CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

ENACTMENT NO. 0-2021-010 COUNCIL BILL NO. _____ O-21-54 SPONSORED BY: Isaac Benton 1 **ORDINANCE** 2 AMENDING THE TRAFFIC CODE TO IMPLEMENT ADDITIONAL GUIDANCE FOR 3 THE ESTABLISHMENT OF NEW RESIDENTIAL PERMIT PARKING AREAS. 4 BE IT ORDAINED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY 5 OF ALBUQUERQUE: 6 SECTION 1. AMENDING SECTION 8-5-1-4(B), THE "STOPPING, STANDING 7 OR PARKING WITHIN CERTAIN HOURS PROHIBITED BY SIGNS" SECTION OF THE TRAFFIC CODE AS FOLLOWS: 8 9 "(B) (1) The Mayor, or Mayor's designee, may establish residential 10 permit parking areas and issue permits to residents of the area subject to Bracketed/Strikethrough Material] - Deletion 11 regulations established by the Mayor or Mayor's Designee that, at a minimum, [Bracketed/Underscored Material] - New 12 consider the following: 13 (a) The demand for on-street parking on the effected streets 14 relative to the parking availability, and parking needs of the residents; 15 (b) The relative value of on-street parking for non-area residents 16 to allow access to community amenities and resources balanced against any 17 significant impacts on the area residents that may justify the need for parking 18 limitations or restrictions; and 19 (c) Economic Development, and support for community 20 commerce. 21 At least one community meeting shall be held for area 22 residents and members of the general public to voice concerns and 23 considerations about a proposed residential parking by permit area; and 24 (3) The Mayor shall submit an executive communication to the 25 City Council for its approval of each instance of the establishment of a new

residential parking by permit area designation. The proposed residential

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- parking permit area will become effective only upon the City Council's approval of the respective executive communication.
 - (4) The residents or the entity or event which causes the need for such on street parking, or the permitted residents may be required to pay for all direct and indirect costs caused by, or associated with, permit parking.
 - (C) Permit parking may be created on a pilot basis or by the Department of Municipal Development if permit parking may resolve special circumstances affecting an area."

SECTION 2. Enactment of this Ordinance constitutes the amendments contemplated by 'Section 1' and 'Section 2' of R-21-144 (Enactment R-2021-018). However, the City shall evaluate the residential parking permit area restrictions on Trellis Drive and Decker Road between Campbell Road and Candelaria Road pursuant to the changes enacted herein, and re-initiate enforcement or otherwise rescind, fully or partially, the restrictions on those streets only as deemed appropriate based on its evaluation.

SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 4. COMPILATION. Section 1 of this ordinance shall amend, be incorporated in and compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five (5) days after publication by title and general summary.

	1	PASSED AND ADOPTED	THIS3 rd	DAY C	F <u>May</u> , 2021	
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City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

Interoffice Memorandum

May 20, 2021

To:

CITY COUNCIL

From:

Camille Cordova, Assistant City Clerk

Subject:

BILL NO. O-21-54; ENACTMENT NO. O-2021-010

I hereby certify that on May 19, 2021, the Office of the City Clerk received Bill No. O-21-54 as signed by the president of the City Council, Cynthia D. Borrego. Enactment No. O-2021-010 was passed at the May 3, 2021 City Council meeting. Mayor Keller did not sign the approved Ordinance within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Ordinance is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. 0-21-54.

Sincerely,

Ethan Watson

City Clerk