

Downtown Parking Review & Framework for Developing a Plan

Introduction

The purpose of this review is see what has been done to address parking in Middletown and what the framework should be in order to adequately and efficiently develop a parking plan for the City.

This review contains the following discussions:

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Recent History

Before 2005, the City of Middletown began a process to address parking in the downtown area. The first step was the Council approval for an increase in the City's parking meter charge. This meter increase was the first in forty years. The Council has also dedicated previously public parking spaces for specific organizations located in the downtown. While this addresses the individual parking situation for particular organizations, in the long-term without any increase in parking, such a policy will only reduce the public parking spaces for the general public. See appendix section I for a list of parking resolutions.

In 2003, with the anticipated move of the Goodspeed Opera House to Middletown, the City of Middletown commissioned a downtown parking study. At nearly the same time, the Chamber of Commerce concluded a parking study that looked at downtown's parking ability to attract or retain large firms. The City's study revealed that a modest increase of 300-400 spaces was needed to accommodate an entertainment venue, while the Chamber study determined that nearly 1,000 spaces were needed to promote business development and the creation of an independent parking authority was needed. Either way there was a recognition that something needed to be done. See appendix section II for overview of parking studies.

The City developed a general wish list to seek funding and in 2005 it results in two significant allocations. The State Legislature approved \$1 million in bond funds for the design of parking garage in Middletown. Also in 2005, with the assistance of lobbying firm, the City was awarded nearly \$19 million Federal funding for a four-story parking garage, intermodal facility and infrastructure improvements. In order to access these funds it requires three steps:

- 1) Develop a plan
- 2) Secure a 20% non-federal match of \$3,750,800
- 3) Approval by the Connecticut Department of Transportation of the City's proposal

See appendix section III & IV for the proposal and actual allocation from the 2005 Federal Transportation Bill.

Current Parking Decision Making Framework

The City's structure for developing parking policy is piecemeal. City Ordinances currently have two governing bodies that could possibly come in to competition in overseeing and make decisions for parking downtown. They are the Parking Authority Commission and the Downtown Special Services District.

The Parking Authority Commission, formerly the independent Parking Authority, is a commission that was incorporated into the Police Department in 1998. Its duties are to "render advice concerning parking and parking-related issues within the City." This commission is advisory in nature to the Common Council and the Police Department. The only other powers it could possess, if directed by the Mayor and the Common Council, is as an appeal body for parking violations. Since the Police Department's mission does not include the construction or improvements to parking facilities and related infrastructure, the Parking Authority's role has been reduced to issues of parking enforcement and management. See appendix section V for Chapter 14 Article IX of the City Ordinances.

The Downtown Special Services District is a special self-taxing district to authorized by City ordinances to "promote and lead the economic revitalization and development of Middletown's Central Business District". The ordinances also provide the power to "construct, acquire, or obtain leasehold interests" in parking facilities. However, it is unlikely that the income

generated tax district could service debt for the acquisition and construction renovation of parking downtown. See appendix section V for Chapter 272-14 of the City Ordinances.

Given the deficiencies of these two bodies, the power to do a large-scale parking project in Middletown's Downtown therefore rests with the Common Council and the Mayor, since they have the resources to conduct studies and allocation funding. The following Boards and Commissions would likely have advisory or review powers for any such project:

- **Building Committee** (if project is over \$500,000) See appendix section V for Chapter 14 Article VI of the City Ordinances.
- **Economic Development Committee** (use of City Land or acquisitions) See appendix section V for Chapter 23-7 of the City Ordinances.
- **Planning and Zoning Commission** (if structures are bring erected) See appendix section V for Chapter 19 of the City Ordinances.
- **Design Review and Preservation Board** (if streetscapes are affected) See appendix section V for Chapter 14 Article VIII of the City Ordinances.

Another available avenue for improving or creating new parking downtown is through private development. The City's Zoning Code allows for private development of parking facilities in the B1 zone. However it is likely the costs are prohibitive for developers to be successful by themselves. To go this route, a partnership between a developer and city government is required. See appendix section VI for Parking related Zoning Code regulations.

Existing Proposed Parking Solutions

The City has done a significant amount of brainstorming of what can be done to improve parking. The following is a list of proposed solutions divided into two headings- policy changes and infrastructure changes.

Policy Changes

- Consider turning the management of the parking within the downtown over to a private parking management company to increase revenue and maximize the use of the lots.
- Increase enforcement more meter readers and chalking tires.
- Maximize the use of the Courthouse parking garage. It is understood that this garage is very underutilized. With the permission of the Court, the City could direct its employees to park in the Courthouse. The City could also have Police personnel park their civilian cars in the garage.
- The City could relocate all of the long-term parking in the Melilli Plaza to the Old Courthouse lot and have the remainder of the parking in the old Courthouse lot for spill over from Melilli Plaza.
- Eliminate two (2) hour free parking from 9 to 10:30 at the arcade and Melilli Plaza. Prepay after 5pm for one hour of parking at a nominal charge or some other method to prevent people from staying until the attendant leaves.
- Close the Middlesex Mutual Building garage later in the evening, such as midnight or 1AM.
- Simple directional signs to parking lots. Frequently (particularly on weekends) Main Street is full and lots are empty.
- Validation program with downtown business district as possible way to eliminate 2 hour free parking, not aware of any free parking in other downtowns.
- Management of Monthly parkers.
- Downtown resident parking stickers
- Parking validation for those visiting Middletown shops or restaurants.
- Use the Parking Authority Surplus for Downtown Improvements, such as Parking, Street and Sidewalk improvements.
- Change the Parking Authority Commission within the Police Department to the Parking Enforcement Commission and create a Parking Authority under the Public Works Department or add Parking Improvements to the Public Works Commission.
- Shuttle from Palmer Field or CVH to downtown for large downtown employers.
- Contact Easy Street, Deduct and Ride and Ride Share to explain opportunities to large employers.
- Rename existing City lots and associate them with symbols for what type of activities are close to them:
 - o Downtown Kidcity Park- Lot A is located on Washington Street connecting to Broad Street. (symbol- Kidcity Logo)
 - o Downtown North Fire Park- Lot B is located on Main Street directly across from Ferry Street. (symbol- Fire Engine)
 - o North End District Park- Grand Street Lot is located at the corner of Main Street and Grand Street. (symbol- ??)
 - o Downtown West Park or Downtown - Broad Street Lot is located directly across from the Russell Library. (symbol- Book)
 - o Downtown Central Park- Riverview Garage is located on Dingwall Drive. (symbol- clock tower Logo)
 - o Downtown Deck Park- Riverview Parking Arcade is located on Court Street (Lower). (symbol- multideck Logo)
 - o Downtown East Park or Melilli Park- Melilli Plaza Lot is located between Washington Street and (Lower) Court Street. (symbol- Gavel or Flag Logo)
 - o Middlesex Mutual Park

Infrastructure Changes

- Increase the number of meters around YMCA, Hospital and Wesleyan.
- Create bike trails.
- Install adequate signage directing motorists to available parking.
- Improve connection between Wesleyan's Campus and Main Street.
- Traffic Calming along Main Street, such as creating a boulevard and bump-outs at corners.
- Pedestrian Bridge over Route 9.
- Move the Bus Station.
- Dingwall Drive
 - o 4 Story Parking Deck at current Parking Arcade on Dingwall Drive, add 300-400 parking spaces.
 - o Reconfigure Parking Arcade, add 4 parking spaces.
 - o Deck the parking lot at the rear of the Police Station on Dingwall Drive, add 70-225 parking spaces.
- Broad Street
 - o North of Russell Library increase 12 spaces to 35.
 - o Middlesex Mutual Park Westside add 1 parking space.
 - o Middlesex Mutual Park East side increase 2 spaces to 11.
 - o To rear of Kidcity, add a deck, add 70-100 parking spaces.
 - o Across from Russell Library, add deck, add 30 spaces.
 - o Corner with College, the vacant land can be reclaimed by the City after December 31, 2007, if Middlesex Mutual does not build an adjacent tower. Parking, housing, or business could be a good use for this space.
- College Street
 - o Middlesex Mutual Park North Side, add 8 parking spaces.
 - o Existing SNET Lot, add new deck over parking in the rear add 36 parking spaces.
 - o Plaza Middlesex , add a deck, add 100 parking spaces.
 - o Citizens Bank lot reconfigure to add 2 spaces.
- Main Street
 - o Fleet Bank Surface lot, add new deck from Court Street add 36 parking spaces.
 - o Spear Park, build a retail building on the front, in rear add 160 parking spaces with a two level parking deck.
 - o Rear of former Bob's Store as a possible location for new parking.
- Court Street
 - o Klekolo Coffee add 4 parking spaces.
- DeKoven Drive
 - o James Moses Drive parking Lot, add a deck, add 100-124 parking spaces.
 - o Existing Baseball field, pave entire lot and/or deck, add 240-460 parking spaces.
 - o Former Courthouse site parking, add a deck, add 150 parking spaces.
- Union Street
 - o Middletown Press Building, add deck, add 30 parking spaces.
 - o Rivers Edge, add deck, add 70-150 parking spaces.
- Melilli Plaza
 - o Reconfiguration of existing parking lot.
 - o Capitol Theater and MAT, add 150 parking spaces with new bus station.
- Metro Square
 - o Explore options.
- William's Street
 - o Church lot, demolish 3 buildings and 110 parking spaces with a two level deck.

Resources

The City has the following resources to dedicate towards parking and associated infrastructure in the downtown. A total of \$3,750,800 is need as a 20% match for the federal funding. The City has current secured \$1,000,000 in design funds from the State. \$2,750,800 still needs to be raised in order to access all of the federal funding. Once that portion is raised the funding will become available according to the timetable below.

