

12.215 CINCINNATI PARKING INFRACTION (CPI)

Reference:

Procedure 12.205 – Traffic Enforcement

Procedure 12.250 – Cancellation of Citations, Traffic Warrants & Criminal Warrants

Procedure 12.270 – Impounding, Moving, and Release of Vehicles

Cincinnati Municipal Code (CMC) Chapter 508, Unauthorized Stopping and Parking along Streetcar Track.

Cincinnati Municipal Code (CMC) Chapter 508, Stopping and Parking

Purpose:

Provide for the uniform issuance of Cincinnati Parking Infractions (CPI).

Information:

There are parking meter spaces and “handicapped parking only” spaces throughout the City for the exclusive use of handicapped motorists. Special blue parking meter heads indicate the space is for handicapped motorists only. The “handicapped parking only” spaces are indicated by a sign. Only vehicles bearing an officially issued handicapped license plate or handicapped card may use these specially marked spaces.

Unless other parking restrictions are posted, a vehicle may remain parked for up to 24 hours **or** if displaying the appropriate handicap plate/placard/sticker the vehicle may remain parked for up to 36 hours.

In zones that allow legal parking, e.g., parking meters, 6-9 AM / 3-6 PM “rush hour” zones, etc., parking is limited as the posted signs indicate. However, during any time outside of the posted restriction which allows for legal parking, under **no** circumstances may a vehicle remain parked for more than 14 hours.

Policy:

All requests for temporary parking restrictions must include the appropriate permit issued by the City Department of Transportation & Engineering (DOT&E), Right-of-Way Section (352-3463), **or** the CPD event application, (obtained through the Open Counter Permit portal at: www.cincinnati.opencounter.com) approved through the Special Events Unit (SEU), prior to the parking restriction request being authorized by the Police Department.

Procedure:

A. Guidelines

1. Use the CPI when enforcing the following infractions:
 - a. License plate infractions on parked vehicles.
 - b. Parking infractions.

c. Meter infractions.

Exception: When citing a juvenile for the above listed infractions, issue an Ohio Multi-Count Uniform Traffic Ticket (MUTT).

2. Enforce all other violations except warning tags on a MUTT.
3. When citing an adult for the above infractions and the person is not the owner of the vehicle:
 - a. List the operator's full name, address, date of birth, last four digits only of the social security number, sex, and race in the "Notes" area of the CPI.
4. Include the VIN number on all CPIs.
 - a. Record the VIN from the **vehicle** rather than the license plate query whenever possible.
 - b. If unable to read/locate the VIN on the vehicle dashboard or door jam, the officer will leave the VIN number blank and document the reason in the "Notes" area of the CPI.
5. Record the license plate sticker number on the CPI in the block titled "Validation Number". Write "None" if the sticker is missing.
6. When enforcing parking violations on a vehicle that is not displaying license plates, tow the vehicle; do not issue a CPI. CPIs cannot be processed without a license plate number. This applies to both occupied and unoccupied vehicles.

B. Enforcement Guidelines

1. Issue a CPI rather than a warning for the following parking infractions:
 - a. Unauthorized stopping and parking.
 - b. Stopping, loading, or unloading on primary arteries.
 - 1) During restricted hours.
 - 2) In "No Stopping or Parking" posted areas.
 - c. Commercial trucks or vehicles displaying commercial truck license plates may load/unload on downtown streets, except in areas posted "No Stopping or Parking".
 - 1) Truck drivers do not need to place coins in parking meters when actively engaged in loading or unloading.
2. Holiday enforcement
 - a. Holiday, when used in connection with any traffic control device, will mean each of the following:
 - 1) New Year's Day - January 1st
 - 2) Martin L. King, Jr. Day - Third Monday in January

