

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: November 17, 2010

SUBJECT: Courthouse Parking

ATTACHMENTS: Yes

SUMMARY OF REQUEST:

The County has been challenged on its ability to regulate parking at the 1995 Courthouse, due to the lack of a specific ordinance. Attached, the Board will find a draft ordinance that gives the County clear authority with regard to parking at the 1995 Courthouse and other County facilities.

BOARD ACTION REQUESTED:

Should the Board wish to take action in regard to this matter, Staff would request that the Board adopt the proposed revisions to the parking ordinance, Article 1 of Chapter 187 of the Henderson County Code.

Suggested Motion(s):

I move the Board adopt the proposed revisions to the parking ordinance, Article 1 of Chapter 187 of the Henderson County Code.

ARTICLE I, Parking on County Property [Adopted 11-18-1998]

§ 187-1. Designated parking spaces.

In the parking areas located at the Henderson County Courthouse and the Henderson County office building, each parking space marked with the name or title of a designated public official or employee shall be for the sole use of such public official or employee, and it shall be unlawful for any other person to park a motor vehicle in such parking space.

§ 187-2. Violations and penalties.

Violation of this article shall be an infraction punishable by a fine of not more than \$50, provided that this article shall not apply to streets, roads or highways in Henderson County.

§ 187-3. Removal and storage of vehicles.

Any motor vehicle parked in the parking area at the Henderson County Courthouse or in the parking area at the Henderson County office building in violation of the regulations set out in § 187-1 above may be removed or towed away from said County-owned property by or under the direction of the Chairman, Vice Chairman or Clerk of the Board of Commissioners of Henderson County to a storage area or garage, and the owner of such motor vehicle shall be deemed to have appointed such designated officials his agents for the purpose of arranging for the transportation and safe storage of such vehicle and accepting a warehouse receipt from the person or firm providing such transportation and storage, and the owner of such vehicle, before obtaining possession thereof, shall pay to the County all reasonable costs incidental to the removal and storage and any fines due for violation of said parking regulation.

§ 187-1. Designated parking spaces.

A. In the parking areas located at the Henderson County Courthouse and ~~the all other~~ Henderson County office buildings, each parking space marked by the County Manager of Henderson County (or his designee) with the name or title of a designated public official or employee shall be for the sole use of such public official or employee, and it shall be unlawful for any other person to park a motor vehicle in such parking space.

B. Public parking at Courthouse: In the parking areas located at the Henderson County Courthouse, any parking area(s) designated by the County Manager of Henderson County (or his designee) as "Public Parking" may only be used by:

1. Those persons who do not have a regular place of employment within the Courthouse, only for such periods as while transacting business within the Courthouse; or,

2. Those persons who do have a regular place of employment within the Courthouse and who also have and display handicapped parking permits issued pursuant to North Carolina law.

It shall be unlawful for those who have a regular place of employment within the Courthouse and who do not have and display a handicapped parking permit issued pursuant to North Carolina law to park a motor vehicle in such parking area.

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Any motor vehicle parked in the parking area at the Henderson County Courthouse or in the parking area at the Henderson County office building in violation of the regulations set out ~~in § 187-1 above~~ this chapter may be removed or towed away from said County-owned property by or under the direction of the Chairman, ~~Vice Chairman or Clerk~~ of the Board of Commissioners or the County Manager of Henderson County to a storage area or garage, and the owner of such motor vehicle shall be deemed to have appointed such designated officials his agents for the purpose of arranging for the transportation and safe storage of such vehicle and accepting a warehouse receipt from the person or firm providing such transportation and storage, and the owner of such vehicle, before obtaining possession thereof, shall pay to the County all reasonable costs incidental to the removal and storage and any fines due for violation of said parking regulation.