Incomes

\$ 1,000,000-	in State Bond Funds- Design (counts to 20% federal match)
\$ 9,500,000-	Federal Transportation Funds- Infrastructure Improvements
\$ 1,254,000-	Federal Transportation Funds- Intermodal Center
\$ 8,000,000-	Federal Transportation Funds- Parking Garage
+ \$ 2,750,800-	20% Non-Federal Match
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\$ 22,504,800-	Total

Timeline of funding availability

	Oct 1, 2005	Oct 1, 2006	Oct 1, 2007	Oct 1, 2008	Oct 1, 2009
State	\$1,000,000				
Federal	\$1,600,000	\$3,888,420	\$4,050,960	\$4,426,040	\$4,788,580
Non Fed Match		\$2,750,800*			
	\$2,600,000	\$6,639,220	\$4,050,960	\$4,426,040	\$4,788,580

*If non-federal match can be secured, otherwise these funds will be put off to subsequent years or the project does not succeed.

Possible sources of a non-federal match could come from any one or combination of the following:

- State funds
- City bonding (referendum required for anything greater than \$500,000)
- Surplus parking revenue (roughly \$80,000 a year)
- Developer funds
- Downtown Special Services District tax revenue or debt

The City, ideally, would want new non-city funding to make up the non-federal share. However, in a worst case scenario the city could bond \$500,000 each year from 2005-2009 equaling \$2,500,000, added to the current \$1,000,000 in state bond funds for design along with surplus parking revenue over the next four years equaling \$320,000. This would bring the non-federal share to \$3,820,000, \$69,200 more than the minimum needed.

Expenditures

Using the above resources would certainly have a significant impact on improving downtown Middletown. However, what amount of improvements can we expect to receive for this amount of money? The following four scenarios are a guess at possible improvement allocations. This is only a realistic gauge for how many park spaces could be done with these funds. Rough estimates reveal a minimum of 341 parking spaces and a maximum of 956 parking spaces could be constructed.

Possible Expenditures scenario 1- allocation based on legislative outlays

\$ 2,000,000- Design
 \$ 9,500,000- Downtown Improvement- Signage, Traffic Calming, Main Street Boulevard
 \$ 1,254,000- Intermodal Facility
 \$ 2,925,240- 30%- Acquisition (air rights, etc.), Contingence for parking construction and intermodal facility
 + \$ 6,825,560- 455 parking spaces at \$15,000 per space or 341 parking spaces at \$20,000 per space
 \$ 22,504,800-Total

Possible Expenditures scenario 2- Putting all the funds to parking

\$ 2,000,000- Design
 \$ 6,151,440- 30%- Acquisition (air rights, etc.), Contingence for parking construction and intermodal facility
 + \$ 14,353,360- 956 parking spaces at \$15,000 per space or 717 parking spaces at \$20,000 per space
 \$ 22,504,800-Total

Possible Expenditures scenario 3- Putting the majority of funds to parking, with downtown improvements

\$ 2,000,000- Design
 \$ 2,000,000- Downtown Improvement- Signage, Traffic Calming, Main Street Boulevard
 \$ 5,551,440- 30%- Acquisition (air rights, etc.) & Contingence for parking construction
 + \$ 12,953,360- 836 parking spaces at \$15,000 per space or 647 parking spaces at \$20,000 per space
 \$ 22,504,800-Total

Possible Expenditures scenario 4- Significant parking project and intermodal facility

\$ 2,000,000- Design
 \$ 2,000,000- Downtown Improvement- Signage, Traffic Calming, Main Street Boulevard
 \$ 1,254,000- Intermodal Facility
 \$ 5,175,240- 30%- Acquisition (air rights, etc.), Contingence for parking construction and intermodal facility
 + \$ 12,075,560- 805 parking spaces at \$15,000 per space or 603 parking spaces at \$20,000 per space
 \$ 22,504,800-Total

Findings

Middletown parking is inadequate in the sense that it does not have any coherent principles for management, allocation, improvement or expansion. While it has become cliché to view a parking problem in the positive viewpoint that it is an indication of a booming downtown; for Middletown this may be more an indication that there is no vision for downtown parking.

In order to determine what our plan for parking should be, it is essentially to ask what types of development do we want to encourage in Middletown. Middletown already has already done considerable planning to determine what a revitalized downtown should be. The approved plan for downtown is the Downtown Visions 2000 report and it can be summarized as follows:

"The downtown will be unique in that there will be a distinct mix of retail, service, governmental, residential, social service, entertainment and cultural activities. With this mixture, the downtown will prosper." (Downtown Visions 2000)

Parking should be targeted to benefit the following six goals, and emphasis should be directed to parking that does not provided for adequate future growth:

- **Residential-** It has long been a goal to repopulate the vacant apartments over Main Street. Perhaps the single biggest way to accomplish this is to provide adequate parking for future downtown residents.
- **Restaurant, Entertainment & Cultural Activities-** These activities generally take place during the evenings. Currently, Middletown has adequate parking with the exception of Friday evenings in the core of downtown (Main Street between Washington Street and Court Street). If Middletown wants to attract a large entertainment venue; parking would need to be in close proximity. Otherwise, better signage would need to be explored to help direct motorists to available parking during peak evenings.
- **Retail & Service-** Shoppers visiting a downtown setting really want to park at the location where they intend to shop. Large parking decks have not been successful in other downtowns. Enforcement of on-street parking or improving off-street parking at a public parking lot might be the best way to enhance Middletown retail and commercial service development.
- **Business-** Currently commuters are well served by existing parking. The real question is whether Middletown wants to attract a large firm or fill another office tower. In this situation Middletown lacks adequate parking.
- **Governmental-** City Hall and the Court House are perhaps the two largest institutions that need dedicated government parking. Currently each is well served by its existing parking lots, and there is room for consolidation to free up dedicated parking for public use.
- **Social Service-** Aside from the Hospital, the patrons of social services frequently use mass transit or shuttle services and they are currently well served by existing on-street and off-street public parking. Middlesex Hospital continues to expand and will continue to seek ways to increase its parking infrastructure by either leasing or building space. The hospital has yet to develop a long-term solution to their needs. It will be important to develop a parking plan that meets the hospitals needs and the future the South Cove Development Project needs.

Furthermore the downtown plan also envisions:

"Intermingled among these uses will be clean and well maintained public spaces. These public spaces will host outdoor concerts, plays, farmers markets and other special events. From these public spaces there will be clear visual and pedestrian linkages to the riverfront. The downtown and the riverfront will once again be united." (Downtown Visions 2000)

This opportunity to renew the City's parking is an opportunity to renew a significant portion of the City's public spaces. Ideally, we should look to enhance these public spaces into multi-use areas, improve their visual appearance, and design them to act as linkage points to access recreation and business activities. Some parking lots however will provide support to only a particular venue or activity. The City should try to create a balance between these policies.

Therefore, in order to develop a parking plan the following questions need to be answered first:

- What type of parking do we need to accomplish which goal?
- What policy changes and infrastructure improvements will be required?
- How much parking do we actually need to meet the goal?
- What other downtown enhancements can be done to improve safety, access and visibility?
- How much can we actually afford?

Once these are answered, a parking plan should be created that complements the Downtown Visions 2000 report.

Given this framework it should be feasible to sift through the numerous ideas proposed in the recent years and select the best for consideration.

Appendix

I. Council Resolutions 1999-2005

- 140-99- Increases meter charges from 25 cents for two hours to 25 for one hour.
- 51-00- Parking lease for 25 parking spaces in the Arcade with Middlesex Dialysis Center.
- 117-01- Senior Parking program which allows four free hours of parking per day in City lots.
- 18-02- Parking lease for use of the Hubbard Little League Field by Middlesex Memorial Hospital.
- 21-02- Conveyance of 9 spaces of parking in Municipal Parking lot A to Kidcity.
- 34-02- Authorizing the Mayor to continue to lease from the State property at Harbor Drive for Public Parking.
- 107-02- Parking lease with Inn at Middletown for use of 150 spaces in the Middlesex Mutual Parking Garage.
- 129-04- Creation of a Meter Monitor position.
- 131-04- Ticket booth for Melilli Plaza lot.
- 146-04- Authorizing the Mayor to acquire land for parking in the downtown area.
- 159-04- Parking lease with Middlesex Hospital for use of 125 spaces in the Middlesex Mutual Parking Garage.
- 49-05- Retaining the services of Panuzio & Giordano to secure federal funding for parking and transportation projects.
- 54-05- Mayor is empowered to acquire property for the purpose of creating public parking facilities downtown

II. Parking Studies

2003 Chamber Parking Study

Conclusion- The "Committee agrees to and recommends that the City turn all municipal parking...to a Not-for-Profit entity." The Committee also determined that downtown "must have more than 1,000 new parking paces available" Otherwise "the expansion and some businesses will be forced to go elsewhere".

2003 Desman Associates Parking Study

Conclusion- While this study was geared to the needs of locating the Goodspeed Opera House in downtown Middletown, the study revealed the following: During the peak periods of 10AM and 2PM parking facilities were not full to capacity. Friday evenings from 7PM to 8PM, the Middlesex Mutual Parking Garage was closes at 7pm, and Melilli Plaza was filled to capacity by 8PM. Other facilities were not filled to capacity. Saturday evenings from 7PM all parking facilities were less than 50% occupied. For an entertainment venue parking would need to be increased to accommodate a Friday evening event, by at least 365 parking spaces.

III. Federal Transportation Bill Proposal

Proposals for Downtown Middletown Transportation Infrastructure Improvements

The plan for downtown provides a strategy to ensure that downtown is an active mixed-use area that is accessible for all. The strategy is to promote downtown as an exciting and interesting area to be in by enhancing retail uses, promoting after hours entertainment, and creating new arts and cultural activities and recreational uses within downtown. The plan seeks to upgrade the existing fabric of downtown and strengthen its image. The strategy recognizes the downtown as a collage of differentiated spaces.

The plan was adopted in 1994, and after almost 10 years of implementing the recommendations, the downtown has completely turned around. Including a new downtown movie theater, a new hotel, multiple restaurants and stores, and arts and cultural facilities in partnership with Wesleyan University. Vacancies are almost non-existent, and there is a high level of interest in the downtown.

