

VEHICLES AND TRAFFIC

CHAPTER 102

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102.001. SHORT TITLE. This chapter shall be known and may be cited as the Parking Ordinance. (Ord No. 73-2002)

102.005. DEFINITIONS. Where terms are not defined in this chapter they shall have the meaning described in the Oregon Vehicle Code. Where terms are not defined through the methods authorized by this section, such terms shall have ordinary accepted meanings such as the context implies. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the following meanings:

(a) "Alley" means a public easement or right of way not more than 20 feet and not less than 10 feet in width, which intersects a public street.

(b) "Block" means the properties abutting one side of a street:

(1) Between two cross streets;

(2) Between the city limits and the nearest cross street;

(3) When there is only one cross street;

(A) Between a cross street and the dead end of a street;

(B) Between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection;

(4) When there are no cross streets, then the block shall be between the points 600 feet from the midpoint of the front property line for the property under consideration and along the street.

(c) "Capitol Mall Parking District" means that area bordered on the north by the north curb of D Street, on the east by the east curb of 12th Street, on the south by the south curb of State Street and on the west by the east curb Church Street.

(d) "Commercial vehicle" means a vehicle designed or used primarily for the transportation of property or used for the transportation of persons for compensation or profit. A vehicle not conspicuously marked with its business name, or that does not have displayed on the dashboard a sign with the business name, is not a Commercial Vehicle. For purposes of this subsection a sign displayed on the dashboard must measure a minimum of 8½ inches by 11 inches with lettering 2 inches high.

(e) "Curb Line" means the line defined by the raised edge forming the gutter of a vehicular roadway within the right of way.

(f) "Director" means the Director of the Department of Administrative Services of the City of Salem, or the Director's designee.

(g) "Designated Parking Area" means an area which is identified by the presence of signs, markings, or other similar devices commonly used to indicate vehicle parking spaces.

(h) "Enforcement Officer" means a person pursuant to ORS 153.005 (1999), or a person appointed by the Director to enforce the provisions of this chapter.

(i) "Highway" means all streets and alleys in the city.

(j) "Immobilizer" means a device that is attached to a vehicle and is designed to restrict the normal movement of that vehicle.

(k) "Landscape Strip" means that area between the curb line or edge of the roadway and the sidewalk line which has not been specifically dedicated or designated for parking. This includes the area of an improved street between the curb and sidewalk.

(l) "Time limited parking zone" means a parking zone designated by official signs or markings as restricted in use to a particular period of time.

(m) "Loading Zone" means a designated parking area reserved for the exclusive use of vehicles during the loading or unloading of passengers or cargo.

(n) "Off-street parking facility" means any such facility established pursuant to ORS 223.805 to 223.845.

(o) "Park" means to stop, or to cause or permit to remain stopped, any vehicle or combination of vehicles, or any portion thereof, on any public street, off-street parking facility, or other public right-of-way, including sidewalks, except such stops as are made in response to legal controls or requirements, conditions created by other traffic, emergencies related to the operation of the vehicle during the actual period of such emergency, or momentary stops for the expeditious loading or unloading of passengers.

(p) "Parking control device" means any sign, standard, painted curb, marking, or any device, inscription, or designation giving notice of, delineating, controlling or restricting parking or use of parking zones.

(q) "Parking zone" means any space adjacent to the curb or edge of a public street or in an off-street parking facility, which space is not prohibited to all parking pursuant to SRC 102.050, and is either designated by painted lines for the parking of one vehicle or is large enough to accommodate one vehicle with no part of such vehicle occupying any area prohibited to all parking pursuant to SRC 102.050; except that in an off-street parking facility the only parking zones shall be those designated by painted lines.

(r) "Permit" means an authorization in accordance with this chapter to park a vehicle at a location in the manner, at the times, and in compliance with the conditions specified by the permit.

(s) "Residential Zone" means an area defined as RA, RS, RD, RM or RH by SRC 113.010 and for the purpose of this chapter shall include both sides of a street when a residential zone abuts a non-residential zone.

(t) "Salem Civic Center" means that area bounded on the north by the south line of Trade Street, on the east by the west line of Liberty Street, on the south by the north line of Leslie Street, and on the west by the east line of Commercial Street.