- 3) Memorial Day - Last Monday in May
 - 4) Juneteenth - June 19th
 - 5) Independence Day - July 4th
 - 6) Labor Day - First Monday in September
 - 7) Thanksgiving Day - Fourth Thursday in November
 - 8) Christmas Day - December 25th
- b. Enforce “No Parking 6/7 - 9 AM and 3/4 - 6 PM” parking restrictions as posted, except on holidays.
 - 1) Issue a CPI when impounding for a violation of peak hour restrictions.
 - c. Enforce all other parking regulations on holidays.
3. During religious services, officers should contact institution officials before taking enforcement action on parking complaints in areas adjacent to religious institutions.
 4. Enforce parking restrictions on undedicated streets, shopping center lots, privately owned roads or driveways, only on complaint.
 - a. Handicapped parking restrictions can be enforced without a complaint.
 - b. Officers will enforce signs posted by the City restricting parking on undedicated streets.
 - 1) Undedicated streets are those private streets open to the public as a thoroughfare for vehicular traffic.
 - c. Officers will only enforce fire lane violations on request by the Fire Department or on complaint. If a complaint is received, officers will verify the validity of the fire lane signs with the Fire Department **before** taking enforcement actions.
 - d. Contact Traffic Engineering, Mon – Fri, 0830 – 1700 hours to determine if signs were posted by the City.
 5. Police officers will enforce parking meter infractions at City owned, off street parking facilities that do not issue meter permits.
- C. Handicapped Parking Enforcement
1. Meter enforcement
 - a. Issue a CPI to vehicles without the proper license plate, windshield placard, or parking card using Cincinnati Municipal Code (CMC) Section 508-36. Tow only as a last resort or in aggravated cases.
 - b. Section 4511.69 of the Ohio Motor Vehicle Code allows a handicapped person to park a vehicle for a period of two hours in excess of the legal parking period, except where the vehicle is parked in such a manner as to be clearly a traffic hazard.

- 1) The handicapped person must deposit a coin in the meter to obtain time to park. Parking is allowed two hours beyond the expiration of that time before a violation can be issued.
 - 2) An officer with personal knowledge that the two-hour grace period has expired may issue a CPI for a Meter Violation, CMC Section 509-7.
 - 3) Handicapped persons cannot park at these meters during 6/7 - 9 AM or 3/4 - 6 PM parking restrictions. In this instance, issue a CPI for the parking violation.
 - a) Tow only as a last resort, or in aggravated circumstances, with the approval of a supervisor.
2. Enforcement on private property
 - a. Officers may enforce handicapped parking infractions on private lots under CMC Section 508-36.
 - 1) Vehicles can park in handicapped parking spaces only if they display handicapped license plates, a windshield placard, or a parking card.
 3. Enforcement of "Handicapped Parking Only" signs on City streets
 - a. Issue a CPI to vehicles without the proper license plate, placard, or card using CMC Section 508-36. Tow only as a last resort or in aggravated cases.
- D. Defective Parking Meters
1. Defective parking meter (no CPI)
 - a. Notify the district desk person of the location and condition.
 - b. District desk personnel will make the necessary blotter entry.
 - 1) Notify the Parking Facilities Office (Mon – Fri, 0800 – 1630 hours). If closed, first shift will make the notification on the next business day.
 2. Defective parking meter reported, CPI issued by a parking enforcement officer
 - a. Instruct the citizen to immediately mail or deliver the CPI to the Parking Facilities Office, 300 West 6th Street, 45202. An explanation of the defective parking meter by the citizen should accompany the CPI.
 - b. Notify the district desk person of the location and condition.
 - c. District desk personnel will make the necessary blotter entry.
 - 1) Notify the Parking Facilities Office (Mon – Fri, 0800 – 1630 hours). If closed, first shift will make the notification on the next business day.
 3. Defective parking meter, CPI issued by a police officer