With success comes traffic congestion and parking shortages. The problem will become even more acute over time. Therefore, the following aspects of parking and transportation infrastructure need to be addressed:

1. Replacement of the existing one level, 35 year old parking arcade and construction of a 4-story fully handicapped accessible parking garage;
2. Construction of a single story, 200 space parking deck tied directly into a new entertainment venue and a new pedestrian walkway over Route 9 to connect downtown and the proposed entertainment venue to the waterfront;
3. A multi-modal Transportation Center to include automobile, bus, rail and ferry service on the Connecticut River;
4. Pedestrian friendly improvements to Main Street to create a fully handicapped accessible and pedestrian friendly environment;
5. Revitalization of the rail line running between Haddam/East Haddam and Middletown to bring the Connecticut Valley Railroad and the popular Essex Steam Train to Middletown and beyond to Hartford;
6. Harborpark riverfront improvements for ferry docking.

Below is a more detailed discussion of each proposal:

1.) Replacement of the existing one level 35-year-old parking arcade and construction of a 4-story fully handicapped accessible parking garage;

The largest public parking structure in the downtown is in very poor condition and becoming dangerous. This area is planned for a new multi level-parking garage. The new garage will be located in the center of the downtown and will

go a long way towards satisfying current and projected parking demands. The garage will be located on a block, which will provide important overflow parking for a new entertainment venue.

2.) Construction of a single story 200 space parking deck tied directly into the new entertainment venue and a new pedestrian walkway over Route 9 to connect downtown and the Goodspeed campus to the waterfront.

The site for this improvement is currently a surface parking lot. Envisioned is a single story deck of approximately 200 spaces. Realignment of the current circulation system will allow for direct access to a new entertainment area and approximately 50 handicapped spaces. To further enhance the area, there is planned a long sought after 50-100 foot pedestrian walkway over Route 9 to the Connecticut River. The waterfront remains as an untapped asset, particularly in terms of its relative isolation from downtown. Pedestrian access is extremely limited due to Route 9, and most views of the river from the downtown area are cut off by development along DeKoven Drive. Over twenty-five years ago the City developed Harbor Park and encouraged the construction of a waterfront restaurant. The success of these efforts has led to an increased awareness of the potential for further revitalization of downtown through increased linkage with its waterfront. In particular the City recognizes the need to re-establish pedestrian links between downtown and Harbor Park as well as to other sections of the Connecticut River.

The downtown plan advocates the creation of this plaza over Route 9 in order to improve pedestrian access between downtown and the riverfront. This is also a potential site for the Multi-modal transportation center envisioned in the next proposal.

3.) A multi-modal Transportation Center to include automobile, bus, rail and ferry service on the Connecticut River.

This downtown plan calls for a regional transportation center/hub in downtown Middletown. As the downtown evolves towards its "Vision Statement" more and more employees, visitors and tourists will be coming to the downtown and more residents of the downtown will be commuting to other employment centers. All agree the State of Connecticut and the entire nation must move towards alternate modes of transportation

Middletown's downtown is ideally situated to be a transportation hub. The downtown is centrally located and has direct access to interstate highways, rail corridors and the Connecticut River. Potential exists for barge and passenger boats to the north and south. Potential exists for light rail commuter access to Old Saybrook, Hartford and Bradley Airport via the Griffin line and the New Haven and New York commuter line. Potential exists for a bus/trolley terminal to service the downtown and the entire community and region. There is also a need to establish a reliable mode of mass transportation within the downtown. It is felt that a reliable and aggressively promoted loop between major employers, residential areas, Wesleyan University and downtown shopping areas and restaurants would be heavily utilized.

This plan envisions this transportation center attracting more people to the area and thus acting as a stimulus for future investment in the area. Any transportation center in the downtown must be at a scale and design compatible to the surrounding neighborhood.

4.) Pedestrian Friendly improvements to Main Street to create a fully handicapped accessible and pedestrian friendly environment;

Ease of pedestrian circulation and parking facilities help in attracting visitors and shoppers to Downtown. This plan recognizes the vital importance of an appropriate number of safe and convenient parking spaces in downtown. With this in mind, the plan for pedestrian circulation and parking envisions downtown as an active pedestrian center, with easily accessible and convenient parking spaces located in close proximity to Main Street and other activity areas such as the riverfront.

What it lacks is a coherent and legible system of pedestrian circulation, which ties these parking lots to each other and to the nodes of activity. Further, the extremely wide Main Street divides the downtown and serves as a barrier between the two sides of Main Street.

The downtown needs a comprehensible system of pedestrian circulation, which links activity nodes and parking areas. The pedestrian ways have to be sensitively landscaped so as to encourage people to use them and provide a sense of direction. The width of Main Street has to be reduced by providing textured crosswalks at appropriate locations and a landscaped boulevard down the center. Parking areas need to be appropriately landscaped, frequently patrolled and made to look more pedestrian friendly to dispel any thoughts that they are unsafe.

- Provide a system of well-designed and user-friendly pedestrian walkways linking areas of activities with parking areas. Ensure that pedestrian circulation is segregated from vehicular circulation;
- Reduce the psychological barrier of Main Street by defining pedestrian areas with textured crosswalks and a central boulevard in the retail core from Washington to College. In addition, this median will help to reduce vehicle and pedestrian conflicts, especially for those older pedestrians and those with disabilities.
- Insure safety in parking areas by appropriate lighting and safe accesses;
- Strengthen the directional signage to city parking lots from all parts of downtown;
- Improve access to downtown from Wesleyan University, Middlesex Hospital and other nodes in the city by improving pedestrian links;

5.) Revitalization of the rail line running between Haddam/East Haddam and Middletown to bring the Connecticut Valley Railroad and the popular Essex Steam Train to Middletown and beyond to Hartford.

One of the great linkages that could be achieved is the extension of the Essex Valley steam train line from Haddam to downtown Middletown. The State-owned railroad line that follows the Connecticut River from Old Saybrook to Middletown provides tremendous opportunities for future tourism links between Middletown and other Connecticut River towns. Expansion of the Essex Steam Train and Riverboat operation north of Haddam to Middletown will require substantial track improvements and resolution of other issues, but the regional economic and tourism benefits of such expansion would be substantial and should be pursued.

Currently approximately 5 miles of unused and antiquated railroad track exist. A complete rehabilitation of this route will restore a part of American history. This railroad line could provide an important investment in making a commuter rail service between Hartford and Middletown and Old Saybrook a reality.

6.) Harborpark riverfront improvements for ferry docking

To increase public enjoyment of the historic, cultural, recreational, economic and environmental values provided by the Connecticut River and to create another link between Long Island Sound and points north, this project involves ferry service for tourism and eventually commuters to Hartford.

Middletown's location on the Connecticut River roughly midway between Hartford and the mouth of the River provides a unique opportunity for the development of tour boat linkages between the Middletown, Hartford, and the lower Connecticut River Valley towns, including East Haddam and Essex. The water transportation opportunities are enhanced by the natural beauty of the Connecticut River Valley, Middletown's ongoing efforts to enhance Harborpark and develop a center of waterfront activity linked to the Downtown, Hartford's "Riverfront Recapture" projects, and the established tourism economies of the downriver towns. In order to sufficiently service routine ferry service, linkages to the downtown and docking facilities would need to be created along the waterfront.

IV. 2005 Federal Transportation Bill- Middletown Allocations

SEC. 3044. PROJECTS FOR BUS AND BUS-RELATED FACILITIES AND CLEAN FUELS GRANT PROGRAM.

(a) Projects – Of the amounts made available to carry out Section 5309(m)(2)(C) of title 49, United States Code, for each of fiscal years 2006 through 2009, the Secretary shall make funds available for the following projects in not less than the amounts specified for the fiscal year:

Project Description

523. Downtown Middletown, CT, Transportation Infrastructure Improvement Project

<u>FY2006</u>	<u>FY2007</u>	<u>FY2008</u>	<u>FY2009</u>	
\$2,000,000	\$2,150,000	\$2,500,000	\$2,850,000	TOTAL: \$9,500,000

267. Middletown, CT Construct intermodal center

<u>FY2006</u>	<u>FY2007</u>	<u>FY2008</u>	<u>FY2009</u>	
\$288,420	\$300,960	\$326,040	\$338,580	TOTAL: \$1,254,000

SEC. 1702. PROJECT AUTHORIZATIONS.

Subject to section 117 of title 23, United States Code, the amount listed for each high priority project in the following table shall be available (from amounts made available by section 1101(a) (16) of this Act) for fiscal years 2005 through 2009 to carry out each such project:

3859	CT	Replace existing parking garage in Middletown, with 4-story, handicapped accessible parking garage.	\$8,000,000
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V. City Ordinances related to Parking

CHAPTER 14- Boards, Committees & Commissions

ARTICLE VI Building Committees [Adopted 5-7-1984; amended 4-3-1995; 2-3-1997; 6-2-1997; 4-3-2000]

§ 14-23. Appointment.

Building committees for any City project having a total cost of over \$500,000 shall be appointed by the Mayor with the consent of the Common Council for all such projects, including the construction or renovations of buildings. Separate building committees shall be appointed for each such project, and said committees shall terminate upon completion of the project.

§ 14-24. Membership.

A. All such building committees shall consist of not fewer than five nor more than nine members, including the following representation:

- (1) Not less than one member with experience in building renovation;
- (2) Not fewer than two members with experience in construction;
- (3) Not less than one member with experience in business and finance.
- (4) Not less than one member representing the City's Committee Concerning People with Disabilities (CCPD).

B. For projects having a total cost of less than \$500,000 the Mayor may, with the consent of the Common Council, designate an existing commission, committee or board to serve as the building committee.

§ 14-25. Powers and duties.

Such building committees shall:

- A. Oversee the progress and completion of all projects assigned to them by the City of Middletown.
- B. Review and approve for payment, where warranted, all bills and obligations of the project.
- C. Make recommendations concerning said building projects to the Mayor and Common Council.
- D. Make recommendations to the Mayor as to proposed change orders. The Mayor shall notify the Finance and Government Operations Commission of the Common Council of all change orders approved. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- E. Provide quarterly status reports to the Finance and Government Operations Commission and provide such information concerning any building projects undertaken by the City of Middletown as may be requested by the Common Council.
- F. Provide a financial report to the Finance Department at the conclusion of the project which includes a schedule of anticipated project revenues along with their anticipated date(s) of receipt. The Board of Education shall provide such information for all school projects.

