

**CITY OF WEST ALLIS
ORDINANCE O-2021-0020**

**ORDINANCE TO CHANGE START TIME FOR NIGHT PARKING RESTRICTION
FROM 3:00 A.M. TO 2:00 A.M.**

AMENDING SECTION 10.105

WHEREAS, Wis. Stat. 349.13(1e)(c)2. allows the City to impose parking regulations that prohibit, limit or restrict the parking of vehicles during any hours between 12 midnight and 7 a.m. upon a two-thirds vote of the common council; and

WHEREAS, the current night parking restrictions from 3:00 a.m. to 6:00 a.m. should be effective from 2:00 a.m. to 6:00 a.m. to provide additional time for snow removal, street cleaning, maintenance, and congestion relief;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “10.105 All-Night Parking” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.105 All-Night Parking

1. Regulated. No person, firm or corporation nor any officer, member or agent, servant or employee of any firm, partnership or corporation, shall suffer any vehicle of any kind or description to be parked on any public highway or municipal parking lot in the City of West Allis between the hours of 3:00 a.m. and 6:00 a.m., except as otherwise provided in Subsection (2).
2. Definitions. In this section, the following words and phrases shall have the designated meanings:
 - a. "Public highway or highway" means all public ways and thoroughfares and bridges on the same within the corporate limits of the City of West Allis. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel, but does not include private roads or driveways as defined in Subsection (b).
 - b. "Private road or driveway" means every way or place in private ownership and used for vehicular travel only by the owner or those having express or implied permission from the owner.
 - c. "Roadway" means that portion of a highway between the regularly established curblines or that portion which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder. In a divided highway, the term

"roadway" refers to each roadway separately but not to all such roadways collectively.

- d. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile, an all-terrain vehicle, and an electric personal assistive mobility device shall be considered a vehicle for purposes of this subsection.
3. Night Parking Permits. No vehicle shall be parked on any public street between the hours of ~~3:00~~2:00 a.m. and 6:00 a.m. of any day except passenger vehicles with a night parking permit that is parked in accordance with the following provisions: ~~{Ord. O-2017-0056, 11/21/2017}~~
- a. Night parking permits may be purchased subject to rules and regulations promulgated by the Chief of Police.
- b. Application for such permit shall contain the name, address and the phone number of the applicant and vehicle owner. It shall also bear the license plate number of the vehicle for which the permit is intended and other information that from time to time may be required.
- c. The permit fee, shall be paid upon application as per below. No part of any permit fee shall be refundable at any time. A duplicate permit shall be issued for a fee of ten dollars (\$10), if the original permit is lost or stolen. Permit fees include applicable state sales tax.
- d. The following permits are available with permit fees per the method listed:

	In Person or Via Mail	Online
Monthly	\$15	\$13
Quarterly	\$45	\$35
Annual	\$125	\$100

- e. The information regarding municipal parking regulations shall be given to all new applicants for permits or those who have not had a permit in the last calendar year. If a permit is issued, it shall bear the expiration date of the permit. When in use, the permit shall be attached to the driver's side rear window in the upper left corner. In the event that the vehicle for which the permit was issued does not have a rear driver's window, the permit shall be attached to the driver's side window in the upper right corner.
- f. Any vehicle that is issued a night parking permit shall be restricted to night parking on the even-numbered side of the street on those nights with an even calendar date before midnight and the odd-numbered side of the street on those nights with an odd calendar date before midnight.
- g. Motor vehicles bearing special registration plates issued pursuant to Wisconsin Statutes Section 341.14(1), (1a), (1e), (1m), (1q) or (1r) or Section 343.51 shall adhere to the alternate-side parking restrictions unless that vehicle is parked within a disabled parking zone established under Section 10.065(7). Any vehicle lawfully parked within a disabled parking zone established under

Section 10.065(7) is exempt from alternate-side parking restrictions.

4. Prohibited practices.

- a. No person, firm, partnership, corporation, nor any officer, member, agent, servant or employee of any firm, partnership or corporation, shall suffer any vehicle of any kind or description to be parked on any public highway in the City of West Allis when such vehicle is displaying a forged, counterfeited or duplicated City of West Allis night parking permit, any object mimicking the appearance of such a permit, or any such permit which has been issued for a vehicle other than the one upon which it is displayed. Any penalty imposed under this section shall be in addition to any forfeiture imposed for violation of the parking regulations.
- b. Vehicles in excess of six thousand (6,000) pounds gross weight, mobile homes, any type of trailer (either attached or detached from a vehicle), boats, motorized camping vans, snowmobiles, all-terrain vehicles, electric personal assistive mobility devices, golf carts, tractors, and vehicles equipped with truck campers and/or utility trailers, as defined in Section 12.06 of this Code, shall not be eligible for a night parking permit and shall not remain on any public highway or municipal parking lot in the City of West Allis between the hours of 3:00 a.m. and 6:00 a.m. **[Ord. O-2017-0056, 11/21/2017]**
- c. No one may use the municipal parking permit for any other vehicle than for which it was purchased.
- d. Where South 56 Street lies on the boundary between West Allis and the Village of West Milwaukee, all-night parking permit issued by the Village of West Milwaukee shall be valid in West Allis, to the same extent as if such permits had been issued by West Allis; provided, however, that the provisions of this paragraph shall be effective only during such time as the Village of West Milwaukee authorizes a reciprocal privilege on such street for municipal parking permits issued by West Allis.

5. Exceptions.

- a. On commercial blocks, any vehicle may be parked for one (1) hour between the hours of 3:00 a.m. and 6:00 a.m. without a permit where businesses are open between such hours.
- b. On divided highways where a service drive or frontage road parallels such highway, vehicles which are parked on the service drive or frontage road shall be exempt from the provisions set forth in Paragraph (2).
- c. This section shall not apply to licensed physicians and surgeons in emergency situations.

~~{Ord. 6206, 1/16/1996; Ord. 6525, 7/5/2000; Ord. 6625, 9/3/2002; Ord. O-2006-0024, 5/5/2006; Ord. O-2007-005, 2/20/2007; Ord. O-2009-0025, 9/1/2009; Ord. O-2015-0043, 9/1/2015; Ord. O-2016-0057, 12/6/2016}~~

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law and when official traffic signs have been placed or erected at or reasonably near the corporate limits of the City on all state and county trunk highways and connecting highways informing motorists that night parking regulations are in effect in the City.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	_____	_____	_____	_____
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of
West Allis

Dan Devine, Mayor City Of West
Allis