- a. The officer will accept the CPI and write in the name, address, and phone number of the recipient.
 - 1) The officer will notify the supervisor. The supervisor will complete a Form 654, Request for Cancellation, containing the following information: CPI number, name of the issuing officer, and the name of the officer verifying the defective meter. The supervisor will forward the Form 654 and the CPI to the Parking Facilities Office.
- b. Before forwarding the Form 654, the district supervisor will call the Police Records Section Customer Service Supervisor. The supervisor will place a hold on the CPI, pending an investigation by Parking Facilities.
- c. Parking Facilities will note the results of the parking meter inspection on the CPI and forward it to the Police Chief's Office.
 - 1) If the meter was found to be defective, the Patrol Bureau Commander will forward the CPI to Court Control for dismissal by the hearing officer. Patrol Bureau will notify the complainant by mail of the disposition.
 - 2) If the parking meter was not defective, Patrol Bureau will mail the CPI back to the complainant with instructions for its proper disposition.

E. Street Sweeping Enforcement

1. Officers will enforce street sweeping signs when requested by a Public Services supervisor or the private street sweeping contractor through the Emergency Communications Center (ECC). Officers will enforce street sweeping signs on city streets maintained by the Cincinnati Metropolitan Housing Authority (CMHA) upon complaint from CMHA security personnel through the ECC.
 - a. Confirm the street sweeping operations are being conducted according to the posted sign(s).
 - 1) If the posted signs are faded, inadequate, or difficult to read, the issuance of a warning citation is acceptable.
 - a) Complete a Form 318, Report of Conditions Affecting Other Departments, to report any problem with the sign(s).
 - b. Issue a CPI for a violation of CMC 502-3, Parking Prohibitions During Street Sweeping Operations, but do not tow.
 - c. Note the Public Services supervisor's, private street sweeping contractor's, or CMHA security officer's name and address in the "Notes" block as witness information for cases contested at any subsequent hearing.

- F. Enforcement of vehicles blocking the streetcar rail
1. Officers encountering a blockage of a streetcar will attempt to locate the vehicle owner and direct them to move the vehicle. The officer will issue a citation for violation of Cincinnati Municipal Code 508-1-B, *Unauthorized Stopping and Parking Along Streetcar Track*.
 2. If the owner is unable to be located, and/or the vehicle needs to be towed or moved, the officer will immediately notify the Emergency Communications Center (ECC) on Channel 15 that a tow is needed for a streetcar blockage and refer to procedure 12.270, *Impounding, Moving and Release of Vehicles*. The goal is to remove the blockage as soon as possible; allowing the streetcar to resume its route.
- G. Enforcement of Temporary “No Parking” Signs
1. The City Manager has designated the Police Chief or his designee to act on the Manager’s behalf for the purpose of posting and maintaining temporary “No Parking” signs on local highways and all other municipal property pursuant to CMC Sections 502-24 and 508-2.
 - a. A private citizen, contractor, or public utility under contract to the City may be authorized to post temporary “No Parking” signs issued by the Police Department.
 - b. All requests to the Police Department for temporary parking restrictions require a copy of the permit issued by the DOTE or the approved CPD event application. Requests for parking restrictions without one of these items will not be processed. The requestor will be referred to the DOTE or the SEU, whichever is appropriate.
 - 1) Temporary “No Parking” signs require the completion of a Form 740, Parking Restriction Request. The Form 740 will include a photocopy of the permit or approved CPD event application; the purpose for the restriction; the date and time for the requested restriction and the expected completion date; an exact address or addresses affected by the restriction; the date and time the signs are posted; the signature and telephone number of the person making the request.
 - a) Citizens requesting a Form 740 shall be provided with a Form 740I, Instructions and Guidelines for Requesting Temporary Parking Restrictions.
 - 2) All Form 740s must be submitted to the Police Department in sufficient time to ensure temporary restriction signs are posted **AND** the affected district desk officer is notified, within the minimum lead time, in advance of the temporary parking restriction.
 - a) Temporary parking restrictions in locations that **do not** have any other permanent restriction signs posted must be in place and notification made to the district desk officer a minimum of **24 hours**, but not more than **36 hours**, in advance.