ARTICLE VIII Design Review and Preservation Board [Adopted 6-5-1995]

§ 14-29. Membership: terms of office.

There shall be an advisory board known as the "Design Review and Preservation Board," which shall consist of nine members. Of the members appointed, three shall serve until June 30, 1996, three shall serve until June 30, 1997, and three shall serve until June 30, 1998. Thereafter, appointments shall be for a term of three years. The Board shall include membership from the Greater Middletown Preservation Trust, the Middletown Special Services District or comparable agency, and the public at large. Its membership should include expertise in architecture, planning, historic preservation and urban design.

§ 14-30. Powers and duties.

The Board shall create guidelines for and, when requested, shall review designs for exterior rehabilitation or new construction in business zones, including signage, and advise the Planning and Zoning Commission and the Redevelopment Agency regarding their appropriateness. The Board shall be the recipient and keeper of historic easements held by the City. It shall, further, provide a forum for, and advise the Economic Development Committee on, the demolition of any structure in the historic districts or any structure listed in Middletown's Historic Resources Inventory, the National or State Registers of Historic Places, or the Inventory of Historic Engineering and Industrial Sites. The Board shall also perform such duties as are required and permitted of a municipal preservation board by the General Statutes and shall make recommendations to the Mayor and Common Council concerning any issue related to the preservation of architecturally and historically significant artifacts, buildings and streetscapes.

ARTICLE IX Parking Authority Commission [Adopted 5-6-1996]

§ 14-31. Membership: appointment; terms of office: Chairperson.

There is hereby established a commission known as the "Parking Authority Commission." The Commission shall consist of five members, not more than three of whom shall be registered members of the same political party, to be appointed and to serve as follows: two shall serve for one-year terms; two shall serve for two-year terms; and one shall serve a three-year term. Commencing in July 1997, the two one-year terms shall become three-year term positions, and commencing in July 1998, the two two-year terms shall become three-year term positions. All members of the Commission shall be appointed by the Mayor with the consent of the Common Council. The Commission shall elect its own Chairperson.

§ 14-32. Duties.

It shall be the duty of the Parking Authority Commission to render advice concerning parking and parking-related issues within the City. The Commission shall be advisory in nature.

CHAPTER 19: Capital Improvements

§ 19-1. Filing of proposals.

All proposals for capital improvements by municipal departments, commissions, committees, agencies, boards or authorities shall be filed with the Common Council and the Planning and Zoning Commission. Proposals must be submitted to and accepted by the Common Council prior to any spending authorization.

§ 19-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated: CAPITAL IMPROVEMENT — Any major improvement or betterment of a nonrecurring nature to the physical plant of the municipality, as differentiated from ordinary repairs or maintenance of a recurring nature. Items within the scope of the Capital Non-Recurring (CNR) Fund are not regarded as capital improvements.

§ 19-3. Official forms.

Proposals shall be submitted on official forms, which shall have the name, location, and purpose of the capital improvement, cost of the capital improvement, and future operating cost and income, if any, to the City of Middletown. Information on the forms must be updated to reflect the current status of the project.

§ 19-4. Review by Planning and Zoning Commission.

The Planning and Zoning Commission shall review all proposals for conformity with the Comprehensive Plan. The Commission can comment on the proposals' impact on the coordinated development of Middletown.

CHAPTER 23- Common Council§ 23-7. Economic Development Committee. [Added 9-4-1984; amended 11-18-1987; 11-6-1991]

A. Membership; appointment. There shall be a standing committee of the Common Council to be known as the "Economic Development Committee." Said Committee shall consist of five members of the Common Council, not more than three of whom shall be of the same political party, to be appointed by the Common Council to serve during their term of office.

B. General purpose; duties. The general purpose of the Economic Development Committee shall be to enhance the effectiveness of the total development effort of the City of Middletown, including but not limited to the marketing of the City. The Committee shall study, evaluate and make appropriate recommendations to the Mayor and Common Council for development programs and priorities as deemed necessary and desirable to promote social, cultural, economic, physical, industrial, recreational, and commercial improvements within the City of Middletown. The Committee shall review and make recommendations to the Mayor and Common Council as to proposals concerning acquisition or disposition of any interest in property by the City and any development matters not specifically within the jurisdiction of any other municipal agency. The Committee shall perform such other duties relating to development affecting the City of Middletown as may be required by the Mayor and Common Council.

CHAPTER 31- Departments**Article II Police Department**§ 31-14. Merger of Parking Authority Office into Police Department. [Added 4-20-1998; amended 5-28-1998]

In accordance with Chapter V, Section 1B and Chapter III, Section 6 of the Charter of the City of Middletown, the Parking Authority Office is merged into the Middletown Police Department.

CHAPTER 178- Housing Standards§ 178-7. General maintenance requirements. [Amended 4-2-1990; 10-7-1991; 11-7-1994]

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living, sleeping, cooking or eating therein which does not comply with the requirements of this section.

BB. Every parking lot, stall and sidewalk for tenant use shall be maintained in a clean, sanitary and safe condition.

CHAPTER 192 Loitering and Panhandling§ 192-4 Panhandling control.

C. Unlawful acts.

(1) No person may ask, beg, or solicit alms, including money and other things of value, in an aggressive manner in any place open to the general public, including, but not limited to, sidewalks, streets, alleys, driveways, parking lots, parks, plazas, buildings, doorways and entrances to buildings, and gasoline service stations and the grounds enclosing buildings.

CHAPTER 262- Streets, Sidewalks & Parking Areas§ 262-16. Dumping snow in highway; parking ban for snow removal. [Added 11-1-1982]

A. Plowing and throwing snow and ice into the street. No person shall plow, throw, put or cause to be thrown or put any snow or ice from any private property or from any area in the rear of said private property or in the area between a private dwelling house or structure and the legally laid out sidewalk into any public highway in the City.

B. Parking bans. The Mayor, upon the advice of the Director of Public Works, shall have the authority to invoke an emergency parking ban throughout the City. Violators of this parking ban shall be fined \$15 plus expenses of towing if the same becomes necessary.

C. Director of Public Works to establish rules and regulations. When a parking ban has been invoked by the Mayor pursuant to Subsection B of this section, the Director of Public Works shall have the authority to make rules and regulations in regard to the orderly clearing, plowing, and removal of snow in the City of Middletown.

D. Payment of violations; increase after 14 days. Any person receiving notice of a violation of a parking ban invoked under Subsection B above may appear at police headquarters of the City and such person shall pay to the Meter Clerk, or to such other person as indicated on the notice, the sum of \$15 if payment is made within 14 calendar days of the date stated on the notice and shall pay the sum of \$30 if payment is made thereafter, and upon payment of such amount prosecution for the violation shall be barred.

§ 262-42. Working on motor vehicles in City parking areas. [Added 1-7-1985]

A. No person shall disassemble, assemble, repair, maintain or alter any motor vehicle in any lot or other area maintained by the City for the parking of motor vehicles and open to public use.

B. Any person who violates this section shall be fined not more than \$90 for each offense.

C. This section shall become effective on February 1, 1985.

§ 262-44. Sweeping parking ban. [Added 3-2-1987]

- A. The Mayor shall have the authority to invoke a "sweeping parking ban" on City streets and parking lots for the purpose of sweeping said streets and parking lots. The street or parking lot to be swept shall be clearly posted 48 hours in advance by the Public Works Department and shall state the date said ban will be in effect.
- B. Any person who parks a vehicle in violation of a street sweeping parking ban shall be fined \$10 if payment is made within 14 calendar days of the date indicated on the notice or tag and the sum of \$20 if payment is made thereafter. Payment shall be made either by mail or in person to the Parking Authority.
- C. In addition to the fine in Subsection B, any vehicle found parked in violation of this section may be removed and/or immobilized in accordance with the provisions of Chapter 285 of the Middletown Code of Ordinances.

CHAPTER 272- Taxation

§ 272-14. Downtown special services district. [Added 2-7-2001]

A. Purpose and intent. In accordance with Chapter 105a of the Connecticut General Statutes, §§ 7-339m through 7-339t, as amended, the City of Middletown is establishing a special services district within its confines, to be created and operated according to the procedures set out in Chapter 105a. The purpose of the district shall be to promote and lead the economic revitalization and development of Middletown's Central Business District.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

ASSESSED VALUE OF REAL PROPERTY FOR EACH FISCAL YEAR — The value of real property as listed on the grand list of the municipality, in effect as of October of the prior year.

BOARD OF COMMISSIONERS — The executive body elected by a majority vote of the holders of record of a taxable interest in real property to govern the district.

COMMISSIONER — Any single member of the Board of Commissioners, with the exception of the ex officio members.

DISTRICT — The Middletown Downtown Business District established according to Chapter 105a of the Connecticut General Statutes, whose boundaries are delineated in Subsection C of this section, including additions made according to Subsection H.

EX OFFICIO — Denotes a nonvoting member of the Board of Commissioners.

FISCAL YEAR — July 1 to June 30, unless it is changed by vote of the Board of Commissioners and approved by majority vote of the holders of record of a taxable interest in real property.

HOLDER OF RECORD OF A TAXABLE INTEREST IN REAL PROPERTY — An individual, corporation, partnership, unincorporated association, trustee, fiduciary, guardian, conservator, or other form of entity or any combination thereof as identified in the records of the City of Middletown.

LESSEE OF PROPERTY — The tenant occupying and in possession of premises located on a property in the district.

PROPERTY — Commercially used real property within the district that is identified in the tax records of the City of Middletown as a parcel of land and/or building for which there is a block, lot, and parcel number assigned by the Assessor's office of the City of Middletown. "Commercially used property" is hereby defined as any property which is used for retail, professional services or business use, and specifically excluding buildings used exclusively for residential purposes.