(u) "Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. (Ord No. 136-73; Ord No. 183-79; Ord No. 63-95; Ord No. 64-99; Ord No. 73-2002; Ord No. 31-06)

102.006. APPLICATION. The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with directions of an enforcement officer. Applicable provisions of the Oregon Vehicle Code pertaining to the parking of vehicles shall apply in the City of Salem. (Ord No. 73-2002)

102.007. ENFORCEMENT RESPONSIBILITY. Every enforcement officer shall have the authority to enforce all regulations of this chapter, and shall be considered "issuing officers" for the purposes of ORS 221.333, or any successor statute. (Formerly 102.600, Ord No. 73-2002)

102.008. WAIVER OF ENFORCEMENT. The Director may temporarily waive enforcement of parking regulations when it is in the public interest to do so. (Ord No. 73-2002)

102.009. ADMINISTRATIVE PARKING REGULATIONS. (a) The Director shall have the authority to create administrative parking regulations for permit parking and the operation of off-street parking facilities.

(b) Where fees are charged for parking, such fees shall be set by resolution of Council.

(c) The Director may, with respect to off-street parking facilities, exercise those powers and duties delegated to the Director of Public Works pursuant to SRC 100.030, and shall have the further authority to prescribe any additional regulations necessary to carry out the duties and authorities delegated by this section.

(d) It shall be unlawful for any person to violate any rule or regulation of the Administrative Parking Regulations. (Ord No. 73-2002)

102.010. (Ord No. 4581;Ord No. 136-73; Renumbered as 102.661 by Ord No. 73-2002)

102.015. [Repealed by Ord No. 73-2002]

102.020. [Repealed by Ord No. 136-73]

102.030. APPLICATION OF TIME LIMITS ON CERTAIN DAYS. (a) Except as provided in subsection (b) of this section, and unless specifically designated otherwise by a parking control device, the time limitations and deposit requirements imposed on metered or time limited parking zones shall not apply on January 1, Martin Luther King Day, Presidents Day, Memorial Day, July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, and the following Monday if any such day falls on a Sunday in any year.

(b) Time limited parking zones in the Downtown Parking District apply all days of the year except December 25. (Ord No. 3401;Ord No. 4551;Ord No. 5303;Ord No. 160-72;Ord No. 136-73; Ord No. 63-95; Ord No. 35-97; Ord No. 73-2002)

102.035. METHOD OF DETERMINING OVERTIME AND TIME LIMITED PARKING VIOLATIONS. Unless specifically designated otherwise by a parking control device, an enforcement officer shall use the following guidelines in determining whether a vehicle has been parked in violation of a time limited zone, or whether a person has made an unlawful meter deposit. The period to be considered shall:

(a) Begin when the vehicle is first parked in a particular time limited or metered parking zone;

(b) Continue whether or not the vehicle is thereafter moved, except that the period shall be terminated if such vehicle is moved and parked on the same street beyond a cross street, or on a different street;

(c) Include all time during which the vehicle is thereafter parked in another time limited or metered parking zone having the same maximum lawful time limit unless movement

of the vehicle has terminated the period as provided in subsection (b) of this section. (Ord No. 136-73;Ord No. 183-79;Ord No. 27-81; Ord No. 35-97; Ord No. 73-2002)

102.040. [Repealed by Ord No. 136-73]

102.043. [Repealed by Ord No. 73-2002]

102.045. [Repealed by Ord No. 73-2002]

102.047. SEPARATE OFFENSES FOR TIME LIMITED PARKING.

(a) Each multiple or fraction thereof in excess of the maximum lawful parking time designated for a metered or otherwise time limited parking zone during which a vehicle is unlawfully parked in such zone shall constitute a separate offense.

(b) Where a time limited zone or metered parking space is designated as 2 hours or more, each 2 hour period during which a vehicle remains parked in excess of the initial two hours shall constitute a separate offense. (Ord No. 136-73;Ord No. 27-81; Ord No. 73-2002)

102.048. EXCLUSION FROM OFF-STREET PARKING FACILITIES. (a) In addition to other measures provided in any other ordinances of the Code or any of the laws of the State of Oregon, any person who within any Off-Street Parking Facility violates any provision of the Code or any non-felony criminal laws of the State of Oregon or any regulation duly made and issued by the Director may be excluded from any Off-Street Parking Facility for a period of 30 days and any person who violates any felony law of the State of Oregon may be excluded from any or all Off-Street Parking Facilities for a period of 90 days.

