit is actually returned. Example: If the permit is returned May 1, the rebate for all lots would be ~~\$85233.33.00~~.
- (e) Permits shall not be issued for any period of time shorter than the remaining portion of the calendar year for which it is issued.
- (f) A fee of ~~\$1520~~.00 shall be imposed for reissuance of a sticker that is lost, misplaced, stolen, or where the vehicle is sold and the sticker cannot be removed and transferred to the replacement vehicle.
- (g) Separate permits shall be issued to business owners for their employees to park in designated areas within the Mechanic Street and Center Street lots. The fee for these permits, including state sales tax, shall be \$85.00 for the calendar year, provided permit holders will not be guaranteed a space will be available when they need it.
- (h) Permit renewals shall be made available at least 30 days prior to the renewal deadline. Permit renewals which are submitted 15 business days after the deadline shall be subject to a fine of \$25.00. Permit renewals which are submitted between 16 and 30 business days after the deadline shall be subject to a fine of \$50.00. No permit renewals will be accepted later than 30 business days after the deadline. Permit holders seeking a renewal greater than 30 business days after the deadline shall be placed on the waiting list as of the date of their expiring permit.

(Reg. of 12-30-1969, Sch. A; Amd. of 5-12-1975, § 1; Amd. of 12-3-1979, § 1; Amd. of 9-8-1980, § 1; Amd. of 12-12-1983, § 2; Amd. of 11-4-1985; Amd. of 12-1-1986, §§ 3—6; Amd. of 12-7-1987; Amd. of 12-5-1989; Amd. of 11-4-1991, §§ 1, 2; Amd. of 3-2-1992; Amd. of 10-5-1992; Amd. of 4-18-1994, §§ 1, 2; Amd. of 5-6-1996; Amd. of 10-2-1996, §§ 1, 2; Amd. of 11-23-1998, §§ 1, 2; Amd. of 9-21-2009; Res. of 10-4-2010; Amd. of 9-30-2013)

Sec. 74R-7. - Train station pay station zone.

- (a) *Designated.* Effective November 1, 2013, designated off-street train station parking spaces in each of the following lots or areas shall constitute a pay station zone: Darien station, including both northbound and southbound lots; designated spaces in the Leroy West lot; Leroy East lot; the Noroton Heights station lot bound by Heights Road and the Metro-North railroad tracks and designated spaces in the Noroton Heights lot abutting Post 53.
- (b) *Operation of pay stations.* When any vehicle shall be parked in any parking space requiring daily payment, the operator of such vehicle shall, upon entering the parking space, immediately deposit or cause to be deposited in such pay station such proper payment as is required in accordance with directions provided at the pay station, and failure to pay and operate the pay station shall constitute a violation of these regulations. Payment to the pay station may be provided directly at said pay station or electronically using a mobile computing application sanctioned by the town for such purposes. Upon payment, the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for

the area in which said parking space is located. If any vehicle shall remain parked in any such parking space beyond the parking time limit, and if the pay station shall indicate such illegal parking, such vehicle shall be considered as parking overtime and such parking shall be deemed a violation of these regulations.

- (c) *Parking time limits.* Daily parking or standing a vehicle in a designated space shall be lawful upon payment of the required parking fee. It shall not be necessary to operate said pay station on Saturdays, Sundays and legal holidays.
- (d) *Daily parking fee.* The daily parking fee shall be ~~\$34.00~~ or \$65 per month when purchased through the mobile computing application sanctioned by the town for such purpose. ~~These fees shall be and~~ subject to revision in accordance with section 74-23 of the Darien Codified Ordinances.