PROPERTY OWNER — The holder of record of a taxable interest in real property.

C. Boundary of the district. The boundary of the district shall be all that property described as follows: Commencing at a point marked by the intersection of the center line of Washington Street with the center line of Broad Street; thence in a southerly direction along the center line of Broad Street to a point marked by the intersection of the center line of Broad Street with the center line of William Street; thence in an easterly direction along the center line of William Street to a point marked by the intersection of the center line of William Street with the center line of Main Street; thence southerly along the center line of Main Street to a point marked by the intersection of the center line of Main Street with the center line of Union Street; thence in an easterly direction along the center line of Union Street to a point marked by the intersection of the extension of the rear property line of that property known as 2 Main Street with the center line of Union Street; thence in a northerly direction along the rear property lines of all those properties on the east side of Main between Union Street and Washington Street; thence in a northerly direction across Washington Street and along the rear property lines of those properties on the east side of Main Street to a point marked by the northeast corner of the property known as 472 Main Street; thence in a westerly direction along the northerly boundary of the property known as 472 Main Street and the extension of said line to a point marked by the intersection thereof with the center line of Main Street; thence northerly along the center line of Main Street to a point marked by the intersection of the center line of Main Street with the extension of the line of the northerly boundary of that property known as 507 Main Street; thence in a westerly direction along the extension of said line and the northerly boundary of said 507 Main Street to a point marked by the northwest corner of said 507 Main Street; thence in a southerly direction along the rear property lines of those properties on the west side of Main Street between the aforesaid northerly boundary and Washington Street to a point marked by the intersection of the extension of the last said rear property line with the center line of Washington Street; thence in a westerly direction along the center line of Washington Street to the point or place of beginning, excepting therefrom Lots 18, 17, 13 and 12 on Block 17-51 of Assessor's Map 22.

D. Referendum.

(1) This section shall not take effect unless within 60 days of the enactment of this section by the Common Council a referendum shall be had and approved.

(2) The referendum shall be held among all holders of record of taxable interests in real property in the district on the question of whether this section shall take effect. The City/Town Clerk of the City shall determine the identity of such holders in the City's land records and shall give notice of the referendum to such holders.

(3) The referendum shall be approved if a majority of all such holders of record of taxable interests in real property in the district, voting one vote per property, respond affirmatively and if such holders of record of taxable interests in real property in the district, the assessments of which constitute more than 1/2 of the total of assessments for all taxable interests in real property within the district, shall respond affirmatively.

(4) The referendum shall be conducted by mail for a period of five weeks ending not later than 5:00 p.m. on the eighth Tuesday following after the enactment of this section. The City/Town Clerk of the City of Middletown shall supervise the referendum and shall certify the results of the referendum. The referendum shall comply, to the extent applicable and practicable, with Chapter 145 (Absentee Voting) and Chapter 152 (Referenda) of the Connecticut General Statutes, except as Chapter 105a of the Connecticut General Statutes and the terms of this section may otherwise permit or direct.

E. Board of Commissioners.

(1) The business of the district shall be conducted by the Board of Commissioners. The Board may designate such agents as it deems necessary to act on its behalf in the conduct of the business of the Board. In particular the Board may designate a district manager for the district as its agent.

(2) The Board shall consist of seven members, two alternates and two ex officio members. The alternates shall substitute for absent commissioners on a rotating basis. The ex officio members shall be the Mayor of the City of Middletown and the President of the Middlesex County Chamber of Commerce.

(3) A Commissioner shall be an owner or lessee of taxable property in the district; or an owner or operator of a business in the district or an employee of such business; or a resident of Middletown; or an employee of any business or organization located in Middletown.

(4) There shall be an annual meeting, held in the month of March, of district property owners to approve the yearly budget and to conduct such other business as is determined necessary. Special meetings may be called by the Board of Commissioners to conduct business that cannot be postponed until the annual meeting.

(5) Election of the seven members and two alternates of the Board shall be conducted at the annual meeting of the district in odd-numbered years, except for the initial election which shall be held within 30 days after the adoption of the special services district at a public meeting. Each voter shall be a property owner in the district, voting one vote per property.

(6) At the first meeting of the Board of Commissioners, bylaws shall be adopted for the operating procedures of the Board. The operation bylaws may expand upon the procedures necessary to perform district functions.

(7) The terms of the seven Commissioners and the two alternates shall be for two years.

(8) With the exception of the first election of the Board of Commissioners, a nominating committee shall be appointed by the Board to prepare nominations for the biennial election. Nominations may also be made at the time of the annual meeting during which elections are held.

(9) Commissioners shall be elected by a plurality vote of a quorum of property owners present at the annual meeting during which elections are held. A quorum shall consist of a majority of those property owners attending and voting or voting by proxy. Property owners may designate in writing an agent to vote for them.

(10) The Board of Commissioners shall elect officers. The positions shall be determined at the first meeting of the Board after the district is created and incorporated into the bylaws.

(11) The Board of Commissioners shall hire such staff assistance as is considered necessary to perform its duties and as is approved in the budget submitted to the annual meeting.

(12) The Board of Commissioners and its staff shall be authorized to conduct the business of the district in a responsible manner.

F. Powers of the district and municipal obligations.

(1) The district shall have the following powers:

(a) To sue and be sued;

(b) To acquire, hold and convey any estate, real or personal;

(c) To contract;

(d) To borrow money, provided any obligation incurred for this purpose shall be discharged not more than one year after it was incurred, and the district may pledge any tax levies received against any such obligation;

(e) To recommend to the Common Council the imposition of a levy upon the taxable interests in real property within such district, the revenues from which may be used in carrying out any of the powers of such district;

(f) To construct, own, operate and maintain public improvements;

(g) To provide, within such district, some additional services which such municipality is authorized to provide therein, provided that such services are not now being provided within any portion of the area included in such district by any multi-town body or authority;

(h) To retain legal counsel; and

(i) To receive and use gifts and donations for the purposes of the district.

(2) The district may have, with the consent of the Common Council evidenced by amendment to this section, the following powers:

(a) To construct, acquire, or obtain leasehold interests in motor vehicle parking facilities within such district;

(b) To operate a motor vehicle parking facility within such district;

(c) To lease or sublease to other parties motor vehicle parking facilities; and

(d) To enter into, fund and perform agreements which reduce the cost of motor vehicle parking to residents of such district and to employees of, and those doing business with, businesses located within such district.

(3) Maintenance of effort and services. Notwithstanding the powers of the district defined in the preceding subsection, the City shall continue to be obligated to provide all existing municipal services within the district. Further, in keeping with the intent of this section, which is to improve the district through a cooperative effort of the City and the property owners of the district, the City agrees to maintain the existing level of all municipal services provided within the district.

G. District revenue and budget.

(1) District budget.

(a) The district shall adopt an annual budget at an annual meeting of property owners and shall file the budget with the Director of Finance of the City of Middletown on or before April 1 each year. The Common Council shall act on the budget on or before May 15 each year. The annual budget may be amended as provided in the bylaws of the district. Amended budgets must be filed with the Director of Finance within 15 days of adoption.

(b) The Board of Commissioners shall recommend to the Common Council of the City of Middletown, on or before April 1 of each year, a levy upon taxable interests in real property within such district. The initial levy shall be recommended to

the Common Council within 30 days of the initial election of the Board of Commissioners. In accordance with C.G.S. § 7-339r(d), it shall be the obligation of the Common Council to impose the recommended levy as a municipal levy, and such levy shall be in addition to the regular municipal levy, and it shall be the obligation of the City to collect such levy for the benefit of the district.

(c) Any revenue of the district generated by other than the levy upon taxable interests in real property in the district shall be paid into a separate fund of the City for the benefit of the district.

(2) Collection of levy.

(a) The levy upon taxable interests in real property in the district shall be due and payable in two parts, on July 1 and January 1, following the adoption of the levy for the fiscal year. On or before July 1 each year, the Tax Collector of the City of Middletown shall bill holders of taxable interest in real property in the district.

(b) The levy upon taxable interests in real property in the district shall be applied to the assessed value of such real property as established on the then-current grand list of the municipality. No tax abatement shall be considered in reference to the calculation of such levy.

(c) Delinquent interest charges shall be assessed on late district tax payments and shall be computed in the same manner as used for establishing delinquent charges on regular property tax bills of the City.

(d) The Tax Collector of the City of Middletown shall collect the district tax and shall deposit moneys received in a separate fund of the City to be maintained by the Director of Finance of the City for the sole benefit of the district. All interest generated by such fund shall be credited to that fund.

(e) Unexpended funds at the conclusion of each fiscal year shall be carried over into the succeeding year and shall not lapse into the City's general fund.

(3) Disbursement of funds. The Director of Finance of the City may disburse funds from the fund of the district only upon the written request of two duly authorized representatives of the district and only in accordance with the then-current approved annual budget of the Board of Commissioners of the district. The district shall set forth in its bylaws procedures for approving disbursement of funds and for requesting such disbursement from the Director of Finance of the City.

H. Procedure for additions to district.

(1) Any property owner(s) whose property(ies) has a boundary on or access to Main Street may apply to join the district.

(2) Such owner(s) shall notify the Board of Commissioners in writing of an intention to join the district. This request must be signed by the property owner(s) having 50% interest in said property, or a representative of the owner(s) authorized to sign such a request.

(3) The addition of a property shall become effective when accepted at a meeting of the Board of Commissioners.

(4) The Board of Commissioners shall notify the appropriate persons in the City of Middletown and place a copy of the written notification on file at the City/Town Clerk's office.

(5) The tax levy imposed on a property joining the district pursuant to this Subsection H shall be prorated to cover the period from the effective date of addition to the end of that fiscal year.

I. Dissolution of district. The district may be dissolved by referendum as provided in Section 7-339s of Chapter 105a of the Connecticut General Statutes.

J. Any provision herein which is in conflict with the Connecticut General Statutes is hereby repealed, it being understood that said statutes shall take precedence over this section.