(1) Written notice shall be given to any person excluded from any Off-Street Parking Facility. Such notice shall specify the reason for the exclusion, and the dates and places of exclusion. The notice shall prominently display warning of the consequences of failure to comply, right of appeal and opportunity to apply for temporary waiver from the effects of the notice. Exclusion shall commence immediately upon delivery of the notice to the excluded person.

(b) A person who has received written notice of exclusion and who violates the notice restrictions may be charged with Trespass under SRC 95.550. In addition the person may be excluded from any or all Off-Street Parking Facilities for an additional period of not more than 90 days.

(c) Any person receiving a second written notice of exclusion within 6 months of receiving another such notice may be excluded from any or all Off-Street Parking Facilities for a period of not more than 90 days.

(d) For the purposes of this section a person "violates" a provision of law if based on the evidence reason exists to believe that more likely than not an offense was committed and the person committed it.

(e) Persons with authority to enforce this section are any enforcement officers or other persons designated by the Director to enforce this section, and any individuals providing security services under contract with the Department of Administrative Services.

(f) The appeal provisions in SRC 95.770 apply to exclusion notices issued under this section. (Ord No. 73-2002; Ord No. 31-2003; Ord No. 31-06)

102.049. [Repealed by Ord No. 31-2003]

102.050. PROHIBITED PARKING. It shall be unlawful for any person to park:

(a) Any vehicle at any place prohibited by ORS 811.550, or any successor statute;
(b) Any vehicle at any place adjacent to a curb which has been painted yellow or red

by the City, or by an order from the City's Traffic Engineer;

(c) Any vehicle within the landscape strip;

(d) Any vehicle contrary to any parking control device;

(e) Any vehicle in any alleyway, except for the purpose of loading or unloading passengers or cargo, and then only for a period of time not in excess of thirty minutes;

(f) Any vehicle in any parking zone when the vehicle is parked for the principal purpose of:

(1) Displaying the vehicle for sale;

(2) Selling, taking orders for, or attempting to sell or take orders for the present or future delivery of goods or services of any nature, if such sales or orders are made, taken, or attempted from the vehicle;

(3) Displaying advertising from the vehicle;

(4) Repairing, constructing, reconstructing, or servicing the vehicle;

(g) Any combination of vehicles and trailers in excess of 23 feet in overall length or eight feet in overall width:

(1) In any district zoned residential, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the district; or

(2) Within that area bounded on the west by the west line of Front Street, on the north by the south line of Union Street, on the east by the west line of 12th Street, and on the south by the center line of Trade Street, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the area, and then only for a period of time that shall not exceed thirty minutes; or

(3) On any street which is 30 feet or less in overall width.

(h) Any motorized recreational vehicle:

(1) In any district zoned residential between 10:00 p.m. and 6:00 a.m., if the motorized recreational vehicle is in excess of 23 feet in overall length, or in excess of eight feet in overall width;

(2) Within that area bounded on the west by the west line of Front Street, on the north by the south line of Union Street, on the east by the west line of 12th Street, and on the south by the center line of Trade Street, except while actually engaged in the process of loading or unloading passengers or cargo or providing services in the area, and then only for a period of time that shall not exceed thirty minutes; or

(3) On any street which is 30 feet or less in overall width;

(i) Any vehicle that is not designed for self propulsion, or is not connected to a vehicle designed for self propulsion and is parked on a street or off-street parking facility.

(j) Any vehicle in the same location on a street or in an off-street parking facility for more than 5 continuous days.

(k) Any vehicle on a street or in an off-street parking facility without license plates, or with expired license plates.

(l) Any junk motor vehicle as defined in SRC 50.025(w) on a street, or in an off-street parking facility.

(m) Any vehicle in violation of SRC 130.140, No Parking in Yards Adjacent to Streets.

(n) Any motor vehicle on any day in any “visitor only” metered parking zone in the Capitol Mall Parking District. For the purposes of this metered parking zone, “visitor” does not include any driver who is a person enrolled and attending as a student in a school requiring certification by the State of Oregon, or any driver who is a lobbyist registered with the State of Oregon and engaged in lobbying activities within the Capitol Mall Parking District, or any driver whose principal place of employment is located within the Capitol Mall Parking District;

(o) Any vehicle in any crime prevention zone designated in SRC Chapter 95 when the vehicle is in the zone for the principal purpose of transporting a person in violation of an exclusion order issued pursuant to SRC 95.740. (Ord No. 4251; Ord No. 5638; Ord No. 136-73; Ord No. 148-79; Ord No. 183-79; Ord No. 37-86; Ord No. 46-94; Ord No. 30-2002; Ord No. 73-2002; Ord No. 74-07)