(Reg. of 12-30-1969, § 7; Amd. of 5-12-1975, § 2; Amd. of 9-8-1980, § 2; Amd. of 11-4-1985; Amd. of 12-1-1986, §§ 7, 8; Amd. of 3-11-1991, § 1; Amd. of 10-2-1996, § 3; Amd. of 11-23-1998, § 3; Amd. of 9-30-2013)

~~Sec. 74R-8. Parking vouchers.~~

~~(a) Designated parking voucher spaces. Any parking space existing or hereafter created in the areas designated in these regulations as parking meter zones or parking permit zones may, alternatively, be designated by the first selectman for parking voucher parking.~~

~~(b) Operation of voucher parking spaces. When any vehicle shall be parked in any parking space in an area which signs or markings placed at the direction of the first selectman designate as being set aside for parking voucher parking, the operator of such vehicle shall, upon entering the parking space, display a parking voucher in the manner prescribed. Upon the display of such voucher, the parking space may be lawfully occupied by such vehicle during the period of time and on the day that the operator has selected by activating said voucher in the manner prescribed. If any vehicle shall remain parked in any parking space beyond the date and/or time revealed on the face of a voucher through activation by said vehicle's operator, such vehicle shall be considered as being parked overtime and, therefore, in violation of these regulations.~~

~~(c) Rate to be charged for parking vouchers. The fees for parking vouchers shall be:
For a single voucher granting permission to use one space to park for 12 hours
.....\$2.25~~

~~Nothing herein shall be construed as preventing the authorized sale of blocks or books of vouchers.~~

~~(d) First selectman authorized to utilize an agent(s). The first selectman is hereby authorized to enter into contracts with agents to provide parking voucher management and sales services, subject to the approval of such contracts by the town counsel.~~

~~(e) End of voucher sales. Vouchers shall not be sold on and after July 1, 2014. Prior to said date vouchers shall be honored in addition and as an alternative to pay station~~

~~or electronic payments. Vouchers shall not be honored as valid payment for parking after July 1, 2014.~~

~~(Amd. of 4-5-1999, § 2; Amd. of 9-30-2013)~~

Sec. 74R-9. - Parking of vehicles for business purposes prohibited.

No motor vehicle dealer, repairer of motor vehicles, retail dealer of gasoline or motor oil, or renter or lessor of motor vehicles shall park any vehicle in any off-street parking facilities of the town when the purpose of said parking is the sale, rent, lease, hire or service or repair of said vehicle.

(Reg. of 12-30-1969, § 8; Amd. of 4-5-1999, § 2)

Sec. 74R-10. - Enforcement.

It shall be the duty of the employees of the police department and the parking division to enforce the provisions of these regulations except as hereinabove provided.

(Reg. of 12-30-1969, § 10; Amd. of 11-2-1981; Amd. of 4-5-1999, § 2)

Sec. 74R-11. - Penalty for violations.

Any person who shall violate section 78-23, or the regulations adopted pursuant to it, shall pay a penalty of \$30.00. In the event such penalty shall not be paid within 15 days, an additional penalty of \$30.00 shall be added and paid.

Abuse of a parking permit, which shall include but is not limited to, misrepresenting any fact on an application to obtain a permit; misusing, illegally transferring, tampering with or copying a permit for use by more than one vehicle, and/or placing a permit on a vehicle other than one registered to the permit holder shall result in a penalty of ~~\$30~~100.00 for the first violation. In the event of a second violation within one year, the parking permit shall be invalidated and revoked. If there is a waiting list as of the time a permit is revoked, the person holding the permit will be placed on the waiting list as of the date of the revocation.

Any person who parks in a fire lane shall pay a penalty in accordance with C.G.S. § 29-291c.

Any person who parks in a handicapped space and does not display a bona fide handicapped emblem shall pay a penalty in accordance with C.G.S. § 14-253a(l).

The penalty shall apply to all tickets outstanding in excess of ten days.

(Amd. of 6-15-1987; Amd. of 4-30-1990; Amd. of 3-11-1991, § 2; Amd. of 4-5-1999, § 2; Amd. of 9-30-2013)

Sec. 74R-12. - Furnishing copy to permittee; effective time of amendments.

(a) A copy of the currently effective municipal off-street parking regulations shall be given to each person holding a parking permit issued pursuant to this regulation at the time the permit is issued.

(b) Changes to these regulations shall be effective 15 days after the date of publication in a newspaper published in the town, if any there be, otherwise in Stamford or Norwalk.

(Reg. of 12-30-1969, § 11; Amd. of 11-2-1981; Amd. of 4-5-1999, § 2)