CHAPTER 285- Vehicles & Traffic

ARTICLE I General Regulations

§ 285-1. Payment of fine for parking violations. [Added 3-2-1987; amended 3-1-1999; 11-3-2003]

A. Any person receiving notice of the violations listed in § 285-20 may appear at police headquarters of the City, and such person shall pay to the Meter Clerk or to such other person as indicated on the citation the appropriate fine. Upon payment of such amount prosecution for the violation in question shall be barred:

B. Any person having six or more outstanding violations, of which notice has been forwarded to the State Motor Vehicle Department, must remit payment of fines by cash, certified check or money order.

§ 285-2. Parking in areas reserved for persons with disabilities. [Added 5-4-1981; amended 1-5-1998; 11-3-2003]

No person shall park any motor vehicle in a public or private area reserved for the exclusive use of persons with disabilities unless such vehicle is registered as a passenger or passenger and commercial vehicle and a special parking identification card or special license plate bearing numerals or letters, or any combination thereof, followed by the International Symbol of Access issued by the State of Connecticut or the official identification of a disabled person issued by any other state, district or territory subject to the laws of the United States is displayed on such vehicle and the disabled person to whom such special identification card or special license plate or official identification has been issued is the operator of or a passenger in such motor vehicle.

§ 285-4. Removal or immobilization of vehicles. [Added 5-6-1985]

A. The following vehicles may be removed or immobilized:

(1) Vehicles parked in violation of law. Vehicles parked in any parking area open to the public, on any public street, public highway, any portion of the width between the boundary lines of any way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, or on any property owned by, leased by, or in the possession and control of the City in violation of any provision of any municipal ordinance, rule or regulation, or state statute, rule or regulation. Notwithstanding the foregoing, however, vehicles parked in violation of the law shall not be deemed to include vehicles which are parked overtime.

(2) Vehicles with six or more outstanding violations. Vehicles which have six or more outstanding and unpaid parking violations issued against them and which, after mailing to the registered owner a final notice demanding payment, are found parked in any parking area open to the public, on any public street, public highway, any portion of the width between the boundary lines of any way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, or on any property owned by, leased by, or in the possession and control of the City.

[Amended 11-3-2003]

B. Removal and immobilization.

(1) A member of the Police Department or the Parking Authority may remove or cause to be removed a vehicle in violation of this subsection. In addition to, or in lieu of removal, any such vehicle may be immobilized in such manner as to prevent its operation. No such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle, unless it is moved while such device or mechanism is in place. [Amended 11-3-2003]

(2) In any case of a vehicle immobilized by the Police Department or Parking Authority there shall be placed on such vehicle in a conspicuous manner a notice to the owner of the vehicle stating that it has been immobilized, that any attempt to remove the vehicle may result in damage to the vehicle, that if the vehicle is moved and damaged the damage will be the responsibility of the owner and stating the place where necessary fees and charges may be paid to obtain release of the vehicle from immobilization.

(3) In the case of the removal of a vehicle, within 72 hours after removal, the Police Department or Parking Authority shall notify, by certified mail, the owner of such vehicle of the fact of its removal, the place where it may be recovered, and the conditions under which it will be released.

(4) Whenever a vehicle is immobilized or removed or caused to be immobilized or removed by personnel of the Police Department or the Parking Authority, such personnel shall notify both the Police Department headquarters and the Parking Authority office of such immobilization and/or removal so that upon inquiry by the owner of the vehicle the least amount of delay will be encountered in recovery of the vehicle by the owner.

C. Required actions of owner to regain possession. No such vehicle shall be released unless the owner or his agent has established his identity and right to possession and has signed a proper receipt therefor. Before the owner or person in charge of any vehicle taken into custody or immobilized shall be allowed to repossess or to secure the release of said vehicle, he or his agent shall pay or provide to the City the following:

(1) The cost of removal and/or immobilization, plus the cost of storage for each day or portion of a day that such vehicle is so stored in excess of the first 24 hours, plus all sums legally due for any City parking violations issued and outstanding against such vehicle; or

(2) In lieu of the above, a bond with a surety company authorized to do business in this state in an amount sufficient to cover the above charges.

D. Unauthorized removal of immobilized or removed vehicle. Any person who, after having his vehicle removed or immobilized, shall remove such vehicle without complying with this Code of Ordinances shall, in addition to the charges provide for in said sections, be liable for any damage done to the immobilization device or mechanism and be subject to a fine of not more than \$100. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II). § 285-5. Hearings on parking violations. [Added 5-6-1985; amended 9-2-1986; 2-6-1989]

A. The Mayor, with the consent of the Common Council, shall appoint four parking violation hearing officers. Such officers shall serve for a term of two years from the effective date of appointment. The City shall provide a suitable hearing room in which hearings are to be conducted and all necessary forms, papers, furnishings and equipment for the hearing officers to perform their function. The City shall provide for the processing of cases prior to decisions by the hearing officer and for processing of cases after the hearing officer has made a decision.

B. The hearing officers shall be empowered to hear appeals from the issuance of parking violation citations and take such other actions in processing parking violations as authorized by state statutes and City ordinances and regulations.

C. Any person or owner of a vehicle cited for a violation of any ordinance, rule or regulation of the City pertaining to parking may request, in writing, as indicated, a formal hearing before a parking violations hearing officer upon the occurrence of any of the following events:

(1) Within five days of issuance of a parking violation citation;

(2) Within 10 days of issuance of notice of delinquency of a parking violation citation; and

(3) Within 10 days of receipt of a pending impoundment notice, unless such notice is pursuant to a civil execution order or a prior hearing has already been held in the matter.

D. Procedure. (1) In scheduling formal appeal hearings, the appellant shall be notified by mail of the place and time of the hearing. Such notice shall be provided at least 15 days, but not more than 30 days, prior to the scheduled hearing date.

(2) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.

(3) The provisions of this section shall be construed in accordance with the provisions of applicable state statutes and City ordinances.

(4) In considering an appeal, the hearing officer may consider all relevant facts and circumstances and may require personal appearance of the appellant and issuing officer.

(5) Should the hearing officer find in favor of the appellant, he shall so certify to the City and the record of the citation shall be removed from the files of the City.

(6) Should the hearing officer find the issuance of the citation proper, he shall so certify to the City and no further appeal under this section shall be considered.

(7) If such violation is not paid on the date of the judgment of the hearing officer, the City shall send, by first-class mail, a notice of the penalty assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of penalty assessment with the Clerk of the Superior Court for the geographical area in which the City is located together with an entry fee as required by statute. The certified copy of the notice of penalty assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment in the amount of such record of assessment and court costs against such person in favor of the City. Notwithstanding any other provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(8) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal may be instituted as provided by statute within 30 days of the mailing of notice of such assessment.

E. Request for immediate hearing when vehicle is immobilized or removed. Any person whose vehicle is immobilized or removed because of parking in violation of law or because of the existence of five or more outstanding violations may

request an immediate hearing on the validity of the charges on which the immobilization or removal was based. A hearing shall be convened by one of the parking violation hearing officers as soon as practicable.

(1) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation. In considering the charges, the hearing officer may consider all relevant facts and circumstances and require personal appearance of the person requesting the hearing and the issuing officer.

(2) Should the hearing officer find in favor of the person charged, he shall so certify to the City and the record of charge or charges shall be removed from the files of the City and the vehicle released to the owner. Should the hearing officer find the issuance of the charge or charges proper, he shall so certify to the City and no further appeal for a hearing shall be considered.

(3) The hearing officer shall determine the amount due the City for the cost of immobilization or removal and the amount due for violations outstanding. The owner may regain possession by paying the amount found due by the hearing officer and establishing his identity and right to possession and upon signing a proper receipt for the vehicle. If not paid on the same day, the owner shall also pay all charges due for storage in excess of the first 24 hours.

§ 285-7. Fire zones. [Added 6-3-1974; amended 10-7-1974; 6-3-1996]

A. The Fire Marshals of the City of Middletown are hereby directed and authorized to establish fire zone areas within or near any public or private street, highway or passway when, in their judgment, for the safety of the general public, such areas shall be restricted no-parking zones.

B. Wherever the Fire Marshal establishes a fire zone, with the approval of the Fire Commissioners from the district affected, he shall file a copy of his orders with the City/Town Clerk's office. Such restricted areas shall be clearly marked, at the owner's expense, "No Parking - Fire Zone - Tow-Away Zone." The enforcement of this section shall be the responsibility of the Chief of Police and whosoever he may delegate. Editor's Note: Former Subsection C, regarding fines for violations, which immediately followed this subsection, was repealed 11-3-2003.

ARTICLE II Traffic Regulations

§ 285-8. Definitions. [Added 4-6-1987; amended 6-6-1988; 10-5-1998]

As used in this article, the following terms shall have the meanings indicated:

CROSSWALK — That portion of the highway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a highway distinctly indicated, by lines or other markings on the surface, as crossing for pedestrians, except such prolonged or connecting lines from an alley across a street.

HIGHWAY — Includes any public highway, road, street, avenue, alley, driveway, waterway, parkway or place, under the control of the City of Middletown, dedicated, appropriated or opened to public travel or other use.

PARKING — The standing of a vehicle, whether occupied or not, on a highway, except it shall not include the temporary standing of a vehicle for the purpose of and while engaged in receiving or discharging passengers or loading or unloading merchandise or while in obedience to traffic regulations or traffic signs or signals.

PERSON — Includes any individual, corporation, association, copartnership, company, firm or other aggregation of individuals.

TRAFFIC — Pedestrians, vehicles and other conveyances while using any highway for the purpose of travel.

TRAFFIC AUTHORITY — The Chief of Police of the City of Middletown.

§ 285-9. Obstructing driveway or alley. [Added 4-6-1987]

No person shall park any vehicle in front of, or so as to obstruct or interfere with, the ingress to or egress from any private driveway or alley, except with the permission of the owner of such driveway or alley.

