

COMMISSIONERS' ORDINANCE NO. O-05-22

AN ORDINANCE AMENDING SECTION 32.022, MOTOR VEHICLE PARKING AUTHORITY POWERS AND MANAGEMENT, OF THE CITY OF COVINGTON CODE OF ORDINANCES.

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WHEREAS, the City created the Covington Motor Vehicle Parking Authority (the "Parking Authority) pursuant to KRS 94.810 to 94.840 through Commissioners' Ordinance No. O-07-18; and

WHEREAS, the City and the Parking Authority entered a Memorandum of Understanding (the "MOU") setting forth responsibility for the operation and maintenance of certain parking assets within the City of Covington dated January 10, 2019; and

WHEREAS, the Parking Authority may request the revision or amendment of City of Covington Ordinances to accomplish the purposes of this MOU or the business of the Parking Authority; and

WHEREAS, the Parking Authority unanimously voted to send a favorable recommendation on the following proposed amendments to Section 32.022 of the City of Covington Code of Ordinances:

- (1) Clarify the Parking Authority's powers related to off-street parking facilities;
- (2) Differentiate the Parking Authority's powers related to off-street parking facilities from its powers to create and operate on-street parking and install parking meters, subject to the approval of the City Board of Commissioners;
- (3) Define the Parking Authority's power to enforce non-moving traffic violations in connection with parking meters and parking facilities maintained, operated, owned, or managed by the Parking Authority;
- (5) Grant the Parking Authority the ability to hire and retain professional staff to support and improve the existing management structure; and
- (6) Clarify that the Parking Authority has the power to establish parking rates for off-street parking facilities and to establish parking rates for on-street metered parking in designated "Parking Meter Zones" subject to the approval of the City Board of Commissioners; and

WHEREAS, City Administration Department staff recommends adopting the proposed amendments as set forth herein.

NOW THEREFORE,
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

Section 32.022 of the Covington Code of Ordinances is amended to read as follows:

§ 32.022 POWERS AND MANAGEMENT.

(A) The Parking Authority shall have the ***following powers:***

- 1. The power of acquisition, ownership, construction,*** incurring of debt, creation and operation of [~~public street and~~] off-street parking facilities; [~~The city is the current owner of various public street and off-street parking facilities, for which the Parking Authority, upon establishment, may negotiate to purchase and/or lease for its use.~~]
- 2. The creation and operation of on-street parking and installation of parking meters in designated "Parking Meter Zones" as defined in § 74.060;***
- 3. The enforcement of non-moving traffic violations in connection with parking meters and parking facilities which the Parking Authority maintains, operates, owns, or manages, including the power to enter into contracts regarding enforcement; and***
- 4. The Parking Authority shall have all powers pursuant to ordinance and statute not inconsistent with the provisions of the articles of incorporation and laws of the Commonwealth and the City and this subchapter.***

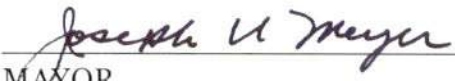
(B) The Parking Authority and the city shall also establish a maintenance agreement regarding the maintenance of public and/or off-street parking.

~~[(B)]~~ ***(C)*** The City Manager or his or her designee shall be the Executive Director of the Parking Authority. The compensation of the Executive Director shall be established by the Parking Authority Board. ***The Parking Authority shall have the power to hire and maintain staff and enter into contracts for professional services as may be required to ensure professional operation of the Parking Authority.*** The city, to provide for economic growth and development, recruits businesses and other entities to the city. The Parking Authority at no time shall engage in economic development recruitment on its own or without first consultation with the city through the City Manager.

(D) The parking rates for public off-street parking facilities shall be set by the Parking Authority, subject to the approval of the City Board of Commissioners. The Parking Authority shall have the authority to set parking rates, subject to the approval of the City Board of Commissioners, for public on-street parking in designated "Parking Meter Zones" established in accordance with § 74.060, et seq. The parking rates shall be adequate to pay the expenses of operating these facilities and provide for the payment of debt service, and to generate surplus revenue in order to maintain and improve public on-street and off-street parking facilities.

Section 2

That this ordinance shall take effect and be in full force when passed, published, and recorded according to law.


MAYOR

ATTEST:


CITY CLERK

Passed: March 8, 2022 (Second Reading)
February 22, 2022 (First Reading)