102.052. through 102.057. [Repealed by Ord No. 73-2002]

102.058. PROHIBITED DISABLED PARKING. It shall be unlawful for any person to park at any place, including private property, in violation of ORS 811.615 through 811.625, or any successor statute. (Ord No. 111-82; Ord No. 37-86; Ord No. 46-94; Ord No. 73-2002)

102.059. [Repealed by Ord No. 73-2002]

102.060. through 102.120. [Repealed by Ord No. 136-73]

PARKING METERS

102.130. [Repealed by Ord No. 136-73]

102.135. through 102.140. [Repealed by Ord No. 73-2002]

102.142. OVERTIME PARKING. It shall be unlawful for any person to park in a time limited parking zone for a period of time in excess of the time limit designated for such zone, or to park in a metered parking zone.

(a) At any time when the meter indicates that the parking time authorized by deposit of the last coin therein has expired; or

(b) For a period of time in excess of the maximum lawful parking time designated on the meter; or

(c) At any time when the meter indicates that parking is prohibited. (Ord No. 136-73; Ord No. 147-74; Ord No. 73-2002)

102.144. UNAUTHORIZED USE OF A PARKING METER. It shall be unlawful for any person to:

(a) Deposit any counterfeit coin, foreign coin, "slug," or other thing or material in any parking meter other than a coin in lawful coinage of the United States of America of a denomination designated on the meter as appropriate for deposit therein.

(b) Deface, injure, tamper with or wilfully break, destroy, or impair the usefulness of any parking meter installed pursuant to this Chapter. (Ord No. 136-73; Ord No. 73-2002)

102.150. [Repealed by Ord No. 136-73]

102.160. [Repealed by Ord No. 73-2002]

102.167. through 102.169. [Repealed by Ord No. 51-91]

102.170. through 102.320. [Repealed by Ord No. 136-73]

TEMPORARY REGULATIONS

102.330. through 102.350. [Repealed by Ord No. 73-2002]

102.360. [Repealed by Ord No. 74-87]

102.365. [Repealed by Ord No. 73-2002]

102.370. [Repealed by Ord No. 74-87]

102.380. through 102.459. [Repealed by Ord No. 73-2002]

SALEM CIVIC CENTER REGULATIONS

102.460. through 102.530. [Repealed by Ord No. 73-2002]

CAPITOL MALL PARKING DISTRICT

102.532. through 102.533. [Repealed by Ord No. 73-2002]

102.534. FAILURE TO DISPLAY PERMIT WHEN REQUIRED. It shall be unlawful for a person to park a vehicle in a permit area when the person is an authorized permit holder in good standing, but has failed to display a parking permit as required. (Ord No. 73-2002)

102.535. PROHIBITED PARKING IN DOWNTOWN PARKING DISTRICT.

Except when authorized by a parking control device or valid parking permit, the following persons may not park a motor vehicle between the hours of 8:00 a.m. and 7:00 p.m. on any day in an on-street or off-street parking place provided by the City in the area as described in SRC 7.010.

- (a) A person enrolled and attending as a student in a school requiring certification by the State of Oregon;
- (b) A person registered as a guest at a hotel or motel located within the area described in SRC 7.010;
- (c) A person working in his or her place of employment;
- (d) A person engaged in the conduct of his or her business or profession at one location within the area described in SRC 7.010 for a period of two or more consecutive days;
- (e) A person summoned to serve as a juror in the Circuit Court of the State of Oregon for Marion County;
- (f) A person who is an unsalaried employee or volunteer worker who is assigned to or working at any agency, office, or business establishment, including nonprofit organizations located within the area described in SRC 7.010, but not including volunteers who are working temporarily within the area described in SRC 7.010 for recognized nonprofit charitable organizations whose immediate purpose is the temporary promotion of their organization whose normal place of business is located outside the area described in SRC 7.010. (Ord No. 69-77; Ord No. 132-78; Ord No. 167-78; Ord No. 68-80; Ord No. 34-83; Ord No. 65-85; Ord No. 74-87; Ord No. 33-91; Ord No. 31-98; Ord No. 73-2002; Ord No. 29-2004; Ord No. 74-07)