§ 285-14. General parking restrictions. [Added 6-6-1988]

A. No person shall park any vehicle in any place where signs are erected designating a no-parking zone or where the adjacent curb is marked or painted yellow. Signs need not be less than 50 feet apart to designate a no-parking zone. The Traffic Authority or his or her duly authorized designee shall have the authority to limit or restrict the parking of vehicles on highways and in parking lots. The Chief of Police or his or her duly authorized designee shall have the power to limit or restrict parking in City parking lots. [Amended 10-5-1998]

B. Manner of parking.

(1) No vehicle shall be permitted to remain stationary upon the traveled portion of any highway other than Main Street except upon the right-hand side of such highway in the direction in which such vehicle is headed, and, if such highway is curbed, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety shall permit, be within a distance of 12 inches from the curb.

(2) No vehicle shall be parked on any traveled portion of a highway or in a parking lot so that the vehicle is positioned in a perpendicular manner behind vehicles parked in legal parking spaces (double parked). No vehicle shall be parked on any traveled portion of a highway parallel to vehicles which are parallel parked (parallel double parking).

C. Parking near fire hydrants, stop signs, and intersections prohibited. No person shall park any vehicle within 10 feet of any fire hydrant or within 25 feet of a stop sign or 25 feet from an intersection.

D. Parking vehicles on public sidewalk or sidewalk area. No person shall park or cause to be parked a motor vehicle on any public sidewalk and/or sidewalk area.

E. Restricted parking; permit required. No person shall park any vehicle in any parking space on a highway or in a parking lot space that is designated by signs or other means that the parking space or parking lot space is reserved, marked "No Parking" or marked "Permit is Required."

§ 285-15. All-night parking during winter months. [Added 6-7-1982; amended 11-3-2003]

No person shall park a vehicle on any street during snowstorms or snowplowing operations between the hours of 11:00 p.m. and 7:00 a.m.

§ 285-16. Parking between curb and sidewalk. [Added 2-8-1978]

There shall be no parking of motor vehicles between the curblines and the sidewalk at any time except during the period from December 1 through March 31 of each year.

§ 285-17. Parking lots and meters. [Added 6-6-1988]

A. Hours meters to be in operation; curb meters. Curb parking meters shall be in operation for curb parking spaces every day, except Sundays and legal holidays, from 10:00 a.m. to 6:00 p.m. prevailing time. [Amended 11-1-2004 by Ord. No. 13-04]

B. Parking lots; hours parking in lots prohibited. Where existing, parking lot meters shall be in operation for parking lot spaces every day except Sundays and legal holidays from 9:00 a.m. to 6:00 p.m. prevailing time, except on Fridays when the period of operation shall be from 9:00 a.m. to 9:00 p.m. prevailing time. There shall be no parking in any parking lot whether metered or not between the hours of 12:00 midnight and 8:00 a.m. prevailing time, except that parking shall be permitted between those hours at the discretion of the Chief of Police during a snow removal no-parking ban. The Chief of Police, in his/her discretion, may amend the hours of operation of the parking lots. The parking lots are hereby designated as follows: [Amended 10-5-1998; 10-6-2003]

(1) Lot A is located on Washington Street connecting to Broad Street.

(2) Lot B is located on Main Street directly across from Ferry Street.

(3) Grand Street Lot is located at the corner of Main Street and Grand Street.

(4) Broad Street Lot is located directly across from the Russell Library.

(5) Riverview Garage is located on Dingwall Drive.

(6) Riverview Parking Arcade is located on Court Street (Lower).

(7) Melilli Plaza Lot is located between Washington Street and (Lower) Court Street.

C. Coin to be deposited in meter when vehicle parked in space. When any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall deposit or cause to be deposited in the meter such proper coin as is designated by proper direction on the meter and set the parking meter in operation.

D. Registration prima facie evidence of name of violator. In any prosecution or proceedings hereunder, the registration plate or license plate displayed on a motor vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

E. Violations; overtime parking.

(1) No owner or operator shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, whether on a highway or in a parking lot, as is allowed by a meter or sign.

(2) Whenever a vehicle remains in a parking space for a period of one hour after being cited for a violation of this Code of Ordinances it may also be cited additionally each one-hour period for overtime parking and the violator shall be subject to fines and penalties as provided for in this Code of Ordinances.

F. Deposit of additional coins. No person shall deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

G. Improper parking. No person shall park any vehicle, whether on a highway or in a parking lot, across any line designating a parking meter space or nonmetered space. The vehicle shall be in such position that it is entirely within a space designated by such lines or markings. Vehicles parked on Main Street shall be positioned within the lines so that the right front wheel shall be within a distance of not more than 12 inches from the curb. In addition, no vehicle shall be parked so that the vehicle is backed into the stall, whether on a street with diagonal parking stalls or in a parking lot. No person shall park any vehicle in front of, or so as to obstruct or interfere with the ingress to or egress from, any private driveway or alley, except with the permission of the owner of such driveway or alley.

H. Tampering, etc. with meters and/or signs. No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter and/or sign.

I. Depositing slugs. No person shall deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

J. Enforcement; report required. It shall be the duty of the Police Department and its officers and any other legally appointed person to enforce this section for the parking of a vehicle, using the facilities of the Parking Authority. It shall be the duty of enforcing officers to issue a ticket with the following information to report the following:

(1) The number of the parking meter which indicates that the vehicle occupying the parking space is or has been parking in violation of any of the provisions of this section.

(2) The state license and registration number of such vehicle.

(3) The date and time such vehicle is parked in violation of this section.

(4) Any other facts concerning such violation.

K. Notice to be attached to vehicle parked in violation; contents of notice. The enforcing officer as provided in Subsection J shall attach to such vehicle a notice containing the information required by Subsection J, addressed to the owner or operator thereof, that such vehicle has been parked in violation of parking rules and regulations and shall instruct such owner or operator that payment of such sum or sums as prescribed on such notice shall be made either by mail or in person within 14 days to the Parking Authority or to such person and place as may be designated on such notice. Any disputes with respect to said notice must be made to the Parking Authority within five days of the date on the notice.

L. Rates. The following rates are established as follows for parking in the designated areas: [Added 10-6-2003]

(1) Parking meters (Main Street and side streets): \$0.25 per half hour, \$0.10 for 12 minutes, \$0.05 for six minutes; maximum of two hours, per day.

(2) Metered parking in lots: Lot A, Lot B, Grand Street Lot: \$0.25 per hour, with a maximum of 10 hours.

(3) Nonmetered parking: Lot A, Lot B, Grand Street Lot: maximum of two hours of free parking per day, per vehicle; only in nonmetered spaces.

(4) Broad Street Lot (across from Russell Library): \$0.25 per half hour, \$0.10 for 12 minutes, \$0.05 for six minutes; maximum of two hours, per day.

(5) Permit parking lots: Melilli Plaza Lot, Riverview Garage (lower level only), Lot A, and Grand Street Lot, permit parking: \$45 per month, plus tax, per permit.

(6) Booth lots: Melilli Plaza Lot, Riverview Parking Arcade (upper level only), public parking:

(a) Nonsenior citizen: two hours of free parking, per vehicle, per day; \$1 (tax included) per hour, or part of any hour thereafter.

(b) Senior citizen: Four hours of free parking, per vehicle, per day; \$1 (tax included) per hour, or part of any hour thereafter.

(c) Loss of ticket, (for seniors and nonsenior citizens): highest per-day rate.

(7) None of the above rates shall apply during times of emergency parking bans, winter snow bans, or institutions of negotiated contracts.

M. Overnight parking is not allowed in any of the designated areas unless posted otherwise. [Added 10-6-2003]

N. The Chief of Police or his or her designee will determine the availability of monthly permits. The permits must be clearly displayed within the vehicle for each appropriate limited parking area. Permits issued will be for a specific lot only and cannot be used for another lot. The Middletown Police Department's Parking Authority office will issue month-to-month permits and collect the fee of \$45 for the above-listed lots. [Added 10-6-2003]

§ 285-20. Stopping, standing or parking prohibited in certain places. [Added 6-6-1988]

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or traffic control device, in any of the following places:

A. The following shall be five-dollar parking violations:

- (1) On a sidewalk.
- (2) Obstructing a public or private driveway.
- (3) Within an intersection.
- (4) Within 25 feet of a crosswalk at an intersection.
- (5) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a highway.
- (6) Between a safety zone and the adjacent curb or within 30 feet of points on a curb immediately opposite the ends of a safety zone, unless the Traffic Authority has indicated a different length by signs or markings.
- (7) Within 50 feet of the nearest rail of a railroad crossing unless otherwise signed by the Traffic Authority.
- (8) (Reserved) Editor's Note: Former Subsection A(8), which prohibited parking within specific distances of fire stations, was repealed. For current provisions, see Subsection B(1).
- (9) Alongside or opposite any highway excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (10) Upon any bridge.
- (11) More than 12 inches from the curb.
- (12) Within 25 feet of a highway corner or intersection.
- (13) (Reserved) Editor's Note: Former Subsection A(13), which prohibited parking in monthly parking lots without a permit, was repealed. For current provisions, see Subsection B(2).
- (14) In a loading zone reserved for commercial use and/or City of Middletown Parking Authority without commercial or combination registration.
- (15) In a parking stall operated by the City of Middletown Parking Authority when parking in a manner so as to occupy more than one space.
- (16) Wrong way on highway against the flow of traffic.
- (17) Parking overtime in metered and nonmetered spaces. Editor's Note: Original § 38(a)(18), U-turns on Main Street, which immediately followed this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- (18) U-turn on Main Street.
- (19) Backing into parking spaces, whether on a highway with diagonal parking stalls or in a parking lot.
- (20) On the highway side of any vehicle stopped or parked at the edge or curb of a highway (double parked).
- (21) At any place where official signs prohibit stopping or parking or where the curbing is painted yellow.

B. The following shall be twenty-five-dollar parking violations:

- (1) Within 20 feet of the driveway entrance to any fire station and on the side of the street opposite the entrance of any fire station within 75 feet of such entrance (when properly sign-posted).
- (2) In monthly parking lots owned or operated by the City of Middletown without a valid permit;
- (3) Parking in a designated fire lane (§ 285-7 of this chapter).
- (4) Within 10 feet of a fire hydrant.