- 1] If a vehicle bearing a proper handicap plate/placard/ sticker is parked within the temporary restriction zone, attempt to locate the owner and request the vehicle be moved. If unable, a CPD supervisor may authorize a “move only” tow. Do not issue a CPI.
 - b) Temporary parking restrictions in locations that have other restrictive permanent signage posted, such as metered parking spaces, must be in place and notification made to the district desk officer a minimum of **14 hours**, but not more than **24 hours**, in advance
 - c) Form 740 requests shall not exceed the date(s) indicated on the permit issued by the DOTE or the approved CPD event application.
2. District Desk Officer Responsibilities
- a. Make a photocopy of the permit issued by DOTE **or** the approved CPD event application to attach to the Form 740.
 - 1) Refer all persons without a proper permit to the DOTE Right-of-Way Section, City Hall Room 425, 801 Plum Street **or** the CPD Special Events Unit, when appropriate, prior to requesting a temporary parking restriction.
 - 2) All event permits must be applied for online, through the Open Counter Permit portal at: www.cincinnati.opencounter.com.
 - b. Provide the citizen with a Form 740I and Form 740.
 - c. Verify the Form 740 is properly completed and attach the copy of the DOTE issued permit or the approved CPD event application provided by the requestor.
 - d. Enter the information from the Form 740 into the district electronic blotter and document the blotter number at the bottom of the Form 740.
 - e. Upon receiving notification the restrictions have been posted, contact ECC to dispatch a unit to the address indicated to verify the temporary restriction signs are properly posted.
 - f. Complete the corresponding portions at the bottom of the Form 740, including the unit number of the car dispatched and the date/time checked.
 - g. Update the district electronic blotter with the pertinent information.
 - h. Maintain Form 740s and permit copies in a binder at the front desk, by date, for easy reference.
3. Officers will take enforcement action only if there is a completed Form 740 and electronic blotter entry indicating the temporary signs have been properly posted and verified.

- a. Temporary parking restriction signs must be posted for a minimum number of hours before a CPI for overtime parking can be issued. Posted temporary restriction signs that do not comply with the minimum hours indicated below are not enforceable, and no action shall be taken.
 - 1) Temporary parking restrictions in locations that **do not** have any other permanent restriction signage posted, such as a residential street, must be in place and notification made to the district desk officer a minimum of **24 hours** in advance.
 - 2) Temporary parking restrictions in locations that have other restrictive permanent signage posted, such as metered parking spaces, must be in place and notification made to the district desk officer a minimum of **14 hours** in advance.
 - b. Temporary restriction signs should be posted no more than 40 feet apart (approximately two car lengths).
4. Street paving enforcement
- a. Tow and issue a CPI to vehicles in violation of properly posted signs. If Police Impound is full and a supervisor approves a move only tow, issue a CPI.
 - b. If temporary “No Parking” signs are absent or improperly posted, a police supervisor may order a “move only” tow to accommodate the street paving operations. Do not issue a CPI in this situation.
5. Exemption for Emergency Construction / Repairs to Utilities
- a. Greater Cincinnati Water Works (GCWW), Metropolitan Sewer District (MSD), and city Public Services are **not** required to obtain a permit in advance to post temporary restrictions for emergency construction.
 - 1) During emergency construction/repair situations a CPD supervisor should coordinate police assistance as needed, including any necessary “move only” tows.
- H. Parking Facilities Parking Enforcement Officers
- 1. Parking enforcement officers enforce selected parking infractions in addition to meter infractions.
 - 2. When responding to a parking enforcement officer's request for advice or assistance regarding proper enforcement of these ordinances, render police support in a professional manner.
 - 3. A police officer receiving a parking complaint from a citizen will take the appropriate enforcement action. Do not refer the citizen to Parking Facilities.
 - 4. Parking enforcement officers cannot enforce the following CMC Sections:
 - a. 508-4(a)(b): Removal of Obstructing Vehicles
 - b. 508-5: Vehicle Obstructing After Collision