102.537. REQUIRED INFORMATION FOR THE DOWNTOWN PARKING DISTRICT. (a) Upon request by the city:

- (1) An employer of a person employed part time or full time in the city shall furnish the City the full name of the employer and employee, including unsalaried or volunteer workers;
 - (2) A person self-employed part time or full time in the city shall furnish to the City his or her full name.
- (b) The information requested by this section shall be supplied in a mode and on forms prescribed by the Director. (Ord No. 69-77; Ord No. 107-77; Ord No. 68-80; Ord No. 74-87; Ord No. 73-2002)

102.540. [Repealed by Ord No. 136-73]

**STREET PARKING IN
RESIDENTIAL AREAS**

102.542. through 102.548. [Repealed by Ord No. 73-2002]

102.550. [Repealed by Ord No. 91-99]

102.552. [Repealed by Ord No. 73-2002]

102.554. [Repealed by Ord No. 91-99]

102.556. through 102.558. [Repealed by Ord No. 73-2002)

**PREFERENTIAL ON-STREET
CAR POOL PARKING**

102.560. through 102.562. [Repealed by Ord No. 73-2002)

102.564. [Repealed by Ord No. 91-99]

102.566. through 102.572. [Repealed by Ord No. 73-2002]

ENFORCEMENT PROCEDURES

102.600. (Ord No. 136-73; Ord No. 255-78; Ord No. 61-94; Renumbered 102.007 by Ord No. 73-2002)

102.610. (Ord No. 136-73; Ord No. 30-97; Renumbered 102.662 by Ord No. 73-2002)

102.620. (Ord No. 136-73; Renumbered 102.663 by Ord No. 73-2002)

102.630. PARKING FINES. (a) Before midnight of the 14th day following the date of the alleged violation, any person charged with an infraction in violation of Chapter 102 may, without personal appearance before the municipal judge, make a forfeiture deposit in the amount shown on the citation charging such offense, which amount shall be, for an alleged violation of:

(1) SRC 102.678 \$50.00.

(2) SRC 102.661 \$20.

(3) SRC 102.050 \$40.

(4) SRC 102.534 \$5.

(5) SRC 102.142 \$15, except in a Residential Parking District where the fine shall be \$20.

(6) SRC 102.058 shall be the fine amounts listed in ORS 811.615 through 811.637, or any successor statute.

(7) SRC 102.535 \$100; except that when a person has been found in violation of this section two times, either by forfeiture or by the municipal judge, the forfeiture shall be \$175 and when a person has been found in violation of this section more than two times, either by forfeiture or by the municipal judge, then the forfeiture shall be set at \$250.

(b) After the period set forth in subsection (a) of this section, and before midnight of the 30th day following the date of the alleged offense, any person so charged may, without personal appearance before the municipal judge, make a forfeiture deposit in the amount listed in subsection (a) plus \$10.00.

(c) After midnight of the 30th day following the date of the alleged offense, any person so charged may, without personal appearance before the municipal judge, make a

forfeiture deposit in the amount listed in subsection (a) plus forfeiture deposit for any infraction not listed in section (a) above shall be \$250.00 and shall not escalate. (Ord No. 136-73;Ord No. 9-75;Ord No. 72-77;Ord No. 115-77;Ord No. 193-79;Ord No. 27-81; Ord No. 111-82; Ord No. 57-86;Ord No. 22-90;Ord No. 47-90; Ord No. 38-92; Ord No. 45-92; Ord No. 82-94; Ord No. 80-96; Ord No. 89-96; Ord No. 35-97; Ord No. 46-97; Ord No. 73-2002; Ord No. 5-2003; Ord No. 29-2004)

102.640. PLEA OF DEFENDANT. Any person charged with a violation of this chapter may plead either guilty, not guilty, or no contest to the charge by:

- (a) Appearing before the municipal judge and entering a plea in open court;
- (b) Entering a plea in writing, by regular mail or personal delivery, accompanied by the sum fixed as bail;
- (c) Depositing bail without a specific plea; or
- (d) Failure to appear in court when required, and to respond to the citation shall result in an order of default being entered against the person charged with a violation of this chapter. (Ord No. 136-73; Ord No. 73-2002)

102.645. DEFAULT JUDGMENT. If the owner has not paid the citation, or contested the citation by entering a plea as provided by SRC 102.640, within 60 days of the date of issuance, judgment shall be entered by the court in favor of the City pursuant to ORS 153.102, or any successor statute. (Ord No. 73-2002)

102.650. through 102.660. [Repealed by Ord No. 73-2002]

102.661. METHOD OF PARKING. (a) A vehicle which is parked without a licensed driver in the driver's seat thereof shall be parked with the brakes effectively set; the engine off; the keys removed from the ignition and the ignition system left in such a condition that it cannot be readily activated without a key; and, when parked upon any perceptible grade, with the front wheel or wheels turned toward the nearest curb or edge of the roadway.