C. The following shall be eighty-five-dollar parking violations:

- (1) Parking in areas reserved for individuals with disabilities (§ 285-2 of this chapter).

D. The following shall be ten-dollar parking violations:

- (1) On a crosswalk.
- (2) In a marked bus stop.
- (3) (Reserved) Editor's Note: This subsection, which prohibited parking within 10 feet of a fire hydrant, was repealed. For current provisions, see Subsection B(4).
- (4) Parking in violation of the Sweeping Parking Ban (§ 262-44 of the Middletown Code of Ordinances).

E. The following shall be fifteen-dollar parking violations:

- (1) Parking in violation of the winter parking ban (§ 285-15 of this chapter).
- (2) Parking in violation of an emergency parking ban.

§ 285-21. Penalties for offenses.

A. Penalties for violations of this article are as follows: [Amended 10-6-2003]

- (1) A fine of \$5 for a violation of any § 285-20A parking regulation.
- (2) A fine of \$10 for a violation of any § 285-20B parking regulation.
- (3) A fine of \$15 for a violation of any § 285-20C parking regulation.
- (4) A fine of \$25 for a violation of any § 285-20B parking regulation.
- (5) A fine of \$85 for a violation of any § 285-20C parking regulation.

B. The above-mentioned fines shall apply if payment is made to the Parking Authority within 14 days of the date of the violation. Payment is deemed to be made on the date it is postmarked or received in person by the Parking Authority.

- C. If the penalties are not paid within 14 days of issuance of the citation, said penalties shall double. [Amended 10-6-2003]
- D. If the fines and penalties as herein set forth are not paid within 30 days, the City of Middletown may pursue further action as provided by the Connecticut General Statutes and the City of Middletown Code of Ordinances.
- E. If the vehicle is removed or immobilized, the appropriate fine for the class of violation must be paid together with any other charges prior to the release of the vehicle.
- F. A dispute as to the citation(s) must be made in writing to the Parking Authority within five days of the date of issuance. A claim of dispute shall be deemed to be made by the date it is postmarked or received in person by the Parking Authority.

VI. Middletown Zoning Code sections relocated to parking

SECTION 40 OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

40.01 PURPOSE- The development and execution of a comprehensive Zoning Code are based upon the division of the City into zones, within which the use of land and structure and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that off-street parking and off-street loading requirements are necessary in order; to relieve congestion so that the street can be utilized more fully for the movement of vehicular traffic; and to promote the safety and convenience of pedestrians; and to protect adjoining residential area; and to promote the objectives of the Plan of Development of the City.

40.02 GENERAL PROVISIONS FOR OFF-STREET PARKING AND OFF-STREET LOADING SPACE- No land shall be used, occupied, no structure shall be erected, constructed, reconstructed, altered, or used and no use shall be operate unless the off-street parking and/o loading space herein required is provided in at least the amount and maintained in the manner herein set forth; provided, however, that off-street parking and/or loading space need be neither provided nor maintained for land, structures or uses actually uses, occupied and operated on the effective date, such land, structures or uses are enlarged, expanded, or altered so as to require a greater amount of off-street parking and/or loading space not required to be furnished by reason and new uses shall not be used, occupied or operated unless there is provided the required sum of off-street parking and/or loading space required therein. Parking spaces reserved for handicapped persons shall be as near as possible to the building entrance or walkway.

40.03 DEVELOPMENT AND MAINTENANCE STANDARDS- Plans and design standards for areas to be used for off-street parking and/or loading space shall be in conformity with the following:

40.03.01 PARKING SPACE AREA- Automobile parking spaces shall not be less than nine (9) feet in width and eighteen (18) in depth, except in Industrial Zones where the width may be eight (8) feet. Special size and arranged parking spaces may be proposed for employees of land-users. In addition, there shall be provided adequate interior driveways and entrance and exit driveways to connect each public parking space with a public right-of-way. Parking spaces reserved for handicapped persons shall not be less than twelve (12) feet wide.

40.03.02 SURFACE- All such off-street parking and/or loading facilities shall be so drained as to prevent damage to abutting properties or public street and shall be constructed of asphalt or other such materials acceptable to the Public Works Department and the Commission which will have a surface reasonably resistant to erosion. Driveway ramps between the curb and sidewalk shall be constructed of reinforced concrete. All workmanship shall be accordance with details and specifications of the Public Works Department. (Amended effective 8/215/95).

40.03.03 CURBING- All parking and/or loading spaces shall be separated from walkways, sidewalks streets or alleys by curbing. Any parking area providing parking spaces for more that one hundred (100) automobiles shall be separated by curbing and/or landscaped areas at least fifteen (15) feet in width and each area thus created shall not contain more than one hundred (100) automobiles.

40.03.04 INTERIOR DRIVEWAYS- Interior driveways shall be at least:

Twenty-four (24) feet wide when used with seventy (70) to ninety (90) degree angle parking. Two (2) way traffic circulation shall be permitted in twenty-four lanes.

Eighteen (18) feet wide when used with forty-six (46) to sixty-nine (69) degree angel parking. One (1) way traffic circulation shall be permitted in eighteen (18) foot lanes.

Fourteen (14) feet wide when used with parallel to forty-five (45) degree angle parking. Only one (1) way traffic circulation shall be permitted in fourteen (14) foot lanes.

40.03.05 ENTRANCE AND EXIT- Entrance and exit driveways shall not be less than fifteen (15) feet wide nor more than twenty-five feet (25) wide and shall be separately provided whenever possible, except where such driveways are provided for one (1) or two (2) family dwellings, such minimum width shall be nine (9) feet.

40.03.06 MARKING- Each parking space shall be clearly marked and pavement directional arrows or signs provided wherever necessary. These markers shall be properly maintained to insure their maximum efficiency. Parking spaces reserved for handicapped persons shall be clearly identified.

40.03.07 BUFFER BETWEEN DIFFERENT LAND-USES- When a new land-use (including different housing types) is proposed to be located adjacent to an existing use there shall be a ten (10) foot landscaped buffer strip at the edge of the new site in addition to any required yards. The new use shall be screened from the abutting existing use by: (a) hedges or coniferous planting having a height of at least four (4) feet at the time of planting, not more than two (2) feet on center or (b) solid fencing at least six (6) feet in height or a combination of these as shown and approved on the site plan.

40.03.08 LIGHTING- Adequate lighting shall be provided if the parking facilities are used at night. If the parking facilities abut residential land, the lighting shall be installed and arranged so as not to reflect or cause glare onto the abutting residential land.

40.03.09 TWO OR MORE USES- Requirements for the provisions of parking facilities with respect to two (2) or more property uses of the same or different types, may be satisfied by the permanent allocation of the requisite facility,

cooperatively established and operated, provided that the number of spaces designated is not less than the sum of individual requirements and provided further that the specifications in regard to location, plan etc. are complied with.

40.03.10 JOINT USES- Land or buildings used for two (2) or more purposes, the number of parking spaces required shall be the sum of the requirements for the various individual uses, computed in accordance with this paragraph; parking facilities for one (1) use shall not be considered as providing the required parking facilities for any use, except as provided in Section 40.04.26. (Effective 8/1/84.)

40.03.11 BACKING OUT- All parking or loading areas that make it necessary for vehicles to back out directly into a public road are prohibited, provided that this prohibition shall not apply to off-street parking areas of one-family and two-family dwellings.

40.03.13 OBSTRUCTION- All parking or loading areas shall be constructed so that no part of parked vehicles will extend beyond the parking space so as to obstruct walkways, sidewalks, streets or alleys.

40.03.14 RIGHT-OF-WAYS- No land within any public right-of-way shall be used in computing the parking or loading area for a specific use.

40.03.15 COVERED AREAS- All garages or other spaces allocated for parking of vehicles within buildings or in basements or open spaces on the roofs of buildings shall be considered part of the required parking or loading area and may be included as such in computing the quantity of space outlined in this section.

40.03.16 COMPUTATION OF EMPLOYEES- For the purpose of this section, the number of employees for a use, shall be computed on the basis of the employees on the large shift.

40.03.17 OTHER USES- No parking area shall be used for sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

40.03.18 SLOPE- Whenever possible, parking areas and lots shall be level except for necessary drainage purposes. The maximum permissible slope for any parking area shall be seven (7) percent. If parking spaces are provided in areas which exceed five (5) percent slope, all such spaces shall be parallel to the contour lines of the parking area.

SECTION 61- BUSINESS ZONES, INDUSTRIAL ZONES AND OTHER NON-RESIDENTIAL ZONES USES SCHEDULE-

61.01.09- Commercial Parking Lots, need not be enclosed.

ZONES: B1, B2

VII. Middletown Design Review and Preservation Board Design Guidelines

Reduce Visual Impact of Parking- While necessary and important to the downtown, parking lots and structures can have serious negative visual and environmental effects. Because they are utilitarian elements, parking lots and garages often do not receive the same level of design attention as other types of land uses. While they may not merit the same level of materials and finishes that a major building would, care in the use of basic design elements can make a significant difference. Landscaping, trees, and planters can also mitigate the negative visual effects of parking lots and structures.

- A minimum of thirty (30 sq. ft.) square feet of landscaping should be provided for each parking space. Required landscaping should take the form of planter strips, landscaped areas and perimeter landscaping. the landscaping should be dispersed throughout the parking lot, but must also extend along the entire frontage of adjacent streets, , commercial strips, and major streets are typically under-landscaped. Parking lots should incorporate trees except for entry points. Planter strips, landscaped areas, and perimeter landscaping areas should have a minimum width of five (5') feet. Walls, fences, hedges or rows of trees should enclose the lot, maintaining the streetwall.
- General Landscaping- Parking lots, planter strips, and perimeter landscaping to reduce the visual impact of parking lots. Businesses on the city's commercial strips, such as the Route 66 Corridor, should further landscape area along the roadside to soften the corridor's edges and make more pleasant these gateways to the city. Main Street's extraordinary width offers a third landscaping opportunity: the placement of a planted median along the street's middle lanes.