(b) A vehicle which is parked in an unmarked or parallel parking zone shall be headed as though proceeding in the same direction as traffic in the traffic lane immediately adjacent to such parking zone, and shall be parked parallel to the curb or edge of the roadway with the tires on the side of the vehicle adjacent to the curb or edge no further than twelve inches into the roadway therefrom.

(c) A vehicle which is parked in an angle parking zone shall be parked headed toward the nearest curb or edge of the roadway.

(d) A vehicle which is parked in a marked parking zone shall be parked so that no portion of such vehicle is upon, over, or across the lines marking such zone. (Formerly 102.010, Ord No. 73-2002)

102.662. METHOD OF CHARGING PARKING VIOLATIONS. Whenever an enforcement officer has reasonable cause to believe that a vehicle is parked in violation of any of provision of this chapter, the officer shall issue a citation in conformance with ORS 221.333, or any successor statute. (Formerly 102.610, Ord No. 73-2002)

102.663. RESPONSIBILITY FOR VIOLATIONS. Except as otherwise provided for in this chapter:

(a) The owner of a vehicle parked in violation of this chapter shall be responsible for the offense, except where the use of the vehicle was secured by the operator without the owner's consent.

(b) In a prosecution of a vehicle owner charged with a violation of this chapter, proof that at the time of the alleged violation the vehicle was registered with the appropriate motor vehicle licensing authority of any state as belonging to the defendant shall raise a disputable presumption that he or she was the owner in fact. (Formerly 102.620, Ord No. 73-2002)

102.670. IMPOUNDMENT OF VEHICLES. (a) An enforcement officer may, in addition to or in lieu of issuing a parking citation, cause such vehicle to be impounded if any of the following conditions exist:

(1) The vehicle is parked in violation of this chapter;

(2) The vehicle has been immobilized and the immobilizer fees have not been paid by noon of the following day;

(3) The vehicle presents a traffic or public safety hazard;

(4) An immobilizer was removed following the payment of a check or other instrument and the payment was returned to the City because of insufficient funds or account closure;

(5) Following the tampering with and/or unauthorized removal of an immobilizer;

(6) When so ordered by the Municipal Court.

(b) The owner of the vehicle, or any person authorized by him to act on the owner's behalf, may redeem the vehicle pursuant to the procedures of SRC 2.532 through 2.548.

(c) A motor vehicle so impounded shall be held and, if not lawfully redeemed, shall be disposed of as provided in SRC 2.524 through 2.548. (Ord No. 136-73; Ord No. 32-82; Ord No. 73-2002)

102.675. IMMOBILIZER INSTALLATION. Any enforcement officer may immobilize a motor vehicle located upon a public street or city off-street parking facility or designated parking facility owned or operated by the State of Oregon Department of Administrative Services by installing on or attaching to the vehicle an immobilizer if:

(a) The vehicle is parked in violation of any of the provisions of this chapter and at the time displays no license plates;

(b) The driver, owner, or person in charge of the motor vehicle has bails, fines, or bail forfeitures of not less than \$60.00 outstanding for more than 30 days;

(c) The vehicle is parked in a designated permit parking area displaying an altered parking permit or a permit obtained under fraudulent conditions; or

(d) The vehicle is parked in violation of any of the provisions of this chapter and the car is owned by or registered to a person excluded from a crime prevention district in which the car is parked. (Ord No. 51-81; Ord No. 22-90; Ord No. 35-97; Ord No. 73-2002; Ord No. 74-07)

102.676. IMMOBILIZER REMOVAL. No person, except an enforcement officer may remove or attempt to remove the immobilizer and no person shall move or attempt to move

the vehicle until the device is removed by the City. . (Ord No. 51-81;Ord No. 57-88; Ord No. 73-2002)

102.677. HEARING. If a vehicle is immobilized or impounded, the person entitled to the vehicle may request a hearing as provided by SRC 2.535. (Ord No. 51-81; Ord No. 73-2002)

102.678. IMMOBILIZATION PENALTY. (a) At the time of immobilization, an enforcement officer shall, in addition to all unpaid bails, fines or bail forfeitures affix an additional penalty for the installation of the immobilizer.

(b) The total of all unpaid bails, fines and bail forfeitures shall be paid before the immobilizer is removed. This shall include the immobilizer penalty and all parking citations whether or not 30 days has elapsed since the issuance of the parking citation. (Ord No. 51-81; Ord No. 51-91; Ord No. 46-97; Ord No. 73-2002)

102.679. TAMPERING WITH OR DAMAGING AN IMMOBILIZER. It shall be unlawful for any person to wilfully destroy, damage, deface, alter, tamper with, or in any way impair the usefulness, temporarily or permanently, of any immobilizer. (Ord No. 73-2002)

102.680. through 102.890. Reserved for Expansion.

VIOLATIONS

102.900. OBSTRUCTING ENFORCEMENT. It shall be unlawful for any person to:

(a) Cover, erase, or otherwise render indistinguishable any mark placed on the tires of a vehicle by an enforcement officer.

(b) Intentionally resist such an officer who is acting in the discharge or apparent discharge of duty.

(1) "Resist," as used in this subsection has the meaning set forth in SRC 95.430.

(2) It is no defense to a prosecution under this subsection that the enforcement officer lacked legal authority to make the arrest or enforce the regulations of this chapter, provided the enforcement officer was acting under color of official authority.

(c) Interfere with, or in any way hinder any enforcement officer acting in the discharge or apparent discharge of duty by intimidation, force or physical contact. This subsection shall not apply to the hindrance of an unlawful action by an enforcement officer or interference with the making of an arrest.

(d) Knowingly and willfully give any false, untrue, or misleading information to such an officer who is acting in the discharge or apparent discharge of duty with the intent to hinder, delay, mislead, or impede such officer in the prosecution of official duties or with the intent to obstruct justice.

(e) Discard, mutilate, or destroy any parking citation which charges a violation of this chapter if such charge has not yet been finally resolved by payment of fine or final court action. (Ord No. 68-96; Ord No. 73-2002)

102.910. TAMPERING WITH PARKING CONTROL DEVICES. It shall be unlawful to tamper with, remove or alter any parking control device. (Ord No. 136-73;Ord No. 57-88; Ord No. 73-2002)

102.915. UNAUTHORIZED USE OF PARKING PERMITS. (a) It shall be unlawful for any person to copy, reproduce, or alter any parking decal, form, sticker, or other device issued by the City of Salem pursuant to the provisions of this chapter.

(b) It shall be unlawful for any person to use any altered, forged, or expired permit on any vehicle for the purpose of representing that such vehicle is in compliance with any section of this chapter which requires a sticker, form, decal, or other device when that vehicle and the owner are not so entitled. (Ord No. 85-79)

102.920. UNAUTHORIZED PARKING CONTROL DEVICES. It shall be unlawful for any person to place, erect, paint, inscribe, or otherwise establish any parking control device which purports to restrict or control parking, except such parking control devices as are authorized by this Chapter, any other provision of the Salem Revised Code, or the laws of the State of Oregon. (Ord No. 136-73; Ord No. 73-2002)

102.930. through 102.980. Reserved for Expansion.

102.990. VIOLATIONS. (a) Unless a different fine is otherwise adopted by resolution of the City Council, and except as provided in subsection (b) of this section, a violation of this chapter is an infraction and is punishable by a fine of not less than \$100 and not more than \$250. A violation of SRC 102.679, 102.900, 102.144, 102.915, 102.920, 102.910 or 102.995 is a misdemeanor. (Ord No. 136-73;Ord No. 69-77;Ord No. 193-79;Ord No. 27-81;Ord No. 63-81;Ord No. 111-82;Ord No. 47-90; Ord No. 45-92; Ord No. 27-93; Ord No. 82-94; Ord No. 49-95; Ord No. 46-97; Ord No. 73-2002)

102.995. FALSE STATEMENTS BY APPLICANT. It shall be unlawful for any person to willfully make any false, untrue, or misleading statement on any application for a parking permit or renewal thereof, or to willfully withhold information or make incomplete disclosure concerning any matter required to be furnished in connection with any such parking permit. (Ord No. 35-97)